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I am pleased to present to you the latest issue of the *Northwestern Law Reporter*. This third issue highlights the extraordinary work of our students, faculty, and alumni. Covering a wide subject terrain, you can see the breadth of the work of our law school community. Northwestern Law School is engaged in a remarkably diverse body of activities and we are delighted to share some of this work with you.

I hope you will take special note of the impressive work of our faculty, some description of which is contained in this issue of the *Reporter*. Through its distinguished scholarship, exemplary teaching, and public service, our faculty is carrying the flag for Northwestern Law and, more to the point, is setting just the right example for our remarkable students. These law teachers are contributing in meaningful ways to the legal profession and we are proud of their superb service.

To say that the legal profession is facing difficult challenges is rapidly becoming a trite phrase. A more nuanced, and certainly more helpful, way to put the point is to say that the legal profession and legal education share in common the essential responsibility to reflect candidly upon what changes should be made to improve the way we respectively do business. Stakeholders expect change; and change requires careful thought and deliberate strategies. Such strategies require that we in law schools put our heads together to consider how best to advance the objective of a high-quality, efficient legal education. We should attend to both curriculum and cost.

At Northwestern Law School, we are doing our part in this endeavor. We are looking anew at our academic program and, with the development of our strategic plan (the details of which will be featured in the next issue of this magazine), at ways to educate our students to be ethical, professional sophisticated lawyers—and, indeed, leaders—in this dynamic, evolving profession. We are also looking closely at our economic model and our enrollment structure to ensure that we are providing exemplary instruction to students at the most efficient level and with due attention to student debt load and its impact on graduates’ well-being. We do not expect to find a panacea; and the kind of radical critique of current legal education that often frames the debate about whether legal education is “worth it,” more often obscures than illuminates. But we should come to agreement on this central point: The nation’s great law schools—and Northwestern Law is one of those great law schools—must adapt in order to improve and must strive to excellence by cogent planning and honest self-reflection.

I welcome our many stakeholders into this vital discussion. I welcome your advice and your input. You can reach out to me at daniel.rodriguez@law.northwestern.edu. I also encourage you to read my blog, *Word on the Streeterville*, which can be found at deansblog.law.northwestern.edu.

Daniel B. Rodriguez
Dean and Harold Washington Professor
The legal marketplace is in a period of transition, and legal education is evolving as well. As an innovator in the delivery of legal education, Northwestern Law is deeply and seriously engaged in developing curricular enhancements to our traditional JD and LLM programs, as well as creating new initiatives to meet emerging needs.

Professionals with scientific, engineering, and medical backgrounds work in an increasingly complex legal and regulatory landscape. Success in this environment requires more than just technological knowledge—leaders must understand how the pieces fit together across the enterprise to facilitate workflows and avoid potential legal and regulatory problems.

Entrepreneurs with training in the science, technology, engineering, and math (STEM) disciplines benefit from gaining an understanding of elements of business law as well. For example, they often must develop and protect their intellectual property in order to successfully bring their products to market.

To meet this need Northwestern Law School will establish the Master of Science in Law (MSL) degree to provide practical legal training for STEM-trained professionals and entrepreneurs. The first cohort of MSL students will begin in Fall 2014, and students will be able to complete the degree in nine months of full-time study or 18–36 months of part-time study.

“These individuals are not interested in practicing law,” said Leslie Oster, clinical associate professor of law. “The legal and business training they receive will help them be better at what they are doing with their technical training. The MSL will impart tools and skills that will allow students to navigate the unique legal, business, and regulatory contexts in which they operate.”

Program curriculum will consist of courses designed specifically for MSL students—a core of basic classes that includes contract law and design; liability, risk, and insurance; business associations; patenting inventions, assessing patent eligibility, intellectual property portfolio management, and the choice between trade secrets and patents;

• law and entrepreneurship, which will focus on the issues and opportunities involved in bringing an idea from conception to market, including law and the entrepreneur, project finance, employment law, issues in business formation, business strategy, and business analytics; and

• regulatory strategy and standard-setting, which examines regulatory strategy, statutory interpretation, federal regulatory agencies, standard setting, regulatory analytics, and data security and privacy.

“Science, engineering, and medicine are key drivers of the United States and world economies,” said Emerson Tiller, J. Landis Martin Professor of Law and Business

“Skills acquired in the Master of Science in Law program will allow professionals to communicate and interact across disciplines and professions, to recognize obstacles and risks, and to visualize opportunities for innovation and entrepreneurship.”

—EMERSON TILLER

For additional information about the Master of Science in Law program, visit the website at www.law.northwestern/msl.
A commitment to Northwestern Law’s innovative strategies prompted J. Landis “Lanny” Martin (JD ’73) and his wife, Sharon, to make a $10 million unrestricted gift to the school. Lanny Martin hopes the gift will “help Northwestern Law continue to provide the legal education that is integral in developing highly capable critical thinkers.”

“I’ve been very close with the last four deans, and over the years Northwestern Law has increased its stature in academic excellence,” said Martin. “This gift serves as a wonderful opportunity to give back to an institution that has been a great motivation to me in my career.”

A member of Northwestern University’s Board of Trustees and the Law Board, Martin says his experiences in law and business are integral to his role in advising and supporting Law School and University leaders.

Martin’s eclectic professional portfolio embodies the entrepreneurial careers for which Northwestern Law prepares students. After success as a law firm associate and then partner and member of the executive and firm committees at Kirkland & Ellis, Martin transitioned into business, where he has led many companies that span multiple industries.

“I loved the practice of law and I enjoyed the corporate work in helping clients with mergers and acquisitions and crisis management,” he said. “That’s what initially piqued my interest in business and got me thinking about getting involved with corporations.”

In 2005 Martin founded Denver-based Platte River Equity, a private equity investment firm focused on small- and middle-market operating companies; he currently serves as managing director. He is lead director of Halliburton Company and a founding director.
and chairman of the board of Crown Castle International Corporation, a leading independent owner and operator of wireless communication sites. He is also a member of the board and lead director of Denver-based Intrepid Potash and of Apartment Investment Management Company, one of the nation’s largest owners, operators, and managers of apartments.

Sharon Martin earned her bachelor’s degree from Denison University, where she served for a decade as a trustee. She has been a leader in the Denver arts and education community for more than 30 years.

Unrestricted gifts such as the Martins’ provide the Law School with the flexibility to fund important initiatives and programs, including financial aid, classroom and facilities upgrades, faculty hires, and student programming and activities.

“Gifts like this one go a long way toward enriching opportunities for our students, improving the already-high academic reputation of the Law School, and undertaking innovations that will prepare our students to become leaders in the profession,” said Dean Daniel B. Rodriguez. “We are thrilled about this unrestricted support of our Law School and are committed to using these funds responsibly and ambitiously to bring Northwestern Law to the highest level of excellence.”
Howard (JD ’58) and Betsy Chapman at the Allen County Courthouse in Fort Wayne, Indiana.
Howard and Betsy Chapman: Paying It Forward

For Howard Chapman (JD ’58), giving back is as much a privilege and an honor as it is an obligation. Chapman, who attended Northwestern on an academic scholarship, will always be grateful for the opportunity to study law without worrying about finances. “When I really needed help, the scholarship was crucial for both starting and completing my studies,” he said.

Now, more than five and a half decades later, Chapman and his wife, Elizabeth (Betsy), have made a $3 million gift to the Law School to establish a chaired professorship in their names. The endowment will promote scholarly work in business law, trial advocacy, trust or estate law, or a combination of these areas. “When we get into our later years it behooves us all to give back if we are able to do so,” said Chapman, who added that because Northwestern Law gave him “a really good grounding and foundation” for his law career, it is fitting to return the gesture by repaying the school.

Academic scholarships allowed Chapman to earn both his bachelor’s and law degrees at Northwestern, where he and Betsy met as undergraduates. They were married shortly after he graduated in 1955, and that fall he entered Northwestern Law. Highlights of his three years as a JD student included a stint as associate editor of the Northwestern University Law Review and election to the Order of the Coif. “Great traditions, memories, and friendships were built when I was at the Law School,” said Chapman. “I was fortunate to soak up so much knowledge and experience from seasoned professors who helped make me the lawyer I am today.”

Chapman’s long career in law began—and has thrived ever since—in Betsy’s hometown of Fort Wayne, Indiana, where the couple moved after Howard received his degree in 1958. There he joined Shoaff, Keegan & Baird and was made a partner in 1963. Seven years later he helped establish the firm of Bonahoom, Chapman & McNellis, which merged in 1986 with Barrett, Barrett and McNagny to form Barrett & McNagny. Chapman was a partner at that firm until he became of counsel in 2003. Along the way, he served as president of the Allen County (Indiana) Bar Association and was on the boards of the Waterfield Mortgage Company and the Union Federal Bank of Indianapolis.

Betsy, a musician, has coauthored three musical plays for children, which have been performed nationally, and she has served on the boards of numerous community and charitable organizations, including Arts United of Allen County and Fort Wayne’s Museum of Art, Civic Theatre, and Philharmonic.

Together the Chapmans have made it a practice to give back and volunteer—activities they characterize as their “pleasure and civic duty.” Close to home, they established the Chapman Scholars Program and the Chapman Distinguished Professorship in the Department of English and Linguistics at Indiana University-Purdue University Fort Wayne. And before Northwestern Law received the couple’s recent $3 million gift, they had already established the Howard and Betsy Chapman Law Scholarship Fund. “It is my hope that the scholarship fund gives the best and the brightest the opportunity to get an education at a top-tier law school,” said Chapman, speaking not just as a proud alumnus with a distinguished career under his belt. As a onetime scholarship recipient himself, he believes in the power of paying it forward. ■
Searle’s New Direction

EMERGING INITIATIVES SHAPE FUTURE CENTER RESEARCH

One of the many unique things about Northwestern is the Searle Center on Law, Regulation, and Economic Growth. Established in 2006, the Searle Center conducts research into how government regulation, and the interpretation of laws and regulations by the courts, affect business and economic growth. It has a dual mission—to study these issues and to communicate the results of the research to academic and policy thought leaders. The year 2013 will prove pivotal in the history of the Center: a new director was appointed, and several new research initiatives were launched, including a $2 million dollar project—funded by wireless technologies innovator Qualcomm—to investigate the role of patents in incentivizing technological innovation.

NEW DIRECTOR: MATTHEW L. SPITZER

On September 1, 2013, Matthew L. Spitzer, the Howard and Elizabeth Chapman Professor at Northwestern Law, assumed the directorship of the Searle Center. He is a nationally recognized law and business scholar, and a recipient of the Ronald H. Coase Prize for excellence in law and economics.

“Matt’s extensive understanding of law and business, as well as his commitment to the study of economic growth and efficiency, will substantially expand the Searle Center’s public reach,” said Dean Daniel B. Rodriguez. “The Center is well positioned thanks to his predecessor, Professor Max Schanzenbach, whose intellectual leadership moved the Center’s research agenda forward and was crucial in helping strengthen relationships with donors and the larger academic community. I am very interested to see what Searle Center scholars produce in the future.”

The Searle Center takes only one position with respect to public policy: economic growth and economic efficiency are good. As to how best to achieve growth and efficiency, the Center takes no position. Instead, it supports research that is conducted in accordance with the highest standards—advanced analytic methods and empirical studies. Individual scholars associated with, and hosted by, the Searle Center are responsible for the research and position-taking that moves scholarship and public policy forward.

Research in recent years has focused on intellectual property, including patent, copyright, and trademark; antitrust and trade regulation; internet, including search, neutrality, privacy, and commerce; entrepreneurship and innovation; health care; and environmental regulation and climate change. Conducting and participating in Searle Center programs are faculty from the Northwestern University School of Law, the Kellogg School of Management, and Northwestern’s Department of Economics, as well as a broad array of prominent scholars from other leading universities.

QUALCOMM GIVES $2 MILLION FOR PATENT RESEARCH

Under Spitzer’s leadership, new initiatives are under way as well. Wireless technologies company Qualcomm Incorporated gave the Searle Center $2 million to establish the Project on Innovation Economics, research that will investigate the role of patents in incentivizing technological innovation.

“Technology is evolving in an increasingly complex legal environment,” said Spitzer. “Critics claim that patents may, in some cases, limit technological advancement. There is a lot of discussion about ‘patent thickets,’ ‘hold-up,’ and ‘royalty

Matthew L. Spitzer, Director, Searle Center on Law, Regulation, and Economic Growth; Howard and Elizabeth Chapman Professor

NOTEWORTHY
stacking,’ and how these constructs could hinder innovation, but there is surprisingly little actual data out there. Our project will create the needed data sets and allow the critics’ claims to be tested.”

The grant will make it possible for the Searle Center to create a series of related databases to collate information regarding technology standards, standards organizations, and markets for patents. Professor Dan Spulber, research director at the Searle Center and the Elinor Hobbs Distinguished Professor of International Business and Professor of Management Strategy at the Kellogg School of Management, will serve as academic director of this Project on Innovation Economics.

“Scholars will be able to use these databases to understand how inventive activity occurs, how it is commercialized, and what might be done to facilitate future innovation,” Spulber said in describing the project.

The grant also funds a series of conferences and roundtables to examine and improve research in the field. Additionally, Spulber will edit an annual special issue of the *Journal of Economics & Management Strategy* to disseminate the results of new research in this area. As a whole, these elements will generate new insights and pave the way for an understanding of the important roles that patents and other types of intellectual property play in innovation.

Additional key research areas include:

- The Environmental Law and Policy program focuses on research and education regarding a broad range of issues involving existing and emerging technologies and industries that are potential sources of risks and benefits to the environment. Conferences in this research area are organized by David A. Dana, Kirkland & Ellis Chair, Northwestern University School of Law.

- The Competition, Antitrust, and Regulation program focuses on research related to the law and economics of competition policy including both antitrust and regulation. The primary research event for this initiative is the Annual Conference on Antitrust Economics, now in its sixth year. Conferences in this research area are organized by William P. Rogerson, professor of economics, Northwestern University.

- The Workforce Science Project examines the ever-increasing proportion of corporate value that consists of human capital by studying new developments in social science and new information technology research made possible by the improved capacity to process extremely large data sets—sometimes called “Big Data.” Conferences in this research area are organized by Deborah M. Weiss, senior research affiliate and director of the Workforce Science Project at the Searle Center.

Detailed information about Searle Center programs, including events and research results, can be found at www.law.northwestern.edu/searlecenter.

MATTHEW L. SPITZER

A nationally recognized expert in law and economics, broadcast regulations, and mass media law, Matthew L. Spitzer is the director of the Searle Center on Law, Regulation, and Economic Growth, and Howard and Elizabeth Chapman Professor at Northwestern University School of Law.

Spitzer comes to the Searle Center from the University of Texas at Austin, where he served on both the faculties of the School of Law and the McCombs School of Business. While at the University of Texas, he was the director of the Massey Prize in Law, Innovation, and Capital Markets and the director of the Center for Law, Business, and Economics.

