

# NORTHEASTERN Law

M A G A Z I N E

Summer/Fall 2010



## Rights Overcoming Wrongs

Northeastern law faculty, graduates and students aspire to shape a future in which discrimination and repression are relics of the past.

Bankruptcy Blues | Second Thoughts | Farewell to Clare Dalton



# Simply Stated: Things are Terrific

AT THE END OF MAY, I WAS in Jackson, Wyoming, as a faculty member for the annual ABA-sponsored training for new law school deans. Needless to say, the setting was spectacular, with the Grand Tetons as the backdrop.

Here are two key messages that I brought back to Boston:

First, Northeastern continues to be a genuinely unique law school, providing an education effectively merging real-world experiences, classroom learning and

understanding the role of law in advancing the public good. No other school comes close.

Second, as one very well-respected, experienced dean told me: Northeastern is known to be doing very well.

Indeed these points are true. This law school

is flourishing in a climate that others find difficult and challenging.

Applications are soaring, far exceeding national and regional trends. Our entering students come from more than 100 colleges, are remarkably diverse and are as intellectually talented, committed to changing the world, and as vibrant as past classes.

Our faculty is likewise growing and diversifying. This year, we will be joined by Kara Swanson, an intellectual property and history of science expert; Michael Bennett, who focuses on the intersections of science and law; and Aziza Ahmed, with a passion for issues of law and global health. We will soon announce our first joint faculty appointment with Northeastern's Bouvé College of Health Sciences, which will help us expand our breadth in law and health.

At the same time, we are moving ahead, thinking strategically about the future. We are actively reasserting our national leadership in the arena of experiential legal education. We are now launching a national search for a new associate dean of clinical and experiential education, to succeed Associate Dean Martha Davis, who will resume full-time teaching next year.

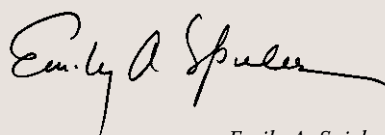
We have just received approval to offer LLM degrees, and our dual-degree programs — with Tufts, Brandeis, Vermont Law School, and internally at Northeastern with the College of Business and the College of Social Sciences and Humanities — are growing. Our Program on Human Rights and the Global Economy received major support from the Ford Foundation this year.

And despite the status of the general economy, graduate support of our annual giving program has been rising every year. Our participation rate continues to far surpass most law schools in the country, and we have almost doubled the amount of donations in the past few years.

All of this is happening in what is admittedly a challenging environment, as large law firms reassess their business models and nonprofit and government offices are forced to cut back. Nevertheless, our alumni/ae continue to ascend to leadership positions in all areas, and our new graduates are successfully using the network that NUSL's co-op program provides to fan out across the globe and find great positions.

The state of Northeastern University School of Law is indeed ... terrific.

Best regards,



Emily A. Spieler  
Dean and Hadley Professor of Law



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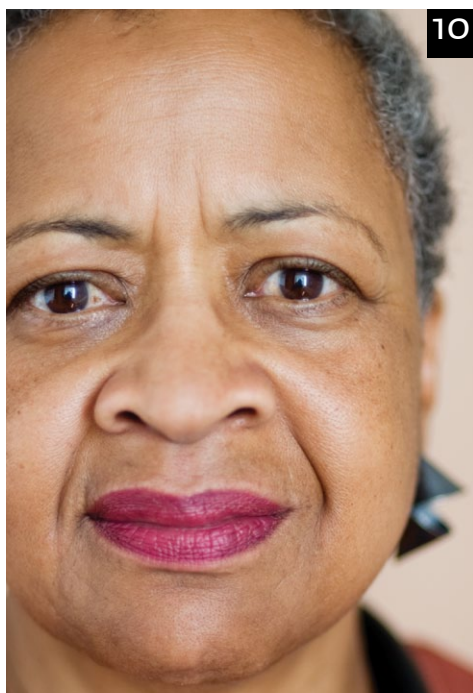
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# Consumer Bankruptcy: Staggering Towards Coherency

The world turned upside down for consumer bankruptcy in 2005, when sweeping amendments to the Bankruptcy Code were imposed under the Bankruptcy Abuse Prevention and Consumer Protection Act (BAPCPA). BAPCPA was intended to make it harder for financially strapped consumers to be discharged from all debts through chapter 7 bankruptcy “liquidation,” by compelling debtors with above-median income to repay at least a portion of their debt over time under a chapter 13 “reorganization” bankruptcy. Written by bank lobbyists, BAPCPA is replete with ambiguous language, special interest carve-outs and notable inconsistencies that have bedeviled bankruptcy judges in implementing it. Not surprisingly, BAPCPA has largely failed to achieve its drafters’ designs. Of the 1.4 million consumer bankruptcy cases filed in 2009, 71 percent were chapter 7, about the same percentage as before BAPCPA. BAPCPA’s main beneficiaries may well be consumer bankruptcy lawyers, whose rates more than doubled after the complicated provisions went into effect.

Yet, in spite of itself, bankruptcy under BAPCPA is making fitful steps towards coherency. A major flaw in BAPCPA was recently fixed by the 8-1 Supreme Court decision in *Hamilton v. Lanning*. That case dealt with BAPCPA’s centerpiece, the so-called “means test,” under which a debtor is ineligible for chapter 7 if his “projected disposable income” over the next five years is sufficient to repay \$10,000 (in some cases, \$6,000) of unsecured debt. Strictly construed, the statute appears to require that “disposable income” be calculated based upon the debtor’s

average monthly income for the six months *immediately preceding* the bankruptcy. This is nonsensical, as loss of income is the very reason many debtors file for bankruptcy. In *Hamilton*, the Court resolved a split among the circuits by holding that the bankruptcy court should apply a “forward-looking” approach in calculating income and expenses. This commonsense interpretation will go a long way in resolving significant problems.

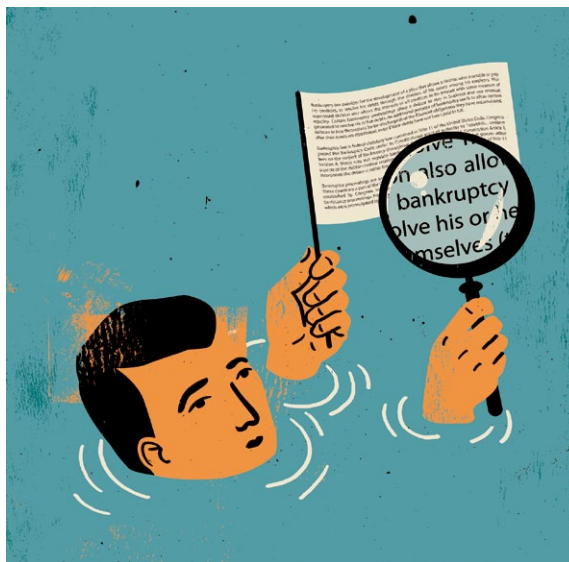
Consumer bankruptcy law suffers from other flaws. The exclusion of education loans as a debt that can ordinarily be discharged should be reconsidered. We risk the creation of a permanently indentured class if there

is no effective relief from crushing student debt in bankruptcy. In addition, the Bankruptcy Code does not allow a chapter 13 debtor to lower the principal balance of a residential mortgage debt to reflect true market value, even though other types of secured debt may be modified in bankruptcy. Eliminating this exception would be more effective than government programs offering incentives for mortgage lenders to write down mortgage balance, and less costly to lenders than foreclosure. Also exempt from modification are loans for vehicles purchased within

910 days of the bankruptcy filing. This provision, known as the “hanging paragraph” because it’s tacked onto a section of the Code without any context, is a blatant giveaway to auto lenders, and offends bankruptcy’s fundamental policy of equal treatment for creditors.

With all its current flaws, bankruptcy is still a vital safety valve for financially distressed Americans. Decisions such as *Hamilton v. Lanning* represent improvement, but there is still a long way to go.

*Professor Daniel Austin teaches bankruptcy and commercial law, and is the author of Reaffirmation Agreements in Consumer Bankruptcy Cases.*





## Daynard Lectures Focus on Empathy and Action

**LISTENING AND RESPONDING** are critical to effective lawyering, said both of this year's Daynard Distinguished Visiting Fellows during their respective community lectures.

"At the very heart of legal services work is the representation of individual clients," said Monica Halas '77-'78, an employment law

with my client; and my failure to be truly attentive to his or her whole story. To guard against these failures is a life-time work in progress."

Fortunately, Halas has not failed. Instead, at GBLS since 1978, she has been an outspoken advocate for clients who seek assistance from the organization's employment law unit and has spearheaded class litigation ensuring access to job training for welfare recipients, restoring general relief benefits to 5,000 recipients, and eliminating backlogs and delays in appellate unemployment decisions.

Sujatha Baliga, a Soros Justice Fellow at Restorative Justice for Oakland Youth, echoed Halas' emphasis on empathy in her January lecture, "Beyond the Binary: Restorative Justice as Liberatory Practice," in which she extended the concept of collaborative problem-solving to both victims and offenders.

"Restorative justice is ... a paradigm shift in the way we think about wrongdoing," said Baliga, explaining that the legal system focuses on what law was broken, who broke it and how we punish the perpetrator. But, in the restorative justice model, the focus is on repairing harms through collaboration. Baliga emphasized that "dialogue and participatory decision-making" through meetings, conferences and peacemaking circles can be "transformative" in achieving justice.



Monica Halas

expert and lead attorney at Greater Boston Legal Services (GBLS), who visited the law school for three days last fall. "I have found that if I think a client's case appears hopeless on its face in light of the constraints of legal standards, it may well be due to my failure of empathy and hence creativity; my failure to fully engage



Sujatha Baliga

## NUSL Most Diverse in New England

**NORTHEASTERN UNIVERSITY SCHOOL OF LAW** is the most diverse law school in New England, according to *US News & World Report*.

Students of color constitute nearly 32 percent of the Northeastern law student body: 11.3 percent of the law school's students are Hispanic, 10.3 percent are African American, 8.6 percent are Asian American or Pacific Islander, and 1.3 percent are American Indian. Caucasian students make up 53 percent of the student body, while some 15 percent of the 602 students chose to not identify their ethnicity.

The faculty is also diverse: 22 percent are people of color.

In the magazine's diversity index, Northeastern is listed as 24th in the nation among law schools. Other New England law schools that made the ranking include Harvard University, 31st; Boston University, 59th; and Boston College, 67th.

In the 2010 edition of *The Best 172 Law Schools*, The Princeton Review ranked Northeastern University School of Law number two in the country for providing the "best environment for minority students."

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## CO-OP MATTERS

## Just Being KIND

ELIANA BURNS '11 ADVOCATES FOR IMMIGRANT CHILDREN

WHEN ELIANA BURNS '11 WAS A YOUNG girl, her impression of female attorneys was that they wore great clothes and carried a briefcase. Now in her third year of law school and advocating for immigrant children who are lucky to own shoes or have a safe place to live, Burns' impressions of all lawyers — male and female — have changed quite a bit.

"Working on co-op has shown me there's a lot more to being a lawyer than what I saw on TV," she says.

This realization is underscored by her summer co-op with KIND, Inc. (Kids in Need of Defense), an organization founded in 2008 by Microsoft Corporation and actress Angelina Jolie. At KIND, Inc., Burns helps to match poor immigrant children who have crossed into the US unaccompanied by an adult with pro-bono legal representation, work she calls "deeply rewarding, professionally and personally."