Prior to that he was professor of social science at Caltech and professor of law at the University of Southern California. From 2000 to 2006, he served as Dean of the Gould School of Law at the University of Southern California. He began his academic career at Northwestern University School of Law, where he was an assistant professor from 1979 to 1981.

Spitzer earned a BA from the University of California, Los Angeles, a JD from the University of Southern California, and a PhD from the California Institute of Technology. Before beginning his teaching career he was a litigator with Nossaman, Krueger & Marsh in Los Angeles.

He teaches in the areas of administrative law, telecommunications regulation, and economic analysis of law, and has published a number of books and articles in these fields.
In addition to its comprehensive research collection of historic and contemporary US legal materials, Northwestern Law’s Pritzker Legal Research Center houses a significant rare book collection of more than 2,500 volumes that merits a closer look. By Emily Kadens
Northwestern Law’s formative dean, John Henry Wigmore, believed passionately in the importance of exposing the American legal community to foreign law. He played a key role in promoting the scholarly study of comparative law in the United States, and from the very beginning of his deanship he set out to build an extensive foreign law collection in the library. Using for this purpose a significant part of the hundreds of thousands of dollars donated over several decades by the alumnus, library benefactor extraordinaire, and founder of US Steel, Elbert Gary (class of 1868), Wigmore personally oversaw the creation of a foreign law library that, he liked to brag, was one of the country’s preeminent collections.

His focus on foreign law led Wigmore to an interest in legal history. He knew that one could not fully understand a legal system without knowing the tradition that formed it. Consequently, he devoted a tidy portion of the Gary donations to acquiring rare books. The result of Gary’s money and Wigmore’s energy is an unusually comprehensive collection of rare medieval and early modern Roman, canon, and customary law books.

The collection began with incidental gifts and purchases. Some of the original volumes came from the Chicago Law Institute, a library created in 1857 by a group of Chicago lawyers. In 1906 the widow of Julius Rosenthal, librarian of the Law Institute Library and prominent book collector, donated a number of other texts.

Eager to expand the collection, Wigmore corresponded with book dealers all over Europe and spent his Sunday mornings poring over the auction catalogs they sent him. After 1903 he would order books he found in the catalogs by sending requests to his foreign agent, Martinus Nijhoff, a prominent Dutch dealer. So avid a collector was Wigmore that Nijhoff complained the dean knew about book sales in Europe before he did. The occasional stamps and provenance notes in individual

Hidden in plain sight behind the glass-fronted cabinets and locked doors of the Pritzker Legal Research Center’s Barnet Hodes Rare Book Room sits a treasure trove proudly guarded by the librarians but largely unknown to scholars or the Northwestern community. When I came to Northwestern in fall 2012 to teach as a visitor, I had heard vague claims about the quality and compass of the collection, but I had no notion that what I would find would prove to be one of the half dozen or so most extensive collections of rare continental European and English law books in the United States.
volumes document that Wigmore also augmented the collection with occasional purchases from the antiquarian bookshops he frequented during his summer trips to Europe.

In 1907 German bookseller Gustav Fock wrote Wigmore about the sale of an unusually complete library of Roman law material compiled by leading 19th-century legal scholar Moritz Voigt. Wigmore excitedly wrote to Gary laying out the opportunity and pleading his case for a special donation. Gary agreed to fund the purchase, and Wigmore telegraphed Fock to accept. The Fock collection gave Northwestern one of the most complete Roman law libraries in the country. Most of the volumes were scholarly works, but the collection also included a number of rare books, which can be identified today by Voigt’s name written in small letters in the upper-right hand corner of the flyleaf.

The first coherent, large-scale addition to this piecemeal collection came in 1921, when Nijhoff alerted Wigmore to the availability of the library of Maurice Trampont, a French jurist interested in the history of customary law. Wigmore sent a fulgent letter to Gary, explaining that he felt “bound, in the interest of the prestige of the Library, to bring [the sale] to your attention,—although it
is several years since I have laid any such proposal before you, knowing full well your instructions that you did not care to add any more to the basic collections.” But the Trampont library was too important to pass up, explained Wigmore. Its extensive coverage of the customary law of the French provinces for the years 1500–1700 “is indispensable to scholars in the history of French law, and therefore of Anglo-Norman and Anglo-American law.” Six days later, Gary’s personal secretary wrote that Gary had authorized the purchase. Combined with Wigmore’s focused purchases through Nijhoff, these rare volumes—several of them handwritten copies from the 17th and 18th centuries—gave the library a thorough collection of French, Italian, and Belgian books of early modern customary law.

Perhaps the oddest addition came in 1925, when an Englishman wrote to Gary offering to sell his collection of 460 English legal documents dating from 1290 to 1783. Gary forwarded the letter to Wigmore, who made plans to visit England to see the collection and importuned Gary to pay for it. The documents now reside in twelve enormous volumes kept in their own special cabinet in the rare book room.

About the next two major acquisitions much remains unknown. In 1927 Northwestern came into possession of several dozen volumes of decisions from 16th- and 17th-century Italian courts and jurists. The books came from the Harvard Law Library, which had purchased them in 1905 as part of the library of a Milanese lawyer, Muzio Melloni. Neither the Harvard nor the Northwestern libraries have any records explaining how or why the books were transferred.

The final significant purchase was by far the largest and most important, but about it we have even less information. The library’s account book for 1937 notes a purchase of “Law Library of a medieval monastery in Austria” from Hans P. Kraus for $12,800. Kraus was one of the most prominent antiquarian book dealers of his time. Unfortunately, he had to flee Vienna in 1938 ahead of the Nazis, who confiscated all his business records. Coupled with the silence of the Northwestern archives on the transaction, we do not know how it came about or whether
Wigmore, who was no longer dean, played any role. But what we lack in knowledge about how Northwestern acquired the books is made up in the stories the books tell about themselves. According to the inscription found on the title page of each book in the collection, they came from the library of the “Conventus Viennensis Carmelitarum Discalceatorum” (the Monastery of the Discalced [barefoot] Carmelites of Vienna). The monastery was founded in 1622, and it appears to have established its library contemporaneously. The books were usually not new when they came to the Carmelites. Most bear prior ownership marks, such as inscriptions and occasionally discursive notes by the first owner. Judging from inscriptions on the flyleaves and initials stamped into their white leather bindings, a large number of the books appear to have come from the libraries of the noble von Kirchberg family.

The Carmelite purchase added nearly a thousand volumes to the rare collection. The canon law, too, received a gloss. The book pictured below was published in Lyon in 1517 but was originally written in the mid-twelfth century as a law school textbook by a teacher in Bologna, Italy, named Gratian. We know almost nothing about Gratian, but his textbook proved so popular that it became the de facto first book of the canon law. The work is formally titled the Concordance of Discordant Canons, because in it Gratian used distinctions to reconcile seemingly contradictory rules, known as canons. It is, however, more commonly called the Decretum.

Below: The canon law, too, received a gloss. The book pictured below was published in Lyon in 1517 but was originally written in the mid-twelfth century as a law school textbook by a teacher in Bologna, Italy, named Gratian. We know almost nothing about Gratian, but his textbook proved so popular that it became the de facto first book of the canon law. The work is formally titled the Concordance of Discordant Canons, because in it Gratian used distinctions to reconcile seemingly contradictory rules, known as canons. It is, however, more commonly called the Decretum.
book collection. They range from the most common works of Roman and canon law, to spectacular early editions with hand-drawn lettering and painted illuminations, to oddities such as an extremely rare seventeenth-century German guide to political economy for princes illustrated with lavish, often haunting woodcuts. About a half dozen of the volumes are incunabula, books published in the early days of printing between 1450 and 1501. Books from this half century have special significance in the history of printing and are particularly rare and valuable.

During the 1930s, Samuel Thorne, who served as the law librarian from 1933 to 1945, focused on building up the historic English collection. Wigmore had shown what Gary considered to be inadequate attention to this part of the collection. Thorne, who would go on to become one of the leading historians of medieval English law, was well placed to remedy that deficiency. The Library’s
accounts from this period show him making strategic purchases from English and foreign dealers, augmenting the collection slowly but wisely each year.

Aside from the occasional gift, such as the volumes of medieval juridical commentaries donated by 1903 alumnus Joseph L. Shaw in 1939, the rare book collection is today in much the same state it was in by 1950. The library’s funding largely dried up after Gary’s death in 1927 and the subsequent depletion of his endowment, and as time passed other interests took precedence. Some attempts were made in the 1950s to do much-needed conservation work on the books, but in the main, the collection has been left to molder for the last half century.

We might ask what all these old books are good for. Would the Law School be better off selling them and allocating the space to more pressing current needs? Wigmore confronted the same question. He knew that he needed to justify his expenditures, and his reasons echo those that one might offer today. Most importantly, he taught that the law is inseparable from its past. To understand it fully we sometimes need to blow the dust off its history, and a repository such as Northwestern’s ensures that the books continue to exist to enable us to do that. But the books also serve as artifacts offering a visual connection to our professional heritage. For the students in my legal history courses, the opportunity to turn the pages of four- and five-hundred year-old copies of the very works we are discussing in class offers a level of comprehension and sense of the reality of the past that no pictures or lectures can provide.

“Wigmore taught that the law is inseparable from its past. To understand it fully we sometimes need to blow the dust off its history, and a repository such as Northwestern’s ensures that the books continue to exist to enable us to do that.”
Clinic Launches Advisory Board

A group of alumni, clinical faculty, and administrators assembled at the Law School this spring for the inaugural meeting of the Bluhm Legal Clinic Advisory Board.

Led by cochairs Terri Mascherin (JD ’84) and Herold “Mac” Deason (JD ’67), the board comprises more than a dozen prominent alumni who share the Clinic’s commitment to training skilled, ethical, and reform-minded professionals.

“Our board members offer a number of important perspectives as practicing attorneys and as Northwestern Law alumni using their degrees in law firms, business, government, and public service,” said Deason, who serves as counsel at Bodman in Detroit. “It is our hope that Clinic faculty and administrators can capitalize on the wealth of practice experience on the board to test ideas intended to help the Clinic better prepare students to practice law.”

The advisory board will help set strategic direction for the Clinic’s centers and programs; advocate for the Clinic and the Law School with legal professionals, business and community leaders, and the public; and partner with faculty and staff to raise funds from alumni, friends of the school, corporations, and foundations.

“The Bluhm Legal Clinic is a jewel in the crown of Northwestern Law,” said Mascherin, a partner at Jenner & Block. “Our community of alumni has a lot to give not only financially but, even more significantly, in guidance. Alumni can help the Clinic continue to enhance its vibrant teaching programs and continue to lead on issues of great public concern, especially those that pertain to access to justice.”

Faculty from several of the Clinic’s 14 centers made presentations about their current projects at the May kickoff meeting. “One of the main goals of that first meeting was to bring us all up to date on what the Clinic is doing: the work of its centers, its many programs, and the crucial issues the program directors are facing,” said Mascherin. “With this information the board can begin thinking about ways to navigate these challenges and find opportunities to help the Clinic continue to do groundbreaking work.”

Dean Daniel B. Rodriguez established the advisory board with the help of Bluhm Legal Clinic director and associate dean for clinical education Thomas F. Geraghty (JD ’69).

The group will meet again in November.
Children and Family Justice Center Helps Pass “Raise the Age” Bill

HB 2404, the “Raise the Age” bill that Illinois Governor Pat Quinn (JD ’80) signed in July, is based on research conducted and reported by faculty and students in the Bluhm Legal Clinic’s Children and Family Justice Center.

HB 2404 raises the age of juvenile court jurisdiction to 17. Illinois had been the only state with a bifurcated system; 17-year-olds charged with a misdemeanor were tried in juvenile court, but 17-year-olds charged with a felony, regardless of its seriousness, were tried in criminal court.

“The resulting expansion of juvenile court jurisdiction will ensure that up to 4,000 17-year-olds typically arrested for felony offenses in our state each year will no longer be processed, prosecuted, and imprisoned as adult criminals,” said CFJC director Julie Biehl (JD ’86). “The change grants this group of young people access to juvenile court proceedings and services, helping them to avoid permanent adult felony records.”

Passed with wide bipartisan support, the new law was built upon the recommendations of the Illinois Juvenile Justice Commission, a federally mandated state advisory group to the governor, the General Assembly, and the Illinois Department of Human Services. Biehl serves as a governor-appointed commissioner. The commission’s exhaustive report on the issue was written at the CFJC by clinical fellow Stephanie Kollmann (JD ’10) and several Bluhm Legal Clinic students, including Stephen Bychowski (JD ’12), Jane Ehinger (JD ’13), Julie Lee (JD ’13), Dan McElroy (JD ’11), and Brendan Mooney (JD ’14), assisted by Camille Provencal-Dayle, an intern from Northwestern’s Weinberg College of Arts and Science.

“This is a landmark achievement for juvenile rights,” said Biehl. “Through their dedicated research, Stephanie Kollmann and our students have made an important contribution to reforming the juvenile justice system.”

Illinois joins 38 other states in setting the default age of majority for criminal matters at 18. Juvenile transfer rules, which require or permit trying youth in adult court for very serious felonies, are not affected by the law.
Conviction Overturned for Center for Criminal Defense Client

Center for Criminal Defense client Olutosin Oduwole was released from a Jacksonville, Illinois, prison in March after an appeals court overturned the aspiring rapper’s conviction and five-year sentence.

A former Southern Illinois University Edwardsville student, Oduwole was convicted in 2011 for attempting to make a terrorist threat. Police had found scribbled verse in his abandoned car that, among other lyrics, threatened a “murderous rampage.” Oduwole was widely known on campus as a rap artist, and he claimed that the words were an exploratory draft for a rap song and were never meant to be shared or made public.

CCD director Jeff Urdangen tried the case in Edwardsville with local co-counsel Justin Kuehn.

“I found this case to be remarkable for a variety of reasons,” Urdangen said. “One of those was the myopia of Madison County prosecutors, unwilling to concede the obvious—that our client’s words were artistic expression, not a threat to commit violence. I was also astonished that despite our objections, we were forced to proceed to trial with quite the opposite of a jury of my client’s peers. Tosin is a young Nigerian hip-hop aficionado, and the jurors, unfortunately, were all white, mostly rural, and predominately late middle age.”

Urdangen filed an appeal and teamed with other counsel from the Bluhm Legal Clinic, including Appellate Advocacy Center director Sarah Schrup and former student Steven Art (JD ’09), a founding member of the Justice Council of the Center on Wrongful Convictions and now an attorney with Loey & Loevy.

“Sarah gave a brilliant oral argument in the appellate court, after which our confidence was quite high,” Urdangen said. “In addition, many of my students worked hard on behalf of this client over the past few years, and Sarah had excellent assistance from students throughout the appeals process as well.”