Burns' own parents relocated to the mainland US when they were teens, her mother from Puerto Rico, and her father from Honduras. She credits their life experiences with helping to inform her decision to help immigrants.

"It was in part because of them that I wanted to do this co-op," she says. "When I saw the job description in our co-op office I knew this was exactly what I wanted to do."

This summer, she met children as young as six who fled earthquake-ravaged Haiti, and others who have sought to escape violence or abuse. Many children who are not living with friends or sponsors wait in shelters or detention centers to appear in court.

Seeing firsthand how attorneys help children navigate the complex legal system demonstrates to Burns the real power attorney advocates have and the way they can sometimes help balance an unfair world.

Envisioning herself walking into a courtroom one day with her own briefcase, Burns expects to hold close the experiences she takes from KIND, Inc. Says Burns, "Good lawyers have passion. They have empathy. They have heart. They need to know that what they do affects people."

— Susan Salk



Seeing firsthand how attorneys help children navigate the complex legal system demonstrates to Burns the real power attorney advocates have and the way they can sometimes help balance an unfair world.

PHOTO: MICHAEL MANNING





The amicus team included (from front left, clockwise) Amanda Hainsworth '12, Sarah Schulte, an undergrad intern, Joel Rothman '12, Rick Doyon, a faculty secretary, and Professor Martha Davis.

## Challenging Sex-Based Citizenship Laws at the Supreme Court

A TEAM OF NORTHEASTERN law faculty, staff and students, led by Associate Dean Martha Davis, who also serves as a faculty director of the law school's Program on Human Rights and the Global Economy, filed an amicus brief early this summer in an equal protection case before the US Supreme Court. The case is a challenge to sex-based citizenship laws. The Northeastern amicus brief puts the issue in a comparative/international context, citing decisions of supreme courts in Canada, Japan, Germany, Italy, Botswana and others that have struck down sex-based provisions. The amicus brief argues that international law is unequivocal in requiring that equality principles be upheld in the citizenship context.

The petitioner, Ruben Flores-Villar, challenges the treatment of a foreign-born, out-of-wedlock child of a citizen father under US citizenship law. The Court will decide if mothers and fathers may be treated differently in determining whether their children may claim US citizenship.

Flores-Villar was born in Tijuana, Mexico, but raised by his father and grandmother, both US citizens, in

San Diego. His mother was Mexican, and his parents were not married. Flores-Villar attempted to avoid deportation by claiming American citizenship. The US Court of Appeals for the Ninth Circuit in San Francisco rejected that claim under a law that spelled out different requirements for mothers and fathers whose children were born abroad and out of wedlock to a partner who was not a citizen of the United States.

The case raises the more general question of when, if ever, sex-based classifications are a defensible component of the nation's laws. The amicus brief argues that the United States should follow well-established international human rights law and reject this clear example of inequality.

"Our biggest challenges were tracking down the international case law, locating reliable translations and understanding the varying structures of foreign judicial systems, all under deadline," said Amanda Hainsworth '12, a member of the amicus team. "These hurdles were particularly evident when dealing with case law from countries like Italy, Botswana, Zimbabwe, Nepal and Bangladesh."

## PHAI Reports Puffing in Public Housing Poses Serious Health Risks to Tenants

### IN AN EFFORT TO PROTECT CHILDREN

from harmful tobacco smoke exposure, the law school's Public Health Advocacy Institute (PHAI) joined health and medical professionals pushing for a ban on smoking in public housing in a report appearing in the June 17 issue of *The New England Journal of Medicine*.

Over 7 million people are served by public housing in the United States, with four in 10 units occupied by families with children. In 2009, the US Department of Housing and Urban Development (HUD) issued a memorandum that strongly encouraged local Public Housing Authorities (PHAs) to implement no-smoking policies in some or all of their public housing units. Smoking in a single unit within a multiunit residential building puts other residents at risk. Tobacco smoke can move along air ducts, through cracks in the walls and floors, through elevator shafts and along plumbing and electrical lines to affect units on other floors. Also, tobacco toxins from smoke are deposited on all indoor surfaces that children crawl and play on.

"HUD can and should continue to take the steps necessary to ensure that children and the elderly in public housing, the most vulnerable of members of society, are not exposed to tobacco smoke," said Mark Gottlieb, PHAI's executive director and co-author of the article. "Future HUD actions might include reinterpreting existing health standards, promulgating new regulations or conditioning full funding to PHAs on the adoption of no-smoking policies," Gottlieb added. "While it's clear that tobacco smoke exposure is inimical to the health of nonsmokers in multiple housing units, there are challenges facing public housing authorities, landlords and nonsmokers. Any addiction is difficult to overcome. A ban would put pressure on tenants addicted to nicotine and could raise concern over how to deal with tenants who continued to smoke inside their building."

## Workshop in Colombia Brings Together World Leaders in Socio-Economic Rights



In addition to participating in the PHRGE-sponsored workshop in Colombia, Justice Manuel Cepeda, recently retired president of the Constitutional Court of Colombia, traveled to Northeastern in January to deliver the annual Valerie Gordon Human Rights Lecture.

IN MAY, NORTHEASTERN LAW faculty joined international colleagues in Bogotá, Colombia, for the dynamic “Second Workshop on Justiciability of Socio-Economic Rights,” sponsored by the law school’s Program on Human Rights and the Global Economy (PHRGE), and hosted by Professor Helena Alviar García of the Facultad de Derecho, Universidad de los Andes. Participants included judges from two continents and more

than 15 human rights practitioners, advocates and academics from all over the world. Discussions, speeches and panels focused on legislative deference and separation of powers in adjudication of socio-economic rights; comparative analysis of access to justice and remedies in various jurisdictions; legitimacy of courts when enforcing social and economic rights; and the horizontal application of socio-economic rights.

“The topic of justiciability of social and economic rights raises complicated questions, and the workshop provided a space for practitioners and scholars to discuss and reflect upon the potential of, and obstacles to, advocating for those rights,” said Professor Lucy Williams, the workshop’s principal convener and a PHRGE faculty director. “As we discussed in last year’s conference, considerable challenges exist in the adjudication and ultimate implementation of economic and social rights, including the right to health, housing food and education.”

The workshop began with a talk by Justice Manuel Cepeda, retired president of the Constitutional Court of Colombia (the highest entity in the judicial branch of government), who reflected on the judicial enforcement of social and economic rights from a Colombian perspective, based on the experience of his court.

Professor Karl Klare also traveled from Massachusetts to Colombia for the workshop. In a session titled “Comparative Horizontality,” Klare moderated a panel discussion focused on whether constitutional norms do and/or should bind private parties within their respective countries and the tensions and benefits that arise with horizontal application. The group considered two hypothetical problems, focusing on whether all private law should be subject to constitutional control.

### Ford Foundation Supports PHRGE

**THE FORD FOUNDATION** has awarded \$300,000 to the law school’s Program on Human Rights and the Global Economy (PHRGE) to promote human rights and sustainable economic development. With grant funding, PHRGE has hired its first executive director, Gillian MacNaughton, who is working to move PHRGE’s programs forward. This fall, PHRGE will host an institute on immigrants’ rights and create an online seminar series focused on using economic and social rights to bridge the gap between scholars and activists.

“The award is an endorsement of what we’ve been able to accomplish in the area of economic and social rights without grant support,” said Associate Dean Martha Davis, a faculty director of PHRGE. “It’s really a vote of confidence that will enable us to significantly expand our work and effectiveness.”



## Graduates Urged to Serve Greater Good

LEGAL ADVISOR TO THE US DEPARTMENT OF STATE Harold Hongju Koh urged graduates at the School of Law's 2010 commencement to serve the public good in their future careers — using both their global experiences at Northeastern and the vast emerging technologies their generation has available at its fingertips.

"You live in a global century. [You must] use the tools you've mastered to become global citizens," said Koh, citing opportunities such as furthering international law and lifting others out of poverty and disease.

Koh, who spoke to nearly 200 graduates and their families and friends during the May 28 ceremony at Matthews Arena, was awarded an honorary doctor of laws degree.

A leading expert on public and private international law, national security and human rights, Koh joined Yale Law School's faculty in 1985 and later served as dean from 2004 to 2009. In addition to President Obama, he has served two other US executives — from 1983 to 1985 under President Ronald Reagan in the Office of Legal Counsel in the US Department of Justice, and from 1998 to 2001 under President Bill Clinton as assistant secretary of state for democracy, human rights and labor.

The themes of seeking the greater good in their careers and knowledge in their lives resonated throughout the ceremony. Dean Emily Spieler lauded graduates for their hard work — in particular their efforts to preserve human rights — through experiential learning opportunities that took them to 28 states and 13 countries. "You are poised to be great lawyers and great leaders," she said.

In the faculty address, Professor James Hackney Jr. said Northeastern's proud tradition of training law students to act in the public interest, as well as to promote entrepreneurship, will allow the class of 2010 "to thrive in a time of uncertainty."

With beaming family members looking on, two student speakers fondly recalled their time at Northeastern. Phil Hancock '10 pointed to the "unparalleled" passion his graduating class exhibited in its work, while Noah Kaufman '10 recalled being struck by how strongly Northeastern's students, staff and faculty value "collaboration, community and collegiality."

— Greg St. Martin



Harold Hongju Koh





# Conferences Galore!

This winter and spring the law school hosted a variety of conferences covering a wide range of cutting-edge issues.

## Women in the Law – Investing in Yourself: How to Diversify Your Career Assets



Wendy Zazik '94,  
Vice President and  
Associate General  
Counsel, Fidelity  
Investments



The Honorable  
Carol Ball '76,  
Massachusetts  
Superior Court

The 2010 Women in the Law Conference capped a full year of programming that included brownbag lunches, a lecture series and workshops. The April conference brought together women from a wide variety of practice areas as well as those who creatively use their law degrees in other fields.



Navjeet Ball '89,  
Commissioner,  
Massachusetts  
Department of  
Revenue



Professor Emerita  
Judy Brown



Professor David Konig of  
Washington University

## Journal Hosts Symposium, "Chamber to Chambers: The Second Amendment in the New Century"

The Northeastern University Law Journal hosted its second annual symposium in March. This year's focus, "Chamber to Chambers: The Second Amendment in the New Century," included topics related to the regulation of firearms, particularly as impacted by *District of Columbia v. Heller* (see page 28 for related story).

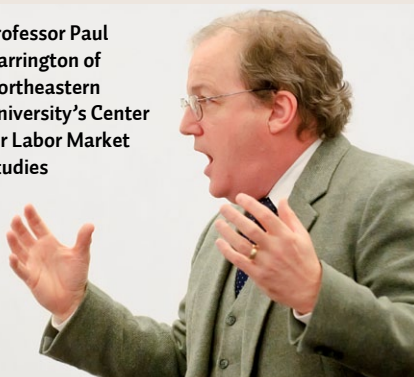




## Microbusiness Conference Focuses on Contributing to Boston's Economy

In January, a diverse group of technical assistance providers, policymakers and academics came to campus to discuss the role of microbusiness in the metropolitan Boston economy. The conversation spanned existing domestic, transnational and international regulatory and governance frameworks, pointing out the challenges, gaps and opportunities of the current framework and its ability to protect workers, companies, consumers and the global commons.