The Illinois Fifth District Appellate Court overturned the conviction in a unanimous decision.

In May the Illinois Supreme Court declined to review Oduwole’s case, and prosecutors are prohibited from bringing him to trial again.

“Because the appellate court based its opinion on insufficiency of the evidence, Oduwole was in effect acquitted by that court, and that judgment is now final,” Urdangen said. “In the end, the appellate review process worked as it should, producing a thoughtful opinion that found a rational jury could not have returned a guilty verdict on these facts.”

Charges Dismissed for Nicole Harris

In June the Bluhm Legal Clinic’s Center on Wrongful Convictions staff attorneys succeeded in having charges dropped for a mother wrongfully convicted of strangling her four-year-old son.

Nicole Harris, who spent nearly eight years in prison, maintained that she was innocent and her son Jaquari Dancy’s death was an accident. Harris said she gave a false confession after being physically and psychologically coerced during more than 27 hours of police interrogation.

Harris was convicted in a Cook County jury trial after the judge excluded the testimony of Jaquari’s older brother, Dantae Dancy, who told police that Jaquari accidentally strangled himself in their bedroom with an elastic band from a fitted sheet.

Harris sent a letter to then CWC director Steven A. Drizin (JD ’86) appealing for help. Along with Alison Flaum, then a CWC staff lawyer, and Robert R. Stauffer, a partner at Jenner & Block, Drizin accepted the case, appealing it through the state and federal systems. Ultimately the US Court of Appeals for the Seventh Circuit overturned Harris’s conviction.
Daniel Taylor Exonerated of Murder Charges

In June Center on Wrongful Convictions client Daniel Taylor was cleared of all charges in connection with a 1992 murder for which he spent more than two decades behind bars.

Despite being in police custody at the time of the murder, Taylor, then 17, was among eight young men arrested and charged with the shooting deaths of a man and a woman. He was coerced to falsely confess, though police records backed up Taylor’s claim that he was in jail when the crime occurred. Prosecutors contended that the records were inaccurate, and they presented the testimony of another officer who claimed to have seen Taylor on the street during the relevant time. His case went to trial, and he was found guilty and sentenced to life in prison.

Taylor filed a petition to be retried but was unable to obtain a hearing. The CWC took on the case in 2011. Karen Daniel, clinical professor of law and CWC senior staff attorney, filed a federal petition for a writ of habeas corpus, which was dismissed but reinstated in October 2011 by the US Court of Appeals for the Seventh Circuit. The Cook County state’s attorney’s office decided to dismiss Taylor’s conviction after a review that included interviews of new witnesses and an examination of additional documents.

DNA Testing Granted for Johnnie Lee Savory

After seeking DNA testing for almost 15 years, Center on Wrongful Convictions client Johnnie Lee Savory has been allowed to use modern DNA technology to support his innocence claim in a 1977 double murder case.

Savory, who spent almost 30 years in prison, was convicted at age 14 in the stabbing murders of James Robinson Jr., 14, and Robinson’s sister, Connie Cooper, 19. Savory was released on parole in 2006.

“This means hope for Johnnie,” said Joshua Tepfer, clinical assistant professor of law and project codirector of the Center on Wrongful Convictions of Youth. “He has wanted this and fought for this [DNA testing], and a team of advocates and friends have fought for this since this technology became available.”

Peoria County Circuit Judge Steve Kouri will allow experts at a Dallas laboratory hired by Savory’s attorneys to test a bloodstained knife, fingernail scrapings, hairs found on the victims’ hands, a light switch plate, bloodstained pants, and swabs taken from Cooper’s body. The parameters of the testing will be established at a hearing.
Multidisciplinary and Multicultural Innovative Program Improves Access to Health

This fall a team from the Northwestern Access to Health Project will finalize a plan to improve healthcare for impoverished residents of Guaymate in the Dominican Republic. Last year ATH launched an emergency obstetrical care project to alleviate infant and maternal mortality in Bonga, Ethiopia.

These two projects demonstrate ATH’s premise: that access to healthcare is a human right. Founded by Juliet Sorensen, clinical assistant professor of law in the Center for International Human Rights (CIHR), and Carolyn Baer, former deputy director of the Feinberg School of Medicine’s Center for Global Health, the program brings together students from the Law School, the Kellogg School of Management, and the Feinberg School of Medicine, and includes expertise from the McCormick School of Engineering, to design health projects in developing countries.

Students taking Sorensen’s Health and Human Rights course work in interdisciplinary teams on a public health case study in the developing world, investigating issues such as policy, infrastructure, and access to training and equipment. Each class chooses a case study after consulting with international and national agencies and organizations such as the Peace Corps, Centers for Disease Control and Prevention, the International Medical Corps, and the UN High Commission for Human Rights, about areas with the greatest potential for impact.

Students draw from research conducted by Northwestern’s renowned faculty and ATH partners to develop a healthcare solution that is both appropriate and sustainable for the community identified. During spring break, ATH conducts a site visit, meets with community members and partners, and establishes the foundation for the project. The plan is refined over the spring and summer, launched in the fall, and evaluated after six months and one year.

“What makes this program so rewarding is both the impact on communities in the developing world and on ATH students,” said Sorensen. “The interdisciplinary nature makes the program more effective and prepares students for the real world. They are sitting down at the table, working constructively with peers in the business and medical schools. This is vital training that will make them outstanding lawyers.”
“This is the best experience I’ve had at Northwestern. We contributed toward something that will make a difference to an entire community. We met with local stakeholders and a diverse community of people, some of whose voices would not otherwise be heard or reported... and their involvement will help drive the success of this project.”

—Ewurabena Hutchful (JD ’14)

Samantha Woo (JD ’12) worked on the 2012 emergency obstetrical care project in Ethiopia. She was among four law students who traveled to Bonga to visit the district hospital and talk with health professionals, patients, and community leaders. Based on findings from the visit, an emergency-obstetrics training program was developed for healthcare providers. ATH is currently evaluating its effectiveness.

“In the US, maternal health is primarily a public health issue. But in the developing world, it is a multifaceted problem that calls into question basic human rights like the right to healthcare,” said Woo. “Part of our work was to research Ethiopia’s constitution and legal system to understand obstacles to healthcare and find ways to address them.”

In 2013 in Guaymate, Dominican Republic, ATH students focused their studies on maternal health, HIV/AIDS, family planning, and type 2 diabetes, which is on the rise in the Dominican Republic. Many Haitian immigrants and low-income Dominicans reside in “bateys,” or rural communities of migrant sugarcane workers. They suffer extreme poverty and myriad health issues, including one of the highest HIV/AIDS rates in Latin America. In March Sorensen, ATH colleague Dr. Shannon Galvin of the Center for Global Health, and six students conducted a site visit in Guaymate.

“We assessed the types of interventions that had and had not worked successfully in the past,” said Ewurabena Hutchful (JD ’14), who participated in the site visit. “Batey residents, health-care workers, local NGOs, youth, and educators identified the need for health education programs and prioritized the need for strengthened outreach to the especially vulnerable Haitian migrant population.”

Some potential solutions included establishing a community garden to help address the nutritional problems exacerbating type 2 diabetes; capitalizing on the popularity of a local baseball team to help disseminate nutritional information; and networking sex workers in separate communities so they may share HIV/AIDS prevention information and resources. In September, ATH faculty will meet with a community advisory board in Guaymate to finalize the project, which is expected to launch in October.

“Courses and projects like this enable us to effect real, tangible change in the world,” said Dean Daniel B. Rodriguez, “and working together in an interdisciplinary setting is the only way to tackle complicated access to healthcare issues. What’s more, programs such as ATH provide students with invaluable opportunities to build skills, work collaboratively, and improve the lives of people in the developing world. ATH is transforming the role of universities in the 21st century and the resources they bring not only to research and education but to community outreach on a global level.”

“This is the best experience I’ve had at Northwestern,” said Hutchful. “We contributed toward something that will make a difference to an entire community. We met with local stakeholders and a diverse community of people, some of whose voices would not otherwise be heard or reported... and their involvement will help drive the success of this project.”
Inside the court room at the Extraordinary Chambers in the Courts of Cambodia at the Duch verdict on July 26, 2010.
Between 1975 and 1979 the Khmer Rouge killed more than 1.7 million Cambodians. Invading Vietnamese troops ended the mass-atrocity crimes in 1979, but Khmer Rouge leader Pol Pot continued to operate along the Cambodia/Thailand border until he was detained by his own people in 1997. He died in 1998 without facing a court of law for his crimes. Ambassador David Scheffer, now a Northwestern Law professor, was instrumental in creating the Extraordinary Chambers in the Courts of Cambodia. Through this national court, Scheffer and his students work year-round to bring justice to the people of Cambodia.

By Tracy Marks
As a US State Department official between 1993 and 2001, David Scheffer helped establish the International Criminal Tribunals for the former Yugoslavia and Rwanda, the Special Court for Sierra Leone, and the permanent International Criminal Court at The Hague. He had just become the United States’ first war crimes ambassador when, in 1997, the Cambodian government appealed to the United Nations to establish a court to try those responsible for the Khmer Rouge’s atrocities.

Scheffer had worked on Cambodian issues before—in 1979, as an associate at the international law firm Coudert Brothers, where he worked pro bono to clear the legal hurdles involved in shipping desperately needed food aid up the Mekong River to Phnom Penh. He advocated the normalization of relations with Vietnam in the mid-1980s, a position that continued to stoke his interest in the politics of the region. So when the request for assistance came from the Cambodian government, Scheffer was uniquely positioned to negotiate the creation of the Extraordinary Chambers in the Courts of Cambodia (ECCC)—a difficult process that unfolded slowly, and by fits and starts, from 1997 to 2006. Even after he left the State Department at the end of the Clinton Administration, with most of the negotiations completed, Scheffer remained involved with the Cambodia tribunal. He now serves as a special expert on United Nations assistance to the Khmer Rouge trials.
The ECCC was established to bring to trial the surviving senior leaders of Democratic Kampuchea (Cambodia’s name under Pol Pot) and those most responsible for committing atrocity crimes (genocide, crimes against humanity, and war crimes). Since the ECCC began work in 2006, five people have been indicted. Kaing Guek Eav (known as Duch), who ran the Tuol Sleng prison camp in Phnom Penh, was convicted of crimes against humanity and grave breaches of the Geneva Conventions of 1949 and is serving a life sentence in a Cambodian prison. Ieng Thirith, former minister of social affairs and Pol Pot’s sister-in-law, was found unfit to stand trial due to dementia. Ieng Sary, former minister of foreign affairs and Ieng Thirith’s husband, died in March while his trial was under way. Both the prosecution and the defense have presented their cases and closing arguments are scheduled for October in the trial of Nuon Chea, former deputy secretary of the Communist Party of Kampuchea and second in command under Pol Pot, and Khieu Sampan, head of state in Democratic Kampuchea. A judicial investigation against several more unnamed suspects is ongoing.

“While other courts were established as international criminal tribunals, Cambodia’s situation required a different approach,” Scheffer said. “Years of negotiations resulted in establishing a national court that was ‘internationalized’ by a treaty between the United Nations and the government of Cambodia.” The ECCC requires participation of Cambodian judges, prosecutors, and administrators who work side by side

DOCUMENTING THE ECCC’S WORK

The Cambodia Tribunal Monitor, an award-winning website, reports on the Extraordinary Chambers in the Courts of Cambodia in Phnom Penh and provides legal analyses for the world community. The Monitor observes and documents ECCC proceedings with a daily blog, often written by a Northwestern Law student or recent graduate who is present in the courtroom.

“Students have extraordinary access to this process,” said Christine Evans (JD ’03, LLM IHR ’11), until recently the Monitor senior editor. “With at least 15,000 visitors per month from around the world, the website has been the main source for people looking for information about the Khmer Rouge trials. In addition to trial blogging, every day the Monitor assembles news articles about the tribunal and reports by NGOs and government organizations, and it provides commentary and legal analyses of the proceedings.”

Erica Embree (JD-LLM IHR ’15) traveled to Phnom Penh during the summer of 2012, where she spent a month writing daily trial blogs for the Monitor. “Observing the ECCC enriched my understanding of the practice of law, both the role of law in society and being an advocate,” Embree said. “Reporting the proceedings enhanced my ability to take a fair and balanced view. Objectivity is a highly valuable skill for a lawyer.”

Evans said she hopes that “historians down the road will be able to come directly to our website to understand what happened under the Khmer Rouge and what transpired in this unique court.”

The Monitor’s funding has been made possible for many years with generous grants from the J. B. and M. K. Pritzker Family Foundation, although that funding ended in September 2013. The Cambodia Tribunal Monitor can be found at: www.cambodiatribunal.org.
As the director of the Bluhm Legal Clinic’s Center for International Human Rights (CIHR), David Scheffer leads a group of faculty that provide a range of courses on international human rights, criminal, and humanitarian law, as well as unique clinical experiences that focus on the protection of global human rights and international criminal law, that together form an extraordinary set of interconnected opportunities for Northwestern Law students.

Among the CIHR’s many projects is the JD-LLM in International Human Rights (JD-LLM IHR), a four-year joint degree that provides students with the opportunity to gain a comprehensive foundation in international human rights and criminal law, that together form an extraordinary set of interconnected opportunities for Northwestern Law students.

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As our graduates seek jobs throughout the international system, the LLM IHR credential will place them on par with top law graduates from the many countries where an advanced degree in law is more commonplace than it is here in the US.”

In addition to classroom work, students in the joint program are required to complete a semester-long externship with an international criminal tribunal, supreme court, or human rights organization. “Upon their return to campus, our joint degree students have, without fail, described the externship experience as a high point of their legal studies,” said Arimond.

Clare Diegel (JD-LLM IHR ’13) spent spring 2013 in Phnom Penh as a legal extern in the Office of the Co-Investigating Judges. One of only two Americans on the international staff of approximately 12, she was “constantly challenged by complicated legal issues, most of which incorporated elements of both common and civil law systems.” She now has lasting relationships with lawyers across the globe who are on the “cutting edge of international human rights law.” In addition to providing incomparable professional experience, being in Cambodia transformed Diegel personally as well. “Every day, I was blown away by the astounding resolve of the Cambodian people, and I was so proud to be working at a court seeking to bring this country justice.”

Northwestern Law also offers an LLM in International Human Rights for students with American JDs or law degrees from other countries who wish to undertake a comprehensive study of the norms and methods of international human rights law and their implementation by international courts and organizations and in domestic legal systems. The program has

One of only a handful of survivors from the secret Khmer Rouge prison S21 where at least 12,273 people were tortured and executed, Chum Mey (top) holds up copies of the Duch verdict on August 12, 2010. The first trial judgment of the Extraordinary Chambers in the Courts of Cambodia, the Duch verdict was made widely accessible to the people in Cambodia, as the ECCC printed 10,000 copies of the verdict (450 pages) and 17,000 copies of the summary (36 pages) and distributed the documents throughout 1,621 communes in Cambodia as well as in libraries, schools, and other public institutions. Kaing Guek Eav, alias Duch, was the first person to stand trial before the ECCC; he was found guilty of crimes against humanity and war crimes on July 26, 2010.
Outreach and information gathering have been essential objectives of the ECCC in partnership with the Documentation Center of Cambodia (DC-Cam). “It is imperative that a new generation of Cambodians understand what happened under Pol Pot,” said Scheffer.