**Professor Paul Harrington of Northeastern University's Center for Labor Market Studies**



## Nano Conference Makes a Big Mark



Regulators, industry stakeholders, consumer advocates, lawyers and academics from a wide variety of countries came to Northeastern this May for the law school's Global Regulation of

Nanotechnologies Conference. The program included discussions of the existing domestic, transnational and international regulatory and governance frameworks involved in nanotechnology.

## Transactional Law Transcends Expectations



**Elyse Cherry '83,**  
CEO, Boston  
Community Capital

This gathering of graduates in March focused on advising clients on evaluating, structuring, negotiating and performing business transactions and managing deals. Panel topics included new and emerging issues impacting all types of business transactions practice. Conversations also focused on the opportunity to reflect on the nature of lawyering for business during a historical moment for capitalism.



**Robert Jarrin '99,**  
Director of Government  
Affairs, Qualcomm, Inc.

## Student-Activists Honored by Guild

THE NATIONAL LAWYERS GUILD-Massachusetts Chapter honored Charlotte "Charlie" Noss '10 and Josh Raisler-Cohn '10 at the group's annual dinner in April. Noss was a leader on campaigns supporting Northeastern University janitors in improving their union contract, and during her first year of law school, served as coordinator of the NLG Street Law Clinic. Raisler-Cohn has been active in the Guild for 10 years. Through legal observing and advocacy he has worked to support prisoners, activists and organizers, criminal defendants, low-income people, tenants and others targeted by the state. He will join the staff of the Committee for Public Counsel Services, the Massachusetts public defender agency, this fall.



In addition to being honored by the NLG, Charlie Noss '10 was awarded a 2010 Skadden Fellowship, considered by many to be the most prestigious public interest post-graduate fellowship in the nation. Her project will be housed at the Wage Justice Center in Los Angeles, where she will focus on combating wage theft against low-wage immigrant workers in Los Angeles.







CHARLES MOORE AND HENRY DEE WERE  
BRUTALLY EXECUTED BY MISSISSIPPI  
KLANSMEN ALMOST FIVE DECADES AGO.  
THIS JUNE, A LAW PROFESSOR AND HER  
SMALL CADRE OF STUDENTS DELIVERED  
JUSTICE TO THEIR FAMILIES IN A  
LANDMARK CASE. | By Elaine McArdle

# RESURRECTION

IT HAUNTS HER, ALL THESE YEARS LATER. IT WON'T LET HER GO.

They didn't have a chance.

The two young men were just 19 years old that May afternoon in 1964, Charles Moore and Henry Dee, black high school buddies hitchhiking in rural Mississippi, Moore headed home to his mother's cooking, when Klansmen spied them and decided the duo must be connected to the civil rights agitation sweeping the South, that they deserved to be punished. The youths were tricked into getting into a car, taken to a secluded forest, tied to a tree and beaten nearly — not quite — to death. Death would not come until some 100 miles later, after their bloodied bodies were carried in the trunk of a car to a backwater of the Mississippi River near Vicksburg, chained — one to a Jeep engine block, the other to railroad rails — and tossed into the water.

So close to her, in age and time and place. Too close. It haunts her. →

PHOTOGRAPHS BY WEBB CHAPPELL

For, as the teens were drowning, Margaret Burnham was but a few hours away, an eager 19-year-old college student from a family long dedicated to civil rights, down from New York City to help organize the upcoming Mississippi Freedom Summer, manning the office phones for the Student Nonviolent Coordinating Committee. Things were heating up, calls coming in all the time about people getting beaten, who needed help, who were shot. Danger was close and imminent, and the whole summer would soon be tainted by the notorious murders of a trio of young civil rights workers, in what came to be known as the Mississippi Burning case.

Neither Burnham nor any of the superstar lawyers like William Kunstler and celebrities like Harry Belafonte and Dick Gregory, all down there in Mississippi working to prevent tragedies like this, knew anything about the two boys drowned by the Klan, not even after their headless torsos were discovered that July by Navy divers searching for the Mississippi Burning victims. The national spotlight was so narrowly fixed on the deaths of the civil rights workers, two of whom Burnham knew personally, that the Dee-Moore murders escaped their attention; the case was completely under their radar.

Burnham closes her eyes, shakes her head, grabs her keys off her office desk and rubs them like talismans, seeking comfort. “We did nothing for those kids, nothing, nothing, nothing for those kids,” she says, quietly. It haunts her, too, that young men with no connection to the civil rights effort, who were in fact oblivious to it, according to Moore’s brother, were executed when she and other activists escaped.

“They were really collateral damage for our movement because they themselves were not involved, they were just picked off the road” by Klansmen searching for any easy target. “I don’t feel guilty so much as I feel like ...” she pauses for a long moment, “... that’s how things can get missed.” She nods her head. “That’s how we can miss stuff and that’s what, I think, personally draws me.”

## Beating the clock

It draws Burnham, at this point in her storied career — NAACP litigator, co-founder of Boston’s first all-black-women trial firm, first African-American woman appointed to the Massachusetts judiciary, selected by Nelson Mandela to investigate allegations of human rights abuses against members of the African National Congress, and now faculty member at Northeastern University School of Law — into uncovering all of the other cold cases of the American civil rights era, every instance of misplaced justice, so she can make sure that truth and justice, however long delayed,

**AS WITH SO MANY WHO WORKED IN MISSISSIPPI THAT SUMMER OF 1964, THE EXPERIENCE BECAME THE CENTERPIECE OF HER LIFE, AND HAS LED HER — INEVITABLY, YOU COULD SAY — TO WHERE SHE IS TODAY: FOUNDER AND DIRECTOR OF THE CIVIL RIGHTS AND RESTORATIVE JUSTICE PROJECT.**

finally prevail. There are hundreds of racially based episodes of violence from that period that stand ready for investigation and resolution, Burnham says. By one scholar’s estimate upwards of 20,000 people were wrongfully arrested in the fight against segregation; many others beaten, murdered or threatened with violence, and state and local police often protected the perpetrators. It’s time to set the record straight.

As with so many who worked in Mississippi that summer, the experience became the centerpiece of her life, and has led her — inevitably, you could say — to where she is today: founder and director of the Civil Rights and Restorative Justice Project (CRRJ), launched in 2007 with seed money from the law school and supported now by other donors, too.

In just three years, CRRJ has become a national center for legal and scholarly efforts to study and rectify, whenever possible, instances of civil rights-era violence and other violations. With Burnham at its helm and Northeastern law students working as researchers and student attorneys, CRRJ is collaborating with lawyers, civil rights-era victims, activists, researchers and journalists around the country to develop a range of approaches to redress the harms of that period, including truth and reconciliation proceedings, criminal prosecutions and civil lawsuits, and legislative remedies. CRRJ’s website, launched in 2007, provides a range of resources, including its centerpiece, Case Watch, the most comprehensive database of civil rights-era cold cases, which includes updates about ongoing investigations and prosecutions of these long-ago crimes.

Last year, CRRJ drafted legislation to improve access to federal civil rights-era documents, and Burnham also met with US Attorney General Eric Holder to support the Emmett Till Unsolved Crime Act, funded by Congress in late 2009 to ensure the federal government provides additional resources to investigate the unsolved crimes of that period. Operating like a law firm, Burnham and her students have undertaken the investigation of a number of cold cases to see what remedies might apply at this point in time — or simply to get answers for those who’ve suffered so long. Tayo Belle ’10 spent three months in the summer of 2008 on co-op with a law firm in Mississippi, where she investigated the Dee-Moore case; she also examined the deaths of two civil rights activists killed in a suspicious car accident in 1965. But Burnham’s mission faces an enemy she cannot beat: time.

## Making history

*The past is never dead. It’s not even past.*

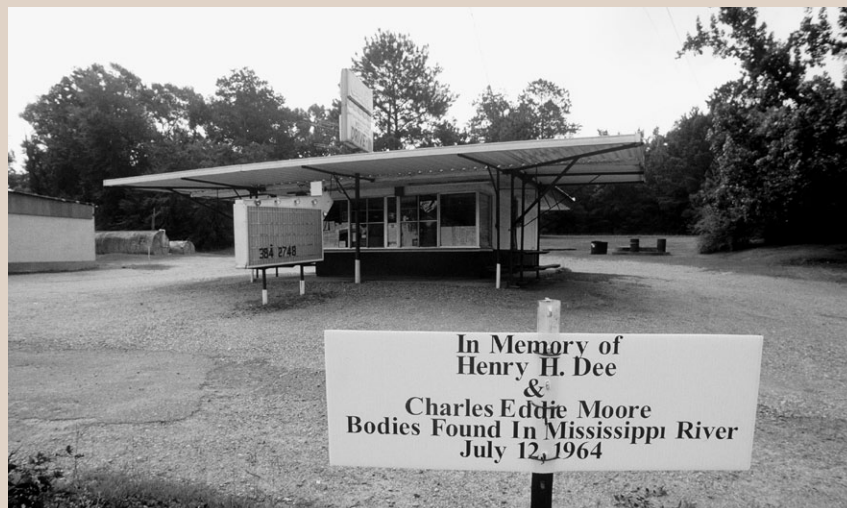
So penned William Faulkner, Mississippi’s most famous son, chronicler of both the beauty and the dark soul of the South. The past is never dead, but the generation who vividly remember this particular past, who can report it first-hand to Burnham, are either dead or closing in on death, their memories failing. She must capture their truths before they are lost to time, and this haunts her too.

“We should be moving faster. I wish the project were bigger,” she says. “If the details aren’t developed now, they won’t survive. I think that’s what drives all of us involved in this work.” Through CRRJ’s work, she’s mentored about 40 Northeastern law students, each responsible for a cold case, with students from Wellesley College also participating. But, she laments, “There’s much more work to handle than we are able to do, as successful as our project has been.”



Burnham closes her eyes, shakes her head, grabs her keys off her office desk and rubs them like talismans, seeking comfort. “We did nothing for those kids, nothing, nothing, nothing for those kids,” she says, quietly.





(right) Thomas Moore at his home in Colorado Springs, Colorado, in 2005 holding a photograph of himself, right, and his younger brother, Charles. The small photo was taken in 1964, shortly before Charles Moore and Henry Dee were kidnapped and killed by Ku Klux Klansmen. (above) A sign in front of an ice cream stand in Meadville, Mississippi, marks the spot across the road from where Henry Dee and Charles Moore were abducted in 1964.



Take the Dee-Moore case. Five years ago, Moore's brother contacted federal prosecutors, who reopened the criminal case, and for the first time, the murders became front-page news. In 2007, one of the killers, James Ford Seale, was convicted and is now serving three life sentences (the US Supreme Court last November declined to hear his appeal.) Another former Klansman, Charles Edwards, testified against Seale, and during the trial the extensive involvement of the Franklin County sheriff and deputy in the deaths came to ghastly light. The Klansmen who killed Dee and Moore received help from law enforcement officials while the crime was in progress, and later, when the FBI arrived to investigate the murders, the sheriff and his deputy — Klan supporters, if not outright members — said nothing about their role.

When she learned of the murders, Burnham felt a very personal tug. She wanted to hold the county responsible for sheltering the Klan members, and decided on a novel approach. Working with her students and local attorneys, Burnham filed a civil suit on behalf of the men's families against Franklin County, alleging that the sheriff and deputy sheriff not only assisted in covering up these murders but were also deeply complicit in the Klan's campaign of terror against African Americans and whites sympathetic to the civil rights movement.