Until a few years ago, no textbooks in secondary schools included information about the atrocities. Students learned about their own history through family members, if at all. DC-Cam is committed to maintaining the world’s most comprehensive databases on Khmer Rouge history, and one of its projects is the publication of new textbooks.

As part of the education process, buses drive all night so villagers can witness courtroom proceedings. More than 200,000 Cambodians have attended—more observers than all of the other modern war crimes tribunals combined. DC-Cam and court officials also meet with villagers to provide updates on the courtroom proceedings and encourage them to share their own stories.

“The justice that is being explored and rendered in these courtrooms, along with the involvement of the Cambodian people, will be the true legacy of the ECCC,” said Scheffer. “Because the trials are taking place in Cambodia instead of in The Hague, the ECCC will establish within Cambodia a precedent for the defeat of leadership impunity. Tribunals such as the ECCC show the world that atrocity crimes no longer will be tolerated and that leaders will be held accountable for their actions under international law.”

welcomed students from the United States and more than 30 countries, including Chile, India, Belgium, Lebanon, Yemen, Canada, the United Kingdom, Guinea, Panama, Spain, Eritrea, Mexico, Ghana, Bulgaria, the Philippines, Brazil, Cameroon, Cambodia, Kenya, Uganda, Ethiopia, Italy, Tanzania, South Africa, Belarus, France, Turkey, Thailand, Japan, South Korea, Iraq, Indonesia, China, Taiwan and Pakistan.

CIHR faculty members supervise students in clinical work as well. Students under faculty supervision have assisted with the preparation of filings before federal courts, international criminal tribunals, and human rights bodies, and some of them have gone on to work on the International Criminal Tribunals for the Former Yugoslavia and Rwanda, the Extraordinary Chambers in the Courts of Cambodia, and the International Criminal Court.

In 2012, the Center was granted special consultative status with the United Nations Economic and Social Council. Northwestern is one of only two law schools to be granted such status. Stephen Sawyer, clinical associate professor of law and the Center’s director of curricular projects, led the effort to achieve this status because it affords students the opportunity to gain first-hand insights into the deliberations of that body, as well as the chance to directly contribute to the UN’s important work on international human rights.

“The Center for International Human Rights has a long reach—from The Hague to Phnom Penh, they are bringing the instruments of justice and due process around the world,” said Dean Daniel B. Rodriguez. “Back home in Chicago, our students benefit enormously from the incomparable experiences this work makes available to them.”

Additional information about the Center for International Human Rights can be found at: www.law.northwestern.edu/legalclinic/humanrights.

“BECAUSE THE TRIALS ARE TAKING PLACE IN CAMBODIA INSTEAD OF IN THE HAGUE, THE ECCC WILL ESTABLISH WITHIN CAMBODIA A PRECEDENT FOR THE DEFEAT OF LEADERSHIP IMPUNITY.”

—DAVID SCHEFFER
David J. Scheffer has received a Berlin Prize from the American Academy in Berlin for the fall 2013 term and will be a member of the academy’s 16th class of fellows, which includes writers, journalists, artists, policy experts, and a composer. The prize allows fellows to pursue independent study and engage with their German counterparts and with Berlin’s vibrant academic, cultural, and political life.

Scheffer, the Mayer Brown/Robert A. Helman Professor of Law and the director of the Bluhm Legal Clinic’s Center for International Human Rights, will use his fellowship to develop an in-depth examination of American policy during the Yugoslav wars, with particular focus on 1993 through 1996. Scheffer served on the Deputies Committee of the National Security Council and as senior counsel to UN ambassador Madeleine Albright during the first term of the Clinton administration. Drawing on those experiences, Scheffer will write a comprehensive narrative about US policy as war and atrocities swept over Bosnia-Herzegovina and Croatia and about how UN and NATO initiatives confronted realpolitik in national capitals and among the major players.

“This is both a terrific honor and an opportunity for David,” said Dean Daniel B. Rodriguez. “His excellent scholarship and advocacy have aided greatly in the development of meaningful international justice mechanisms. This fellowship will allow him to expand that important work.”

Scheffer is the author of All the Missing Souls: A Personal History of the War Crimes Tribunals, which chronicles his work in the Clinton administration. During Clinton’s second term he served as the first US ambassador at large for war crimes issues and was instrumental in creating war crimes tribunals in the former Yugoslavia, Rwanda, Sierra Leone, and Cambodia. He led the US delegation in negotiations creating the International Criminal Court. In addition to his writing and teaching, Scheffer also serves as the UN secretary-general’s special expert on UN assistance to the Khmer Rouge trials.

A private, nonprofit, nonpartisan center for advanced research in a range of academic and cultural fields, the American Academy in Berlin was established in 1994 by Ambassador Richard C. Holbrooke to foster greater understanding and dialogue between the United States and Germany. Each year the academy awards Berlin Prize fellowships to about two dozen emerging or established scholars, writers, and professionals, who are selected by an independent committee.
Rubinowitz Honored with Public Service Award

Professor Len Rubinowitz received the 2013 Leonard Jay Schrager Award of Excellence for his contributions to public service at the annual Pro Bono and Public Service Awards Luncheon of the Chicago Bar Foundation, the charitable arm of the Chicago Bar Association.

A member of the Northwestern Law faculty for almost 40 years, Rubinowitz teaches law as it pertains to civil rights, urban housing and community development, public interest, and social change. He has received a number of student-voted awards for his excellence in teaching.

Rubinowitz is widely recognized throughout the Northwestern Law community for creating and promoting specialized programs and courses to support students interested in public interest law. In 2001 Northwestern Law’s Student-Funded Public Interest Fellowship (SFPIF) program renamed its grant program “Len Rubinowitz Public Service Fellowships” in his honor. These fellowships help fund summer public interest employment for law students through a combination of money raised during the year, a Law School contribution, and federal work-study grants.

“Len’s commitment to public service and pro bono work has long been the stuff of legend at Northwestern Law. I’m delighted with the Chicago Bar Foundation’s recognition of his many contributions to our city and our profession.”

—DEAN DANIEL B. RODRIGUEZ

The Leonard Jay Schrager Award of Excellence recognizes attorneys in academia for their contributions to improving access to justice for the less fortunate. The award’s endowment by the Reed Smith law firm and its partners allows the recipient to choose a law school or legal aid program for a Chicago Bar Foundation grant. Rubinowitz selected the Bluhm Legal Clinic as the recipient of this grant.

This is the second year in a row that a Northwestern Law professor was honored with the Schrager Award. Cindy Wilson (JD ’86), clinical associate professor of law and director of the Bluhm Legal Clinic’s Center for Externships, was the 2012 recipient.

Rubinowitz’s research, which involves him with both lawyers and activists who focus on racial discrimination, examines race historically and currently. His books include Low-Income Housing: Suburban Strategies and Crossing the Class and Color Lines: From Public Housing to White Suburbia (with Jim Rosenbaum), which documented and evaluated the impact of the Gautreaux public housing desegregation program in Chicago.

Before joining the Northwestern faculty, Rubinowitz served as legal adviser and special assistant at the US Department of Housing and Urban Development.
Professor Jack Heinz: Leader in Law and Society Movement
Emeritus Professor’s Past and Present Works Represent a Range of Interests

In 1965, having finished three years of military service after graduating from Yale Law School, John P. “Jack” Heinz joined the Northwestern Law faculty. He recalled that his decision to accept Northwestern’s offer was heavily influenced by statistical analysis: “I was single then, and it was pretty easy to calculate that there were more women in Chicago than in the other places where jobs were offered to me. Being a quantitative guy, the choice was easy.”

He did find love in Chicago—he’s been married for 46 years to his wife, Anne—and he also found an academic home from which his quantitative bent produced crucial insights, advanced a vital legal discipline, elevated standards of legal scholarship, and inspired subsequent generations of scholars and practitioners. Having retired from the Law School in 2007, he is now Owen L. Coon Professor of Law Emeritus.

“The themes of Jack’s work are deeply important,” observed Jide Nzelibe, professor of law and associate dean of faculty affairs. “His career-long investigations of the patterns of power, influence, and stratification within the legal profession have enabled us to see our discipline in new ways. And just as important, his methodological rigor and innovativeness have set a standard for empirical studies of the legal profession.”

—JIDE NZELIBE, PROFESSOR OF LAW AND ASSOCIATE DEAN OF FACULTY AFFAIRS

Law & Social Inquiry, describe this recent work as “an extensive research enterprise” that has “refreshed the agenda of research on the power of lawyers.”

Heinz’s interests and methods established him as a leader in the law and society movement, which in its early years was centered at Northwestern and a handful of other universities. Among other things, he was the first director of the university’s Program in Law and the Social Sciences; he chaired the Law and Justice Program at the university’s Institute for Policy Research; he served on the editorial board of Law and Society Review; and he received the Harry Kalven Prize from the Law and Society Association for distinguished research.

“Heinz’s leadership in the law and society movement was typical of the leadership he has shown everywhere,” said Shari Diamond, Howard J. Trienens Professor of Law. “I think he earns that leadership in part because he is admirable in so many ways—as a careful and thorough scholar; as an

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innovator in applying sophisticated research methodologies; as a teacher, mentor, and adviser; and, more generally and maybe more importantly, as a wise, interesting, and generous human being.”

Virtually whenever something important happened at the Law School, Heinz’s leadership was sought. Among other things, he chaired two dean searches, served from 1980 to 1984 on the committee that steered the creation of the Rubloff Building, and served three terms as chair of the faculty appointments committee.

Outside the Law School, he worked half-time for more than 20 years at the American Bar Foundation, including an influential four-plus years as executive director; he was a director for many years of organizations that include the prison-reform-focused John Howard Association of Illinois and the Appleseed Fund for Justice; and he served on many government commissions aimed at the fair administration of justice.

Demonstrating the truth in Professor Diamond’s additional observation that “Jack is a Renaissance guy,” Heinz has also published articles in national publications about jazz, boxing, and the natural history of the Adirondack Mountains, and he edited a book about the drawings and paintings of the artist Mary Sprague.

He taught criminal law from his first year at the law school until his last, bringing his wide-ranging curiosity into the classroom in ways that influenced many students. Evan Meagher (JD-MBA ’09) was a student in the last criminal law class that Heinz taught and remembers him as “invigorated by the intellectual discourse and able to mine cases deeply for meaning. We spent weeks on one case from the 1960s, Robinson v. California, and Professor Heinz’s evident passion for the material maintained everyone’s interest.”

Heinz’s contributions are still vitally important, said Dean Daniel B. Rodriguez: “Jack’s early work anticipated many of the issues that still face the legal profession, and all of society, today—diversity, firm structure, career satisfaction, and the policy influence of lawyers, to name just a few. Not only is he still addressing those things with the kinds of methodological rigor they require, he has inspired scholars in the US and around the world to do the same.”

From the rustic Adirondack cabin where he spends every summer, Heinz reported earlier this year that his work is continuing on many fronts. He, Southworth, and Paik are completing a national study on lawyers in politics; he is still consulting with the Appleseed Fund concerning law reform projects, particularly regarding criminal law; he and his wife completed and submitted to a potential publisher a book based on letters written by three young working-class women in the years just before the Civil War; and he’s doing more popular-journalism writing about the Adirondacks and other topics.

“A career as a scholar is an almost unmixed blessing,” Heinz reflected. “Someone pays you to pursue your interests. In retrospect, my career looks more coherent than it seemed at the time. I just did the day’s work, for a considerable accumulation of days. I was busy. I still am.” —Jerry de Jaager
New Faculty

Three distinguished scholars will join Northwestern Law in 2013-14, enhancing the diversity of interests and expertise that distinguish the school’s faculty.

Michelle Falkoff

Clinical Associate Professor of Law; Communication and Legal Reasoning Program (Fall 2013)

BA, University of Pennsylvania; JD, Columbia University; MFA, University of Iowa

Michelle Falkoff joins Northwestern Law as the new director of the Communication and Legal Reasoning Program. In this capacity she will work to develop new programming and curriculum. Falkoff comes to the position with a background in creative writing and intellectual property.

“Law and narrative are two things that I love, and I spent years trying to figure out how to pick and choose between them,” said Falkoff. “I thought I had to give up creative writing when I got into law, but I’ve found that there’s a lot of overlap between the two. Writing is all about prediction and persuasion—it doesn’t matter what field you’re in. This is particularly helpful in teaching legal writing and analysis. There is so much evolution happening in the legal academy, so it’s a really exciting time to be a legal writing teacher.”

Falkoff received her law degree from Columbia University and practiced intellectual property litigation in Silicon Valley before leaving legal practice to go to the Iowa Writers’ Workshop, where she received a master of fine arts degree in fiction writing. She also taught legal analysis, writing, and research at the University of Iowa Law School.

“Northwestern is a great school that carries many of the benefits of being an institution in a big city with a variety of resources in the Chicago legal community,” said Falkoff. “It will be my goal to use those benefits to push the CLR program to a place where students will be primed and ready to enter the legal field.”

Laura Pedraza-Fariña

Assistant Professor of Law (Fall 2013)

BA, Oberlin College; PhD, Yale University; JD, Harvard University

Laura Pedraza-Fariña is an emerging scholar in intellectual property, patent law, and international organizations. She was previously a visiting lecturer and law research fellow at Georgetown Law, where she researched and wrote about the role of nonstate actors in global governance and the role of teamwork and cross-disciplinarity in innovation.

Her scholarship on intellectual property law uses the methodology of history and sociology of science and technology to analyze and inform the design of patent law. Her current projects include an analysis of the implications of sociological studies on tacit scientific knowledge for the disclosure theory of patent law, and a study of how the specialized court structure of patent law influences the content of patent decisions.

“I appreciate Northwestern Law’s emphasis on interdisciplinary study, as that is really helpful for my scholarship,” said Pedraza-Fariña. “In my research I combine sociology and the history of science and use these insights to study patent law.”

Before attending Harvard Law, Pedraza-Fariña received a PhD in genetics from Yale University with the intention of conducting scientific research. She worked as a consultant for the Open Society Foundations, where she researched the national implementation of global commitments to fight HIV/AIDS. Her work there sparked an interest in patent law.
Pedraza-Fariña will teach classes in property law and patent law and a seminar on patent law and innovation. She plans to incorporate many recent patent law decisions into her teaching.

“Policy and theory are a part of my class because they are usually tethered to how decisions play out in the courts,” she said. “Patent law and science technology have evolved so much over the past few years, to a point where there is a quandary in figuring out what should be patented and what should not. These are issues that make for perfect classroom discussion and debate.”

Carole Silver
PROFESSOR OF GLOBAL LAW AND PRACTICE
SPRING 2013

BA, University of Michigan; JD, Indiana University Maurer School of Law

Carole Silver is returning to Northwestern as Professor of Global Law and Practice. Her research investigates the influence of globalization on the legal profession, including issues related to regulation of the profession, organizational structures, and legal education. She has explored the role of gender in global legal practice, focusing on the presence of women among partners, local lawyers, and expatriates in global law firms. Her work also addresses the ways in which law firms are global organizations; she has used lawyer biographies to analyze global strategies and patterns of growth of large US-based law firms. Additionally, she examines the value of US legal education in the careers of international lawyers, and the ways in which US law schools prepare students for practicing in a global environment.

Her scholarly interest in globalization began at Northwestern Law, where she was on the faculty from 1998 to 2008. During that period, she taught courses on globalization and the legal profession, business associations, conflict of laws and international securities regulation, and comparative corporate governance, among others. She also taught an early version of the International Team Project course, traveling with students to Singapore.

“It is exciting to return to Northwestern Law, a place that fostered my early research on globalization and international legal education,” said Silver.

Before returning to Northwestern, Silver was professor of law at Indiana University Maurer School of Law, where she taught a new course on global corporate law and lawyering and a first-year course on the legal profession, among other things. While at Indiana, she also served as director of the Law School Survey of Student Engagement, which is a survey of students used by law schools in the United States, Canada, and Australia to investigate and improve student learning and engagement. Earlier, she was executive director of the Center for the Study of the Legal Profession and visiting professor of law at Georgetown Law Center.

Silver’s work at Northwestern Law will continue to focus on globalization and the legal profession. “I am interested in learning more about the structural factors that shape and inhibit interaction among individuals from different countries and cultures, whether in a law school with an international student body or a law firm with a global footprint,” she said. “Interaction is crucial to success in a global market. The legal profession now is intensely global at the same time that it also has maintained an important local focus; this tension, among others, is at the core of my research.”
New Clinical Faculty

Northwestern Law’s clinical faculty includes more than 30 nationally recognized scholars who combine classroom instruction with hands-on experience for the more than 200 students who take clinical courses each year. Four professors are joining the Bluhm Legal Clinic faculty this year.

Alyson Carrel

**CLINICAL ASSISTANT PROFESSOR OF LAW**

BA, University of Florida; JD, University of Missouri–Columbia

Alyson Carrel

After serving last year as a visiting clinical assistant professor at Northwestern Law, where students voted her outstanding professor of a small class, Alyson Carrel is joining the Bluhm Legal Clinic residential faculty as a clinical assistant professor. She will continue to teach and do research within the Clinic’s Center on Negotiation and Mediation.

“Negotiation and mediation give law students the choice to strategically assess what is the right process for their clients,” said Carrel. “The Center allows us to help students become good strategic thinkers in terms of representing clients.”

Carrel’s interest in mediation, negotiation, and conflict resolution was sparked at a workplace conflict management training in 1992. Since then she has trained thousands of people in those skills.

“That training was the first time I was exposed to the very structured process of mediation,” she said. “I was intrigued because it empowered parties, had a long-lasting resolution, and was party centered, driven, and designed.”

A former training director for the Center for Conflict Resolution in Chicago, Carrel was lead trainer for CCR’s 40-hour mediation skills training and designed and taught a variety of customized trainings. She worked with a wide range of clients, including the Federal Reserve Bank of Chicago, the YMCA, the US Department of Housing and Urban Development, and the Circuit Court of Cook County.

Carrel previously managed a mediation service for child protection/dependency cases in the Eighth Judicial Circuit of Florida. She also helped train and manage University of Florida law students in small-claims mediation, victim-offender mediation, and conflict resolution skills.

Carrel subscribes to the Center on Negotiation and Mediation’s approach to teaching—experiential learning and practical application—and aims to teach students to serve as advocates and counselors in helping clients solve their problems.

“So there is a need for experiential learning and practice-ready students,” said Carrel. “With the Center, all of the curriculum is experiential, and theory is directly applied to practice. As a result, when students leave, they have learned to be thoughtful, deliberate, and strategic in their approach and techniques.”

Laura Nirider

**CLINICAL ASSISTANT PROFESSOR OF LAW**

BA, University of Chicago; JD, Northwestern University

Laura Nirider

Newly promoted clinical assistant professor Laura Nirider (JD ’08) is no stranger to Northwestern Law. In addition to being an alumna, Nirider has been project codirector of the Bluhm Legal Clinic’s Center on Wrongful Convictions of Youth since 2009, and she has held positions here as a clinical fellow and adjunct professor.

In her new role Nirider will continue to represent clients and will coteach a clinical course on wrongful convictions of youth, with a focus on juvenile police interrogations and confessions.

“The work that I do with the CWCY is extremely rewarding; I’m excited to continue with the mission of helping wrongfully convicted youth,” said Nirider. “My work with the Clinic was one of the highlights of studying law here. It’s exciting to be surrounded by such amazing minds doing spectacular work.”
Joshua Tepfer
CLINICAL ASSISTANT PROFESSOR OF LAW
BA, Grinnell College; JD, University of Minnesota

Joshua Tepfer has assumed a new title, clinical assistant professor of law, as he continues as project codirector for the Center on Wrongful Convictions of Youth.

Tepfer has served as a visiting clinical assistant professor at Northwestern Law since 2008 and has codirected the CWCY since its inception. The CWCY is the only innocence project in the country that focuses exclusively on minors convicted or accused of crimes. Tepfer teaches clinical courses on wrongful convictions of youth, with a focus on police interrogations and confessions.

“There’s no greater feeling in the world than being able to represent the innocent, so I’m excited to continue my work here at Northwestern Law,” said Tepfer. “The Clinic as a whole does amazing work, and I consider myself fortunate to be able to be a part of such an inspiring movement.”

Prior to coming to Northwestern Law, Tepfer was an appellate defender for the state of Illinois, representing indigent clients in criminal direct and postconviction appeals. He litigated cases in the Illinois Supreme Court and coordinated a student intern training program.

His interest in wrongful convictions began when, as a visiting student at Northwestern Law, he worked with the Children and Family Justice Center. “The work that I do with students is particularly special to me for this reason,” he said.

In his time with the CWCY, Tepfer has played a leading role in the high-profile cases of the Dixmoor Five and the Englewood Four, in which the CWCY represented two of the men wrongfully convicted and eventually exonerated. He has also worked with CWCY staff, students, and attorneys to institute policy change to transform juvenile interrogation tactics and has trained law enforcement officials and others in best practices for questioning youth.

Nirider has represented several defendants in high-profile cases involving juvenile false confessions, including members of the West Memphis Three case, one of the highest-profile murder cases in Arkansas history.

Aside from working on wrongful convictions cases, Nirider is involved in public advocacy for juvenile interrogation reforms, including collaborative efforts with law enforcement, “which I hope will play an integral role in preventing more wrongful conviction cases in the future,” she said.

She has published several articles and op-eds on juvenile interrogations and postconviction relief. In partnership with the International Association of Chiefs of Police, she coauthored one of the only existing juvenile interrogation protocols.

Rob Owen
CLINICAL PROFESSOR OF LAW
AB, MA, University of Georgia; JD, Harvard University

One of the nation’s leading death penalty defense lawyers, Rob Owen joins Northwestern Law as a clinical professor. He was a visiting professor here in 2011–12, working with Bluhm Legal Clinic students and staff. In the case of Texas inmate Henry Skinner, they won a rare stay of execution and DNA testing.

Owen will continue his work on death penalty cases and will teach students to prepare briefs, pleadings, and petitions for prisoners sentenced to death in state and federal cases.

“I am really excited about being associated with a university that has such a powerfully strong commitment to social justice,” said Owen.

Since 1989 Owen has defended people facing the death penalty at every level of state and federal court systems. He received the Thurgood Marshall Award in recognition of his work representing death-sentenced prisoners.

Owen began his career as a lawyer with the nonprofit Texas Resource Center in Austin. After six years as a staff attorney there, he worked as an assistant federal public defender in Seattle for three years and then returned to Texas, joining the University of Texas School of Law faculty in 1998 as a clinical professor. There he codirected the Capital Punishment Clinic, taught lecture courses on capital punishment, and led an undergraduate freshman seminar on the death penalty.

Rob Owen

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Visiting Faculty 2013–14

Northwestern Law welcomes faculty who will be visiting during the 2013–14 academic year.

Miguel de Figueiredo
VISITING ASSISTANT PROFESSOR (2013–14)
BA, Johns Hopkins University; MA, University of Chicago; JD, Yale University; PhD, political science, University of California, Berkeley (expected 2014)

Miguel de Figueiredo’s research focuses on the areas of criminal law, international law, comparative law, election law, law and development, corruption, and voting behavior. His current work examines the effects of sentencing for drunk driving; probes the effects of expungement on recidivism and employment; analyzes the impact of corruption and information on voting behavior; and explores the effects of policies designed to curb tax evasion by firms. His research has been supported by the National Science Foundation, the Social Science Research Council, Yale Law School’s Oscar M. Ruebhausen Fund, and the University of California, Berkeley’s Center for Effective Global Action and Survey Research Center.

Dhammika Dharmapala
VISITING PROFESSOR OF LAW (FALL 2013)
MEc, University of Western Australia; PhD, economics, University of California, Berkeley

Dhammika Dharmapala is visiting Northwestern Law this fall from the University of Illinois at Urbana-Champaign, where he serves as a professor at the College of Law and a professor of finance (by courtesy) at the College of Business. He is also an International Research Fellow of the Oxford University Centre for Business Taxation and a fellow of the CESifo Research Network (based in Munich). He has previously held postdoctoral or visiting positions at Harvard, Michigan, Georgetown, and the Australian National University. Dharmapala serves on the board of directors of the American Law and Economics Association and formerly served on the board of directors of the National Tax Association. Until recently, he was editor-in-chief of the peer-reviewed journal *International Tax and Public Finance*. His PhD thesis was awarded the National Tax Association’s Outstanding Doctoral Dissertation Award. Dharmapala’s scholarship, which spans the fields of taxation, the economic analysis of law, and corporate finance and governance, has been published in leading scholarly journals in law, economics, and finance and has been cited in various media outlets, including the *New York Times*, the *Washington Post*, *Bloomberg Businessweek*, and *The Economist*.

Maria Hawilo
VISITING CLINICAL ASSISTANT PROFESSOR OF LAW (2013–14)
BS, JD, University of Michigan

Maria Hawilo joins Northwestern Law this year as a visiting clinical assistant professor of law in the Bluhm Legal Clinic, where she will be co-teaching the Juvenile Justice Criminal Trials and Appeals Clinic with Thomas Geraghty (JD ’69) and assisting with the supervision of students who have been assigned criminal cases. Previously she served as a supervising attorney for the District of Columbia’s Public Defender Service, representing clients charged with a variety of offenses including conspiracy, obstruction of justice, and other serious felonies. Hawilo clerked for Hon. David W. McKeague, who currently sits on the US Court of Appeals for the Sixth Circuit.

Caroline Kaeb
VISITING ASSISTANT PROFESSOR (RETURNING FOR 2013–14)
Diplom-Jurist Univ. and First State Board Examination, Friedrich-Alexander-University Erlangen-Nuremberg School of Law; LLM, George Washington University; PhD, international studies, University of Trento

Caroline Kaeb teaches Corporate Compliance and the Social Mandate, Corporations, European Union Law, and European Business Law. Kaeb began her academic career at Northwestern Law in 2008, serving as a research associate for the Bluhm Legal Clinic’s Center for International Human Rights and as an adjunct professor before becoming a visiting assistant professor of law in 2012. She is also an affiliated faculty member at the Ford Motor Company Center for Global Citizenship at the Kellogg School of Management (by courtesy). Her main areas of research are international business law,
comparative private law, corporate compliance, European Union law, law and social norms, and international law. Kaeb earned her PhD in international studies (international law and economics) from Italy’s University of Trento with a dissertation that relates a comparative legal understanding of corporate risks, motivational drivers, and unintended consequences to endogenous and exogenous measures of corporate social responsibility implementation, particularly liability litigation in the United States and Europe.

Pierre Legrand
VISITING PROFESSOR OF LAW
(SPRING 2014)
BCL and LLB, McGill University; DEA and PhD, Université Panthéon-Sorbonne; MLitt, University of Oxford; PhD, Lancaster University

Pierre Legrand is professor of law at the Université Panthéon-Sorbonne, where, after serving for ten years as director of postgraduate comparative legal studies, he is now responsible for the postgraduate program on globalization and legal pluralism. In the course of his academic career, Legrand has held visiting professorships at a number of universities and has taught and lectured in more than 20 countries, including the United States, Canada, Australia, China, Brazil, Singapore, and nations throughout Europe. His teaching and writing focuses on comparative legal studies with reference to theoretical issues arising from comparative interventions. He publishes in English and French, and his work has been translated into various other languages.

Leonard Riskin
VISITING PROFESSOR OF LAW
(FALL 2013)
BS, University of Wisconsin–Madison; JD, New York University; LLM, Yale University

This fall Leonard Riskin, Chesterfield Smith Professor of Law at the University of Florida’s Levin College of Law, returns to Northwestern Law, where he has served as a visiting professor each fall since 2010. Riskin’s work centers on mindsets with which lawyers and other dispute resolvers approach their work. Since 1980 he has been mediating, writing about mediation, and training lawyers and law students in mediation and other methods of dispute resolution. He also teaches and studies mindfulness as a method of enhancing performance and satisfaction. He previously served as C. A. Leedy and Isidor Loeb Professor of Law at the University of Missouri–Columbia School of Law, where he founded and, for 20 years, directed the Center for the Study of Dispute Resolution.

Meredith Martin Rountree
VISITING ASSISTANT PROFESSOR
(2013–14)
AB, Yale University; JD, Georgetown University; PhD, University of Texas at Austin

Meredith Martin Rountree joins Northwestern Law after spending a year as a doctoral fellow at the American Bar Foundation and a year as a research fellow in the Capital Punishment Center at the University of Texas School of Law. Before pursuing a PhD in sociology at the University of Texas at Austin, she taught at the University of Texas School of Law, where she helped establish the Capital Punishment Center and co-directed its Capital Punishment Clinic. Rountree’s doctoral work focused on the study of crime, law, and deviance, and her dissertation research examined the phenomenon of death-sentenced individuals who seek their own execution. She teaches criminal law and a seminar on law and society research.