Some say that Burnham should let these things sink into the past, to fade from memory. Things are different now, they say, so let it go.

They are wrong, Burnham answers. These victims, all the victims, were real people, with families and hopes and dreams they never had the chance to realize. You can't let it lie. Because, as she wrote in the civil complaint, *This is a case about unconscionable crimes and unconscionable deception.*

"People often ask, 'Why are you suing the current county? The people there now had nothing to do with what happened in 1964.' In part, our answer is that the county did absolutely nothing to investigate this crime from 1964 to the present. County residents allowed the perpetrators to continue to live peacefully in their midst, to live out their lives without ever confronting or rejecting them. They never acknowledged, as a community, that two of their young people — one voted by his high school classmates 'most likely to succeed' — were tortured by their neighbors," Burnham explains.

And so Burnham found herself, decades later, working long days, often into the night, getting ready to resurrect that summer of 1964. She worried that time was working hard against her team: in the past two years, three key witnesses died. But the case was scheduled to go to trial this summer in federal court in Jackson, Mississippi, and Burnham, heading up the plaintiffs' team, was ready.

And then, on June 9, suddenly — finally — justice for two young men guilty of nothing, who were beaten and drowned on a warm May night because they were black. The case against the county settled, for a confidential amount.

Burnham and her team have made history. It's the first time plaintiffs obtained such a result in a federal civil suit alleging public officials collaborated with the Klan.

"The settlement makes it clear that it's never too late for justice," she says. The families of the murdered men are "enormously relieved that now they know they've done all they could to vindicate their loved ones' deaths" through both the criminal conviction of Seale and the civil case that focused on the county's role. "The families were looking for three things," Burnham notes. "Justice, which the conviction afforded them; the truth, officially declared; and reparation."

A summer in Mississippi 46 years ago. A lifetime working to set things right. A historical victory for civil rights. But Burnham, for whom this case had come to have personal significance, simply picks up another file. "CRRJ will immediately turn its attention to other clients and cases raising similar issues," as well as to other aspects of the program, she says.

"The CRRJ project," Burnham says, "is part of an international undertaking to redress past national harms. The theory and practice of transitional justice is equally applicable to flawed democracies such as ours. If we are to locate truth — in its multiple manifestations — and reconcile with a violent past where the rule of law was ignored, now is the time it must be done."

Because the past is never dead. But, she knows, it can be healed.

*Elaine McArdle is a contributing writer and co-author of The Migraine Brain: Your Breakthrough Guide to Fewer Headaches, Better Health.*



# A Murder Forgotten, A Mission for Truth

**J**OHN EARL REESE WAS 16 YEARS OLD in 1955 when he was shot dead while drinking soda pop in a café frequented by blacks in East Texas, the victim of a drive-by shooting by two young white men who opposed school desegregation. One of the killers was convicted but the jury imposed a suspended sentence after the defense lawyer pleaded that they “call it a bad day” and let the shooters “go on in life.” The man never served any time.

The killing was all but forgotten until Kaylie Simon '11 came upon the story while working as a research assistant for Professor Margaret Burnham. CRRJ hired an archivist in Texas to locate old records, including those from the Texas Rangers' investigation of the killing. Simon contacted Reese's cousin, Joyce Nelson Crockett, who was shot in the hand during the attack, and last winter travelled to Texas with Janeen Blake '09, a CRRJ fellow, to visit Nelson and interview witnesses to other attacks on blacks.

The killers are now both dead, but the truth is resurrecting.

“In the Reese case, we're trying to correct the record because on his death certificate it says he died accidentally,” Burnham says. “It's a little thing but it sends a larger message, which is, ‘Let's get it right, what happened’ — in part because the victims deserve it, but also because it's part of the historical legacy we pass on to our children. It's really not enough to say ‘those were horrible days’ and let them pass. The details matter. These stories are still important, and to the extent these people are still around, their stories deserve to be told.”

There is also value in having the community acknowledge the murder today, insists Simon, one of the many passionate students devoted to Burnham's mission. In July, Simon returned to Texas with fellow student Nataniel Johnson Gottlieb '12. They met with city officials in Rusk County, who agreed to name a street after Reese, create a plaque in the local library and to raise money to buy Reese a proper grave stone. The students also talked with community members who are planning an October event to mark the 55th anniversary of Reese's death. How far do amends go in the face of atrocities?

Crockett, who never recovered full use of the hand that was shot, is pleased about the nicer gravestone for her slain cousin, says Simon. Charles Edwards, the Klansman who testified against James Ford Seale in the Dee-Moore murder trial, apologized to Thomas Moore for murdering his teenaged brother, and Moore accepted the apology. Burnham and her students are trying to figure out what



(clockwise from top) The long-abandoned Hughes Cafe, located on highway 149 in Gregg County, where John Earl Reese was murdered and Joyce Nelson Crockett was shot; John Earl Reese's grave; Joyce Nelson Crockett and Kaylie Simon '11 in July 2010.

**“IT'S A MATTER OF JUSTICE, AND A MISSION OF TRUTH, EVEN IF, AT THIS LATE DATE, IT'S IMPOSSIBLE TO CORRECT THE COURT'S JUDGMENTS.”**

— Margaret Burnham

amends can be made for other inequities and injustices, such as a man they're working with who was expelled from a black college in 1963 for participating in civil rights activities and was never able to reestablish his education.

Efforts at recognition and reconciliation can come in many forms — whether official, through legal or administrative channels, or personal, through apologies and other actions. They comprise the restorative justice aspect of her project, and they matter deeply, Burnham says.