David Schwartz
VISITING PROFESSOR OF LAW
(SPRING 2014)
BS, University of Illinois at Urbana-Champaign; JD, University of Michigan

Next spring David Schwartz will visit from IIT Chicago-Kent College of Law, where he is an associate professor of law and codirector of the Center for Empirical Studies of Intellectual Property. Prior to entering academics in 2006, he practiced intellectual property law for more than a decade, focusing on patents and patent litigation. Schwartz’s research focuses on empirical studies of patent law and judicial behavior, including the use of contingent fee representation in patent litigation; reversal rates in patent claim construction cases; litigation involving nonpracticing entities; the effect of the presumption of validity on jurors; and the doctrine of equivalents. He has also studied the use of legal scholarship by the judiciary. His writing has appeared in the Cornell Law Review, the Harvard Journal of Law and Technology, the Michigan Law Review, and the Northwestern University Law Review.
Faculty Publications

Ronald J. Allen
JOHN HENRY WIGMORE PROFESSOR OF LAW


Karen Alter
PROFESSOR OF LAW (BY COURTESY)


Kenneth Ayotte
PROFESSOR OF LAW


Esther S. Barron
CLINICAL PROFESSOR OF LAW


Robert W. Bennett
NATHANIEL L. NATHANSON PROFESSOR OF LAW


Bernard Black
NICHOLAS D. CHABRAJA PROFESSOR OF LAW AND BUSINESS


Deborah L. Borman
CLINICAL ASSISTANT PROFESSOR OF LAW


Thomas J. Brennan
PROFESSOR OF LAW


Robert P. Burns
PROFESSOR OF LAW


Steven G. Calabresi
CLAYTON J. AND HENRY R. BARBER
PROFESSOR OF LAW


Shari Seidman Diamond
HOWARD J. TRIENENS PROFESSOR OF LAW


David Dana
KIRKLAND & ELLIS PROFESSOR OF LAW


Shari Seidman Diamond
HOWARD J. TRIENENS PROFESSOR OF LAW


Peter DiCola
ASSOCIATE PROFESSOR OF LAW


Steven A. Drizin
CLINICAL PROFESSOR OF LAW


Joshua B. Fischman
ASSOCIATE PROFESSOR OF LAW


Alison R. Flaum
CLINICAL ASSOCIATE PROFESSOR OF LAW


Daniel Gandert
LECTURER


Thomas F. Geraghty
CLASS OF 1967 JAMES B. HADDAD
PROFESSOR OF LAW


Stephen B. Goldberg
PROFESSOR OF LAW EMERITUS


David D. Haddock
PROFESSOR OF LAW

“Adversary democracy” is a democratic theory that acknowledges that disagreement characterizes collective self-government in a heterogeneous society and that values democracy precisely for the autonomy it provides in this setting of conflict. It is adversarial in the descriptive sense because it recognizes that individuals’ conflicting interests will always divide a heterogeneous society and, to varying degrees, affect individuals’ participation in self-government. Adversary democracy recognizes that, in a large and diverse society, the notion of a consensus form of democratic decision making in which the collective cooperatively seeks to advance the “common good” is unrealistic at best and manipulative at worst. This form of democracy is adversarial in the normative sense because it recognizes democracy as a system of collective self-government that manages conflict—and thus protects and facilitates individual autonomy—by institutionalizing it as a normal part of democratic life.

Cooperative theories of democracy either unrealistically assume individuals will ignore their own self-interest or personal...
ideology to pursue a common good or assume that democratic processes can resolve conflict by somehow forging a common will.

Adversary democracy institutionalizes and thus tempers conflict in two ways. First, it grants individuals equal power to affect the outcome of collective decision making by virtue of their power to vote. In this sense, adversary democracy understands democracy as an ex ante agreement among potential opponents to resolve disputes as merely adversaries, rather than mortal enemies. The value of democracy from this perspective is simultaneously individuals’ power to seek to implement their preferences and their security from domination even when they are in the minority.

The theory is ‘adversarial’ because it recognizes that democratic decision making involves a contest between individuals who each possess power to affect its outcome. The individual’s power to vote, in and of itself, does not automatically constitute the power to institutionalize and enforce his preferences. Nevertheless, he possesses the ability to join with others having shared interests and ideologies to influence public opinion and shape the outcome of collective decisions by influencing the votes of other individuals. The relationship is adversarial, rather than cooperative, because it acknowledges that collective decision making will inevitably produce winners and losers.

Acceptance of the premises of adversary democracy has important implications for the scope of the theory of free expression. Free speech theorists are correct in positing a symbiotic intersection between democracy and free expression. Recognition of both the normative and empirical superiority of the adversary model of democracy, however, suggests that the First Amendment’s domain extends significantly further than prior free speech theories would permit.

The adversary theory of free expression protects and even values the promotion of self-interest. It does so in part for the practical reason that self-interest creates an incentive for speech that facilitates democratic decision making. And it does so also on the basis of the recognition that the collective decision making process may ignore the individual’s interest entirely unless the individual represents it himself. But, more fundamentally, it does so for the theoretical reason that autonomy requires that individuals have the freedom to decide how they want to govern themselves and how they want to engage in the process of collective decision making.”
BOOK EXCERPT

What Changed When Everything Changed: 9/11 and the Making of National Identity

BY JOSEPH MARGULIES
Yale University Press, 2013

“The ideals that make up national identity are not fixed stars in an unchanging sky but immensely powerful symbols that are manipulated and redefined to justify competing social arrangements. They are verbal weapons in a continual struggle to make one or another vision of national life dominant in the public square. National identity is what we make of it.

And what have we made of it since 9/11? What I found was not at all what I expected. I had imagined at the start of my research that September 11 would have thrown us from our true path and that the long decade since then would have been spent in a struggle to find our way back. The book, as I originally imagined it, would be an attempt to map our present location and point the way home. All of this reflects the conventional wisdom about the American response to crisis—we are supposedly tossed off course, do foolish things because we’ve lost our bearings, and eventually return to normal, chastened if not much wiser. I call this the myth of deviation and redemption.

Perhaps this myth is an accurate description of the response to other traumatic events in American history, but it certainly does not describe the course of history since September 11. The most striking feature of the immediate reaction to that day is not the extent to which the nation lost its way but the great extent to which it resolved not to do so. The attacks were instantly cast as a challenge to our shared values, which was taken to mean the values as they were understood at the time. This led to a widely shared insistence that those values should remain unchanged. It was not until years later that the impulse to change our national identity took hold.

What’s more, the preference for draconian policies was not some spontaneous and uncontrollable reaction to September 11. At the moment of greatest perceived
threat, when fear of another attack was at its peak, favorable attitudes toward Muslims and Islam were at record highs throughout all segments of the population, the suggestion that America might torture suspects in custody was mocked and ridiculed in the public square, and many of the counterterror policies pursued by the Bush administration were met with widespread opposition.

Today, by contrast, tens of millions of Americans denounce Islam in the most incendiary terms, more than half the population accepts the idea of torture, and counterterror policies that President Bush apparently never dreamed of have been codified into law. Again and again, an initial determination within society to preserve national identity has been replaced by a determination to transform it. Still more surprisingly, these repressive attitudes have taken hold even though the threat from transnational jihad in general and al Qaeda in particular has diminished significantly.

My goal in the book is to explain how all this came to pass.”

Helene S. Shapo
PROFESSOR OF LAW EMERITA

Marshall S. Shapo
FREDERIC P. VOSE PROFESSOR OF LAW

Jeffrey Sheffield
SENIOR LECTURER
“Property’s Perspective (or of Whom to Be Jealous).” University of Pennsylvania Law Review Online. 2013.

Carole Silver
PROFESSOR OF GLOBAL LAW AND PRACTICE


James B. Speta
CLASS OF 1940 RESEARCH PROFESSOR OF LAW

Matthew Spitzer
HOWARD AND ELIZABETH CHAPMAN PROFESSOR

Daniel F. Spulber
PROFESSOR OF LAW (BY COURTESY)

Kristen A. Stilt
HARRY R. HORROW PROFESSOR IN INTERNATIONAL LAW

Joshua A. Tepfer
CLINICAL ASSISTANT PROFESSOR OF LAW

Emerson H. Tiller
J. LANDIS MARTIN PROFESSOR OF LAW AND BUSINESS

Cynthia Wilson
PROFESSOR OF GLOBAL LAW AND PRACTICE


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CLASS OF 1940 RESEARCH PROFESSOR OF LAW


Matthew Spitzer
HOWARD AND ELIZABETH CHAPMAN PROFESSOR

Daniel F. Spulber
PROFESSOR OF LAW (BY COURTESY)
Castillo Named Chief Judge for Northern District of Illinois

Northwestern Law alumnus and adjunct professor Ruben Castillo (JD ’79) was sworn in as the chief judge of the US District Court for the Northern District of Illinois on July 1.

The first Latino to hold the post, Castillo succeeds James Holderman, whose seven-year term ended this summer. As chief judge, Castillo serves as the top administrator of the third-largest federal court district in the country; his expanded responsibilities include overseeing grand jury issues and requests for wiretaps and other surveillance by prosecutors.

“These are challenging times to attempt to represent our courts' public service interests, given our country’s national budgetary crisis,” said Castillo. “I am pleased to follow in the great tradition of other Northwestern Law graduates who have served as chief judge of our district, including Marvin E. Aspen and John F. Grady.”

Castillo became the first Latino federal judge in the state in 1994, nominated by President Clinton to a seat on the US District Court for the Northern District of Illinois. He had previously worked in private practice and was assistant US attorney for the Northern District of Illinois and director and regional counsel for the Chicago office of the Mexican American Legal Defense and Educational Fund.

Castillo teaches Introduction to Trial Advocacy at Northwestern Law. He was voted “outstanding adjunct professor” by the student body in 2010. Castillo also serves on the advisory board for the Bluhm Legal Clinic.

Second 2010 Graduate to Clerk for Justice Scalia

Judd Stone (JD ’10) will clerk for Associate Justice Antonin Scalia for the 2014 Supreme Court term.

Currently an Olin-Searle Smith Fellow at Harvard University, Stone previously clerked for Edith Jones, former chief judge of the US Court of Appeals for the Fifth Circuit, and for Justice Daniel Winfree of the Alaska Supreme Court.

“There were so many qualified candidates; it is incredibly humbling and exciting to be chosen for this clerkship,” said Stone. “The entire Northwestern Law community has been so generous with its time and resources, for which I am really grateful.”

He thanked in particular his friend and former classmate Kevin King (JD ’10), who is currently serving as a clerk for Scalia, and professors Steven Calabresi, Eugene Kontorovich, and Erin Delaney for providing references, advice, and encouragement during the application process.

While a student at Northwestern Law, Stone was involved in the Federalist Society, served as an editor of the Northwestern University Law Review, and participated in the Owen L. Coon/James A. Rahl Senior Research Program.

“Judd marks the fourth Northwestern Law graduate in three consecutive class years to serve as a Supreme Court clerk,” said Dean Daniel B. Rodriguez. “These telling statistics speak to the caliber of students here at Northwestern Law and the quality of education they receive.” Besides Stone and King, recent Supreme Court clerks include Abby Mollen (JD ’08) and Kenton Skarin (JD ’09).
Recent Graduate Wins Legal Writing Award

Timothy Fry (JD ’13) was honored in June with a 2013 Burton Award for Legal Achievement. The national awards program, run by the Burton Foundation in partnership with the Library of Congress, rewards achievements in law, with an emphasis on writing and reform.

Fry’s article “Prosecutorial Training Wheels: Ginsburg’s Connick v. Thompson Dissent and the Training Imperative” was a winner in the distinguished legal writing category. The piece was originally published in Northwestern Law’s Journal on Criminal Law and Criminology.

Northwestern Law administrators nominated Fry after soliciting recommendations from the school’s six student-edited journals. According to dean of students Cliff Zimmerman, JCLC editor-in-chief Jess Notebaert (JD ’13) “enthusiastically recommended” Fry for the honor.

Fry received his award at the 14th annual Burton Awards program and gala held at the Library of Congress in Washington, DC.

Established in 1999 by William C. Burton, a partner at Sagat Burton in New York and the author of Burton’s Legal Thesaurus, the Burton Awards and the Burton Foundation were created to reward attorneys and law students for effective legal writing. The awards program honors 30 partners and counsel from the nation’s 1,000 largest law firms as well as 15 of the best student writers from law schools across the country.

Pop Star Alumna Recalls Law School Life in New Memoir

When Soeun Nikole Lee (JD ’12) came to the United States to study law at Northwestern in 2009, she left behind more than a decade of international fame as a pop star in Korea, trading in tours, television appearances, and interviews for study sessions, papers, and late-night reading.

She chronicles her winding journey in the book Soeun Lee Goes to Law School, which discusses her hardships and joys as she embarked on a major life transition in a new country. “Writing this book was like therapy for me,” says Lee, now a junior associate at Cohen & Gresser in New York. “I was able to be honest and raw about particularly difficult and exciting moments for me as a new law student in a foreign country.” Being immersed in a new country, culture, and professional environment; learning new laws and social constructs; training herself to study; and failing and succeeding on exams, memos, and papers are among the experiences she shares with readers in the memoir.

Though at first she struggled to feel at home, she did find a network of support in classmates and professors at the Law School. Professor Len Rubinowitz’s first-year criminal law class was one of her favorites, and she found Rubinowitz to be a source of encouragement during her first year and beyond.

“Professor Len understood us. He delivered the message that we already had the ability to study law regardless of our backgrounds,” said Lee. “I was deeply impressed by him because he listened carefully to our opinions and made us believe in our potential.”

As a student, Lee participated in the 2012 Willem C. Vis International Commercial Arbitration Moot in Vienna, where she received an honorable mention for best individual oralist and the Northwestern Law team secured an honorable mention for best memorandum for claimant.
LA Dodgers’ Mark Walter Addresses Graduates

“The only measure of success should be what we create, change, and inspire, big or small. Never quit; there is no failure except in quitting or not trying,” Mark R. Walter (JD ’85), chairman and controlling owner of the Los Angeles Dodgers, told the class of 2013 at the 153rd Law School graduation convocation May 17 at the Chicago Theatre.

The keynote alumni speaker offered advice for success based on his long career in business. Walter is also chief executive officer and a member of the board and executive committee of Guggenheim Capital, a privately held financial services company.

“When I look out over this group I see a very bright future. You will go on to do great things,” Walter told the graduates, who join a network of more than 13,000 Law School alumni.

Walter said it was at Northwestern Law that he gained the ability to succeed in business. “I can tell you today with complete confidence that in every measure my success would not have happened without the training I received at this great law school,” he said. “[The faculty] taught all of us to think—and to think for ourselves. We all learned to identify our legal arguments, to rigorously test and defend those arguments, and to evaluate and determine what we would need for the best outcome.”

2013 CONVOCATION

Student Convocation Speakers
Jeffrey J. VanDam (JD ’13)
Sergio Herrera (LLM ’13)

Student-Voted Faculty Awards
Outstanding Adjunct Professor
Steven Elrod (JD ’82)

Outstanding First-Year Course Professor
Emily Kadens

Outstanding Professor of a Small Class
Alyson Carrel

Outstanding LLM Tax Professor
Robert R. Wootton

Robert Childres Memorial Award for Teaching Excellence
Dawn Clark Netsch (JD ’52) (posthumous)

Student Awards
Wigmore Key
Timothy J. Fry (JD ’13)

Leadership Award
Michael D. Lehrman (JD ’13)

Service Award
Elizabeth Ann Sellers (JD ’13)

Legal Profession Award
Nicholas K. Tygesson (JD ’13)

Courage Award
Martha O’Connor (JD ’13)
Alumni in Sports

Northwestern Law has a long history of alumni making their livings in professional sports management in various capacities, including as team owners, presidents, marketers, and talent evaluators. Among the early ones was Kennesaw Landis (LM 1891), the first commissioner of organized professional baseball. Other notable alumni in sports management include Jerry Reinsdorf (JD ’60), owner and chair of both the Chicago Bulls and the Chicago White Sox; Eddie Einhorn (JD ’60), White Sox vice chair; Mark Walter (JD ’85), chairman and controlling owner of the Los Angeles Dodgers; and Irwin Mandel (JD ’67), the Bulls’ senior vice president of financial and legal affairs. Featured here are other Law School graduates in the sports arena.

Jared Bartie: Finding a Niche in Sports

As a “decent” athlete in his youth, Jared Bartie (JD ’93) was a member of a nationally ranked high school basketball team that won a Massachusetts state championship. However, he knew that he wasn’t good enough to play big-time college ball or make it professionally, but still he “wanted to find a way to stay involved with sports.”

Bartie’s original goal in going to law school was to become a sports agent, but his two-decade career has taken him even further. He has developed a wide range of legal and business experience in the sports, entertainment, and media industries, working for Black Entertainment Television, the United States Tennis Association, the National Basketball Association, the Charlotte Bobcats, and World Wrestling Entertainment.

Bartie currently counsels sports, media, and entertainment clients in Arent Fox’s New York office. While serving as chief administrative officer and general counsel of the Charlotte Bobcats, Bartie worked with Arent Fox to negotiate the team’s arena naming rights deal as well as a media rights agreement. Several years later, Bartie joined Arent Fox.

As counsel in Arent Fox’s nationally recognized sports law practice group, he handles corporate transactions, represents professional sports teams and national governing bodies, and advises investors who want to acquire sports teams. Throughout his career, Bartie has counseled clients on matters pertaining to naming rights and sponsorship transactions, media rights agreements, stadium bond financings, arena and stadium operating agreements, ticketing arrangements, and front office personnel, coach, and player agreements.

“It’s been fortunate that my career has offered me a breadth of experiences within sports, media, and entertainment,” said Bartie. “I have never been one to limit myself and have

“It makes all the difference in the world to work in an area that is not only fun and interesting but that I am also passionate about.”

Jared Bartie (JD ’93)
enjoyed working on a nice mix of legal and business matters within the various sectors.”

Within the sports and entertainment industries, Bartie has both professional and personal networks of Northwestern alumni, some of whom have been his friends since the first semester of law school. He also stays connected to the Law School by serving on the Northwestern Law Board and co-chairing the 20-year reunion.

Jennifer Duberstein:
For the Love of Law and Sports
Jennifer Duberstein (JD ’02) was inspired to return to school for a law degree after serving as a public relations intern in the sports division of Turner Broadcasting System. It was in this position that she realized that “having a law degree would help me to be more versatile in business, in turn positioning me as a key decision maker and giving me a seat at the table.”

Duberstein is now a business affairs executive at CAA Sports, a division of the Creative Artists Agency. CAA Sports represents more than 800 of the world’s best athletes, coaches, on-air broadcasters, and sports personalities. The company also works in the areas of broadcast rights, corporate marketing initiatives, and sports properties for sales and sponsorships. Based in the New York office, Duberstein advises the agency’s sports executives and agents as well as clients on legal and business matters. Not only does she find the work “challenging and rewarding,” it also fulfills her long-time love for sports.

“One enjoy offering my expertise to help guide people on a daily basis. Our goal is to make decisions easier for our clients by counseling them on all of the options that they are considering.”

Duberstein previously served as senior counsel for Major League Soccer and counsel for Time Warner Inc. She began her legal career in the sports division of Proskauer Rose LLP.

As a student at Northwestern Law, Duberstein was involved in “a little bit of everything” and considers her classmates—many with whom she has kept in touch—a highlight of her experience.

“To have such colleagues within the industry makes the experience more worthwhile and more rewarding,” said Duberstein. “The caliber of Northwestern students is unrivaled, in my opinion. Not only are they intelligent and driven, but they are good people.”

Hussain Naqi: Executing a Plan
Hussain Naqi (JD-MBA ’06) had a solid career in the sports industry before going to law school. He spent four years working for the National Football League in a variety of positions prior to leaving in 2002 to serve as an assistant director of enforcement for the National Collegiate Athletic Association.

When Naqi decided to go to law school, it was with the goal “to dramatically steepen the trajectory of my career in sports
so I could be very deliberate in the path I took and jobs that I sought,” he said. Researching various law schools, he was sure that Northwestern’s JD-MBA program was the ticket to molding his ideal career.

Naqi is now senior vice president of fan management for the Jacksonville Jaguars football team. He is responsible for the team’s marketing and branding, which includes consumer research, television and radio rights strategy, advertising, and brand management, as well as managing the overall fan game day experience, including fan engagement activities, guest services security, and entertainment. He also oversees the team’s fan growth and marketing efforts in the United Kingdom, as the Jaguars will play one home game a year in London for the next four years.

“It is my job to ensure that the fans not only have a great time but develop an investment in the Jaguars,” said Naqi. “If you’re not a fan, it’s my job to make you a fan. If you are already a fan, it’s my job to make you a rabid fan.”

Naqi joined the Jaguars following four years with the New Meadowlands Stadium Company, where he served as vice president of business planning and general counsel at MetLife Stadium, home of the New York Jets and New York Giants.

Northwestern Law developed Naqi’s interest in both the legal and the management aspects of professional sports, he said, particularly a course taught by Professor James Speta that reviewed, among other things, intellectual property with respect to video sports broadcasts in the Internet age. His
sports interests also extended to Kellogg where he developed a continuing education program for current and former NFL players to equip them with basic business skills during and after their playing careers.

Naqi took advantage of services offered through the Law School’s Center for Career Strategy to land a summer associate position with Proskauer Rose LLP. Upon graduation, he joined the Executive Development Program with Major League Baseball and the New York Mets, serving two years in that capacity.

With professional experience in both law and business, Naqi appreciates the versatility of his JD-MBA degree and has found it to be an asset in shaping a well-rounded career.

“I had a vision of what I wanted for my career, and I was fortunate to find it,” said Naqi. “It’s incredibly gratifying, and I certainly don’t take for granted how lucky I am to do something that I am passionate about.”

**Rick Smith: Doing What He Loves**

As a student at Northwestern Law, Rick Smith (JD ’86) organized the annual NCAA basketball tournament pool and spent a considerable amount of time in the atrium talking the latest trades, conference standings, and tournament brackets with Professor Martin Redish.

Smith has since combined his law studies and his main interest, sports, into a lucrative career. As a founding partner, agent, and head of the football division at Priority Sports, a full-service sports management firm, Smith is involved in all aspects of client representation and business operations. He negotiates contracts, reviews legal documents concerning team endorsements and personal contracts, handles player conflicts, and manages administrative relationships.

“I’ve really been very fortunate because every day I’m doing something that I really love,” said Smith. “The ability to bring a unique analytical perspective to client representation is something that keeps me coming back day after day.”

Smith’s good fortune of working in sports law didn’t happen immediately after graduation, however. His first job out of law school was as a real estate attorney at Coffield, Ungaretti, Harris and Slavin. His sports career “happened by chance” because a friend from Northwestern, Mark Bartelstein, started Priority Sports, representing basketball and football players. After doing some legal work with the company, Smith joined Priority Sports full-time in 1995 and now represents about 90 players.

“Learning the nuances of the sports and, specifically, football worlds really was a switch,” said Smith. “Once I got that down and developed key relationships within the NFL, my legal backing helped me with negotiations and the analytical aspects of the position.”

Smith found that courses in constitutional law, antitrust, contacts, and negotiation and mediation are useful in the sports legal arena.

“While I did not set out to have a career in sports law, Northwestern provided me with a solid understanding of the law that has helped with my success,” said Smith. “I hope that sports law will gain a stronghold in law schools in the coming years.”

“The ability to bring a unique analytical perspective to client representation is something that keeps me coming back day after day.”
Andrew Stroth (JD ‘99) was already running Impact Talent Associates, his sports management and entertainment firm, when he decided to go law school because “something was missing.”

“Once I started my firm, I noticed that the most accomplished agents were lawyers by training,” said Stroth. “It was then that I knew I was lacking in the skills necessary to best represent my clients.”

A law degree raised his profile with clients and improved the quality of his service, Stroth said. Over the years, Stroth has represented NFL quarterbacks Donovan McNabb and Michael Vick, former Bears coach Lovie Smith, Bears wide receiver Brandon Marshall, Miami Heat superstar Dwyane Wade, and others.

The ultimate goal, said Stroth, is to “build athletes into brands beyond sports, which will ensure financial and professional longevity long after they retire. With our strategic plan, we built Dwyane Wade into a global brand and negotiated several multiyear endorsement contracts.”

Stroth took on Vick when the disgraced quarterback returned to the National Football League from a 21-month prison stint for his part in an illegal interstate dog-fighting ring. Vick was not exactly a fan favorite, but Stroth believed he deserved a second chance. Stroth worked to rebuild Vick’s brand as a player by regaining lost endorsement deals. In July 2011 Stroth negotiated a multiyear endorsement deal with Nike for Vick.

“When we decided to represent Michael Vick after prison, I knew it would be a major challenge, considering his reputation and past,” said Stroth. “But I wanted to help him because he served his time and everyone deserves redemption.”

Stroth also works with corporations to sign athletes for endorsement deals in exchange for equity positions in the company. Stroth negotiated McNabb’s partnership with Vitamin Water prior to the acquisition by Coca Cola. Stroth also represented Fuse Science, a publicly traded company based in Miami and led the negotiations to sign a partnership with golfer Tiger Woods, who was also emerging from a scandal. “We want to innovate in the sports industry and negotiate partnerships for athletes in exchange for equity positions in growth companies.”

Besides his own firm, Stroth is of counsel to the commercial practice group at Handler Thayer, negotiating contracts, endorsements, licensing deals, and business partnerships.

Stroth worked in the Bluhm Legal Clinic’s Children and Family Justice Center when he was a Northwestern student. The example of Larry Marshall (JD ’85), founder of the Center on Wrongful Convictions, was a factor that motivated Stroth to work in negotiation and mediation. “It was inspiring to see someone work with so much dedication and passion,” he said. Stroth was an adjunct professor with Bluhm’s Center on Negotiation and Mediation from 2005 to 2008 and frequently visits the school to lecture to students in the Negotiations program and participate in panel discussions.

Stroth fondly recalls another moment at Northwestern Law. “In 1997, we invited Illinois Senator Barack Obama to speak at the Law School. To this day, students still remember his inspiring speech at Lincoln Hall.”
Dean Rodriguez Visits China

Northwestern Law alumni and recently admitted students gathered in Shanghai in June for a reception with Dean Daniel B. Rodriguez at CHAR restaurant and bar, located in the Hotel Indigo Shanghai on the Bund. Over sweeping views of the Bund and Pudong’s brightly lit skyline, alumni also enjoyed an exclusive dinner in the dining room. Northwestern Law faculty members Leslie Oster and James Speta also attended the event, as well as staff members Juliann Cecchi, assistant dean of external partnerships, and Julie Chin, director of alumni relations.
In anticipation of their 50th reunion, members of the class of 1963 met with Dean Rodriguez to learn about his current initiatives. Attendees included (back row, left to right) Harvey Lapin, William Domm, Dean Daniel B. Rodriguez, (front row, left to right) Hon. Joel Flaum, former US congresswoman Judy Biggert, Eugene Kelley, and J. Philip Kirk Jr. The 50th and all other reunions will be celebrated during All Alumni Weekend in September.

Class Notes

1950s
Richard E. Wiley (JD ’58) was listed by the National Law Journal as one of the “100 Most Influential Lawyers in America.”

James R. Thompson (JD ’59) was listed by the National Law Journal as one of the “100 Most Influential Lawyers in America.”

1960s
Jerry M. Reinsdorf (JD ’60) has joined the board of After School Matters.

Timothy J. Riordan (JD ’65) was named to “Chicago’s Top Rated Lawyers List for 2013” by LexisNexis’ Martindale-Hubbell.

Edward C. Osterberg Jr. (JD ’66) was appointed partner in the tax transactions and consulting practice at Mayer Brown LLP in Houston.

Sheli Z. Rosenberg (JD ’66) was named chairman of the board of Nanosphere.

Gregory E. Norwell (JD ’67) was named to “Chicago’s Top Rated Lawyers List for 2013” by LexisNexis’ Martindale-Hubbell.

Anton R. Valukas (JD ’68) was listed by the National Law Journal as one of the “100 Most Influential Lawyers in America.”

William L. Hood Jr. (JD ’69) has retired from American Airlines after a long and rewarding career.

1970s
Stephen J. Landes (JD ’70) received the Award for Excellence in Pro Bono Service from the United States District Court for the Northern District of Illinois and the Chicago chapter of the Federal Bar Association.

David B. Sosin (JD ’71) was elected to the board of governors of the Illinois State Bar Association.

Dalveer Bhandari (LLM ’72) received an honorary degree of LLD from the National Law University, Delhi.

James Peirce Tuthill (JD ’72) was featured in the article “Guns, Media, and American Culture” in the San Francisco Chronicle.

In anticipation of their 50th reunion, members of the class of 1963 met with Dean Rodriguez to learn about his current initiatives. Attendees included (back row, left to right) Harvey Lapin, William Domm, Dean Daniel B. Rodriguez, (front row, left to right) Hon. Joel Flaum, former US congresswoman Judy Biggert, Eugene Kelley, and J. Philip Kirk Jr. The 50th and all other reunions will be celebrated during All Alumni Weekend in September.

Attention Wigmore Club Members:
The annual Wigmore Reception has been moved to the spring! Save the date: April 11, 2014

Through their annual leadership gifts, John Henry Wigmore Club members build on Dean Wigmore’s legacy, helping to foster and stimulate the spirit, scholarship, professional objectives and ideals he inspired during his long tenure.

For more information on joining the John Henry Wigmore Club, please contact Emily Mullin at 312-503-3558.
Four Alumni among NLJ’s “Most Influential Lawyers”

The National Law Journal’s newest “100 Most Influential Lawyers in America” list includes four Northwestern Law alumni: Carter Phillips (JD ’77), James Thompson (JD ’59), Anton Valukas (JD ’68), and Richard Wiley (JD ’58). In its first such list since 2006, the NLJ identified the 100 lawyers in the United States “who have shaped the legal world through their work in the courtroom, at the negotiating table, in the classroom, or on Capitol Hill.”

Phillips, chair of Sidley Austin’s executive committee, has argued 76 cases in the Supreme Court, more than any lawyer currently in private practice. Phillips also has argued more than 100 cases in United States courts of appeals, including at least one in every circuit in the country, and 25 in the Court of Appeals for the Federal Circuit. Phillips also teaches in the Bluhm Legal Clinic’s Supreme Court Clinic.

As the longest-serving governor in Illinois history, Thompson was noted for his skill in settling difficult labor-management problems and his ability to manage one of the nation’s largest public budgets while maintaining one of the nation’s highest state bond ratings. After leaving public service, Thompson joined Winston & Strawn, where he is presently senior chairman and previously served as chairman of the executive committee as well as chairman and CEO.

Valukas, chairman of Jenner & Block, focuses on major civil and white-collar criminal litigation. In 2009 he was appointed as the examiner in the Lehman Brothers Holdings bankruptcy. The resulting 2,200-page account, coined by the press as the “Valukas Report,” was universally applauded for its clarity and usefulness in determining what brought about the demise of Lehman Brothers.

Wiley, chairman of Wiley Rein, heads the firm’s 80-attorney Communications Practice, the largest in the nation. As chairman of the Federal Communications Commission from 1970 to 1977, he fostered increased competition and lessened regulation in the communications field. He also played a pivotal role in the development of HDTV in this country, serving for nine years as chairman of the FCC’s advisory committee on Advanced Television Service.

NLJ’s Chicago “40 under 40”

Northwestern Law alumni Ryan Harris (JD ’02) and Britt Miller (JD ’98) made the National Law Journal’s list of “Chicago’s 40 under 40” lawyers who have “wielded influence in their practice areas in the Chicago area and beyond.” Zev Eigen, associate professor of law, was also on the list, which appeared in NLJ’s July 1 issue.
Alumni Interviewers Needed

Help our admissions team recruit the finest students from this country and abroad. Volunteering as an alumni interviewer is a great way to stay connected and one of the most effective ways you can work to make the school even better. For more information about becoming an alumni interviewer, email admissions@law.northwestern.edu or visit www.law.northwestern.edu/alumni/volunteering to sign up and learn about other alumni volunteer opportunities.

Did you know that Northwestern Law alumni have access to the resources of the Center for Career Strategy and Advancement and the counseling services of the career advisers? Access to our job postings database (SympliCity) and application document reviews, as well as phone and in-person appointments, may be arranged by contacting the Career Strategy Center office at 312-503-3498 or by email at career-strategy@law.northwestern.edu.*

*Please keep in mind that same day appointments often may not be available. Please make appointments in advance.

CAREER SUPPORT FOR ALUMNI

Scott A. Bremer (JD ’75) was named one of the state’s 2013 “Super Lawyers” by Illinois Super Lawyer magazine for his work in bonds and government finance.

Gary G. Grindler (JD ’76) has rejoined the law firm King & Spalding LLP as a partner.

Brian J. Hennigan (JD ’76) was listed as one of the “Top Lawyers in Southern California” by Super Lawyers for the seventh consecutive year.


Carter G. Phillips (JD ’77) was appointed chairman of Sidley Austin’s executive committee and was listed by the National Law Journal as one of the “100 Most Influential Lawyers in America.”

Lawrence A. Wojcik (JD ’77) received the Pro Bono Champion Award from Appleseed and the Chicago Appleseed Fund for Justice for his commitment to the public interest.

Craig L. Caesar (JD ’78) was named shareholder at Baker, Donelson, Bearman, Caldwell & Berkowitz PC.

Robert C. Knuepfer Jr. (JD ’78) received the Client Choice Award for General Corporate in Illinois from Lexology.

Ruben Castillo (JD ’79) is the new chief judge of the Northern District of Illinois.

Marc J. Strauss (JD ’79) was appointed vice chair of the board of trustees at Northern Illinois University.

Antoinette C. Bush (JD ’81) was appointed executive vice president and global head of government affairs at News Corp.

Pamela Rothenberg (JD ’84) was recognized in the 2013 Chambers USA report for her work in real estate law.

Retta Miller (JD ’85) received the Dallas Business Journal’s Women in Business Award.

Bernard J. Bobber (JD ’87) was appointed vice chair of the labor and employment practice at Foley & Lardner LLP.

Michael J. Sacks (JD-MBA ’88) has joined the board of After School Matters.

Willard T. Walker Jr. (JD ’88) was appointed to the board of directors for ARC Group Worldwide, Inc.

Kathryn Kovitz Arnold (JD ’90) was appointed chair of Shefsky & Froelich’s real estate practice.

Sean M. Sullivan (JD ’90) has joined the trial law firm Tobin & Muñoz.

Michael S. Mostow (JD ’91) was named one of the state’s 2013 “Super Lawyers” by Illinois Super Lawyer magazine for his work in environmental law.

Thomas J. Bluth (JD ’92) was appointed vice president of the Mining Products Division at Caterpillar.

James R. Saalfeld (JD ’92) has joined Bissell Homecare as director and corporate and commercial counsel.

Stephen Novack (JD ’72) in May defended Donald Trump in a dispute involving a condominium purchase in Trump’s namesake Chicago skyscraper. Jurors sided with Trump in the weeklong civil trial in federal court.
Adam J. Levitt (JD ’93) has joined Grant & Eisenhofer PA as director of the Chicago office.

J. B. Pritzker (JD ’93) received the 2013 CityLIGHTS Award from the Illinois Technology Association for his support of the technology industry.

Michael B. Brodsky (JD-MBA ’94) was appointed to the board of directors of Altigen Communications.

David A. Fisher (JD ’94) was named CEO of Enova International and was featured in the Crain’s Chicago Business article “Payday Lender Seeks Big Bucks.”

Brian P. Greene (JD ’94) was appointed to the board of Primary Energy Recycling Corporation.

Carlton C. Pilger (JD ’94) was appointed vice president and legal counsel at Digital Insurance.

Mitchell D. Kaye (JD ’95) was appointed to the board of directors of Aeolus Pharmaceuticals.

Katherine A. Lemire (JD ’97) was named president of MSA Investigations.

Peter M. Friedman (JD ’98) has joined O’Melveny & Myers LLP as a partner.

Nancy Shannon (JD ’98) has joined Hoge Fenton Jones & Appel.

R. Nicolas Mallo Huergo (LLM ’99) was appointed CEO of joint venture operations for Argentina’s Andes Energia.

Lisa J. Matyas (JD ’99) was appointed an associate in the corporate group at Goodsmith Gregg & Unruh LLP.

### 2000s

Bjorn A. Andersen (JD ’00) has joined Goulston & Storrs as a director in the firm’s real estate group.

Michael A. Duffy (JD ’00) has rejoined Baker & McKenzie’s dispute resolution practice as a partner.

Sarah L. Harris (JD ’01) was selected for the 2013 Fellows Program of the Leadership Council on Legal Diversity.

Evelyn J. Meitner (JD ’01) was elected chair of the Delaware chapter of the International Women’s Insolvency and Restructuring Confederation.

David M. Santangelo (JD ’01) was promoted to counsel at Chadbourne & Parke LLP.

Christopher L. LaVigne (JD ’02) has joined the New York office of Shearman & Sterling LLP.

Jodi Patt Pellettiere (JD ’02) was named one of the state’s 2013 “Rising Stars” by Illinois Super Lawyer magazine for her work in nonprofit law.

Francis G. McCloud (JD ’03) was named an equity shareholder at Kirk-Pinkerton PA.

Peter N. Moore (JD ’03) has joined the Chicago office of Barnes & Thornburg LLP as a partner.


Melissa E. Seiler (JD ’05) was named shareholder at Greenberg Traurig LLP.

Rena Thiagarajan (JD ’05) founded and launched Project Bly.

James B. Anderson (JD ’06) has joined Aon Hewitt as senior counsel.

Julia Santullano (JD ’06) has joined Levin Schroeder & Carey Ltd. as an associate focused on estate planning, trust administration, and probate.

Lorraine Tyson (LLM Tax ’09) was named trustee and tax partner at Pugh, Jones & Johnson PC.

### 2010s

Todd Belcore (JD ’10) received a Young Lawyers of the Year Award from the Illinois State Bar Association at its 137th annual meeting.

Michael Rhinehart (JD ’10) was named one of the state’s 2013 “Rising Stars” by Illinois Super Lawyer magazine for his work in business litigation.

Karl Riley (JD ’10) was named to Lawyers of Color’s inaugural Hot List for the Western US region.

This list reflects information received by the Office of Alumni Relations and Development as of June 30, 2013.

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**In Memoriam**

Northwestern University School of Law extends its heartfelt condolences to the loved ones of recently deceased alumni, faculty, and friends.

1930s
- David M. Jacobson (JD ’36)

1940s
- William R. Stead (JD ’41)
- Harold T. Beckman (JD ’48)
- Leo Branton Jr. (JD ’48)
- Robert O. Covey (JD ’48)
- Asa B. Groves Jr. (JD ’48)
- Andrew W. Brainerd (JD ’49)
- Khee H. Landis (JD ’49)

1950s
- Hon. Warren H. Deering (JD ’50)
- Edward G. Bazelon (JD ’51)
- Dawn Clark Netsch (JD ’52)
- Leonard E. Zak (JD ’54)
- Robert E. Mason (JD ’57)
- Geoffrey F. Grossman (JD ’59)
- Douglas P. Maloney (JD ’59)

1960s
- Richard J. Kissel (JD ’61)
- Francis O. Spalding (JD ’64)
- Calvert D. Crary (JD ’68)

1970s
- Stephen E. Walter (JD ’73)
- Patricia Anne Powell (JD ’76)

1980s
- Deborah G. Heilizer (JD ’85)

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Small juries, like all small samples, carry big costs. Doesn’t a jury in a serious felony case have the right to decide the facts? We should reconsider the idiosyncratic six-member jury and reach their verdict are not in any way being criticized here. Indeed, the op-ed could not be commenting on a verdict that had yet to be reached when it was written.

Florida is one of only two states where a jury as small as six can decide a serious criminal case. The conscripted jurors who gave nearly a month of their time to a sequestered jury and apparently worked diligently to reach their verdict are not in any way being criticized here. Indeed, the op-ed could not be commenting on a verdict that had yet to be reached when it was written.

Small juries, like all small samples, carry big costs. Doesn’t a jury in a serious criminal case have 12 members? Not in Florida. Florida is one of only two states where a jury as small as six can decide a serious felony case. It is the only state where a murder case goes to a six-member jury. And second-degree murder in Florida is serious indeed, carrying a sentence of 25 years to life. The circumstances of the shooting that killed an unarmed teenager, moreover, are sharply disputed, implicating the use of guns, the limits of self-defense and race relations. As we often do, we have given the jury in this case a challenging task.

Why should we care if the jury has six or 12 members? The Sixth Amendment guarantees the right to a fair trial, but it does not specify jury size. When the Sixth Amendment was written, was the number simply assumed? James Madison thought it was: He thought the number was 12.

For almost 200 years, the U.S. Supreme Court consistently accepted this view, defining “jury” to mean the 12-member jury. For instance, in 1930, the court said that “it is not open to question” whether juries may consist of fewer than 12.

In 1970, however, the court reversed its position in Williams v. Florida and found no constitutional objection to Florida’s six-member jury. The court labeled the general use of 12 throughout history as an “historical accident.” The court’s characterization of the historical record has been widely disputed, but even more egregiously, the court joined its new historical assessment with a strikingly inaccurate behavioral claim.

It proclaimed that the behavior of six- and 12-member juries were “functionally” equivalent, and therefore the six-member jury was unobjectionable. In fact, the overwhelming weight of empirical evidence shows that juries of six do not perform as well as juries of 12.

How do six- and 12-member juries differ? Two differences are particularly relevant in the trial of George Zimmerman. First, numerous studies of all kinds show that cutting jury size in half decreases the likelihood that the jury will reflect a representative sample of the community. The lone non-white juror on the George Zimmerman jury is just one instance of that effect. The all-white jury is another.

The gender make-up of the jury cannot be explained merely by the majority female jury pool or attorney use of challenges. A total of 10 jurors was selected, the jury of six and four alternates. Two of the alternates were male. A larger jury that included the additional four would not have been homogeneous on gender.

Ethnicity and gender are not the only dimensions of difference shortchanged by a smaller jury.

Any background or set of beliefs or life experiences that may affect reactions to the evidence is substantially less likely to be represented on a six-member jury than on a 12-member jury. Simply due to chance, unrepresentativeness is more likely when only six jurors are needed to constitute the jury. That loss is particularly troubling when the jurors are evaluating crucial and disputed evidence, like the identity of the voice in the background on the 911 tape in the Zimmerman case.

Second, jury research finds that larger juries spend more time deliberating and their discussions of testimony are more thorough than smaller juries. More vigorous debate reflects the expanded pool of abilities and perspectives provided by the larger jury. Similarly, the ability of dissenters to resist majority pressure is promoted by the increased likelihood that a dissenter whose position is not simply idiosyncratic will have one or more other jurors who share that view. The dissenters might not carry the day, but their views will be more seriously considered.

There is no evidence that jury size is associated with more pro-prosecution or more pro-defense verdicts. Thus, the key here is not that the six-member jury systematically advantages one side or the other. Rather, the point is that a serious charge demands serious procedural consideration.

Even Florida, like every other state with the death penalty, uses a 12-member jury for capital offenses. Second-degree murder does not carry the death penalty in Florida, but it does call for thorough deliberation from a variety of perspectives. The six-member jury is unnecessarily handicapped.

What should be done? Ample empirical evidence on the jury demonstrates the need to reverse course. Perhaps in the wake of the Zimmerman case, Florida will reconsider its unique position on jury size. Even better: In recent years, the Supreme Court has turned down several opportunities to revisit the question of jury size. Perhaps it should accept the next one.

Shari Seidman Diamond is the Howard J. Trienens Professor of Law at Northwestern University and a research professor at the American Bar Foundation.
All Northwestern Law alumni are invited to celebrate All Alumni Weekend, September 19–20, 2014. Reconnect with friends and faculty, participate in special programming, and see how the Law School has changed over the years.

2014 Reunion Committee Members Needed
Volunteer to help plan the event, establish and garner support for the class gift, and encourage classmates to attend the 2014 reunions. If you are interested, email Charley Boynton at c-boynton@law.northwestern.edu or call 312-503-1769

Additional events will be held for this year’s reunion classes:


www.law.northwestern/alumni