“It's a matter of justice, and a mission of truth, even if, at this late date, it's impossible to correct the court's judgments,” says Burnham. And there is so much more to be done. — EM









WHAT TRANSGENDER  
ACTIVISM REVEALS  
ABOUT THE LIMITS  
OF RIGHTS-BASED  
ADVOCACY

By Jeri Zeder

IN FALL 2005, IZZA LOPEZ, A 26-YEAR-OLD transgender woman, left her old job for a new one at better pay as a telephone scheduler for River Oaks Imagine and Diagnostic, a Houston medical imaging firm. But before Lopez could start, River Oaks abruptly withdrew its offer. The company claimed she had misrepresented herself as a woman when she was “really” a man. Unable to get her old job back, Lopez descended into a spiral of unemployment, loss of benefits, eviction, defaulted loans and a ruined credit rating.

And Lopez was one of the lucky ones: The GLBT (gay, lesbian, bisexual and transgender) advocacy organization, Lambda Legal, took her case and filed a federal lawsuit on her behalf in 2006. The case survived a motion for summary judgment, and in 2008, was settled to the satisfaction of both parties. →

# Transcending CIVIL RIGHTS

ILLUSTRATION BY ANTHONY TREMMAGLIA

In contrast to Lopez, many transgender people face discrimination and hardship alone, without families willing to shelter them, without the benefit of counsel and without a safety net. A quick look at some statistics reveals that transgender people are among the most socially and economically disadvantaged in the United States. They experience, among other things, alarming rates of discrimination, poverty and incarceration — and the attendant harassment and violence that existence implies. While no one knows exactly what portion of the US population identifies as transgender, it's safe to say that this is probably one of the smallest, least-empowered minorities in the nation. According to a 2009 survey by the National Center for Transgender Equality and the National Gay and Lesbian Task Force, and a 2006 survey by the Transgender Law Center in San Francisco:

- The unemployment rate for transgender people is double that of the larger population — even higher for transgender people of color.
- Ninety-seven percent of transgender people have been mistreated at work.
- Transgender people have double the rate of poverty, with 15 percent living on less than \$10,000 a year.
- Nineteen percent have been homeless.
- As high as 20 percent of transgender respondents to the San Francisco survey reported receiving money through the street economy.

That last statistic, though disturbing, shouldn't surprise: because of their high rates of poverty and unemployment, transgender people disproportionately turn to the sex and drug trades. As a result, they are often disproportionately represented in the prison population, where they are more likely to be victims of violence. Transgender people are frequently mis-assigned or denied services at sex-segregated shelters, and are subjected to harassment and violence as a result. They are more likely to be flagged for denial of welfare benefits and other government-conferred services and licenses because their gender markers don't match up on the myriad of identity forms accumulated over a lifetime.

If ever a group needed legal intervention, it's this one. And, yet, even in a community like the School of Law, where there is general agreement in support of improving the lives of transgender people, there are highly nuanced disagreements about how best to serve this minority population.

## What's the right(s) approach?

Kevin Cathcart '82, executive director of Lambda Legal, views civil rights as central to improving the lives of transgender people. Lambda engages in a portfolio of strategies to advance transgender causes, including policy and public education work. But its signature approach is high-impact, rights-based litigation, with particular focus on appellate cases involving

employment discrimination and access to health care. Lambda chooses clients who illustrate the issues and don't raise other complicating factors.

"Our clients represent the best shot of winning that will impact everyone," Cathcart says. He asserts that the judiciary and the Constitution, working together, are central to achieving the goal of transgender equality. "I believe that the cases we bring make the lives of people better" he continues. "Courts are a key part of the process."

But Professor Libby Adler '94 is not encouraged by what she sees as the "default" civil rights response. Adler believes that some transgender advocates too quickly gravitate to a civil rights, equality-focused, anti-discrimination strategy, including high-impact litigation. She says this tendency eclipses other law-reform alternatives that would more effectively and less problematically improve the lives of transgender people.

"There are under-recognized costs associated with equal rights argumentation," Adler comments. "What I see is an incomplete assessment of all the costs of the civil rights approach and the anti-discrimination approach, and I don't see a full array of other approaches on the table."

Adler argues that one problem with rights-based strategies is that the outcome is up for grabs. "Rights argumentation comes with the danger of provoking the assertion of competing rights," says Adler, "as in the case of the [1992 South Boston] St. Patrick's Day Parade, where the gay right against discriminatory exclusion from the parade provoked the parade organizers to claim they had a right to free association and expression and could therefore exclude the gay marchers [the Irish-American Gay, Lesbian and Bisexual Group of Boston]. Or consider the case of gay marriage, where opponents have claimed that judicial recognition of a right to marry a person of the same sex deprives the people of a right to vote."

Adler further notes that to trigger the heightened judicial scrutiny needed to prevail in equal protection cases, litigants must successfully argue that they are a powerless class of people. Even if factually true, Adler questions the wisdom of cementing transgender stereotypes into judicial doctrine.

Despite this critique, Adler would not entirely banish the rights-based approach from a transgender advocate's toolbox. "I don't believe there's such a thing as legal work that has no costs," Adler says. "I'm saying, think about all costs and benefits and take responsibility for all the costs and benefits in the approach the advocate chooses." What Adler wants to see more of is a consideration of alternative approaches.

Those alternatives would look at laws, regulations and policies that, on their face, appear neutral, but in fact are often the cause of the disproportionate deprivation and incarceration that many transgender people suffer. Adler notes, for example,



Libby Adler '94



Kevin Cathcart '82





Cole Thaler '02

would like to see more of. SRLP's Chase Strangio '10, however, would go Adler a step further.

Strangio, who is serving her two-year Equal Justice Works fellowship at SRLP, says, "I believe the people affected should take the lead. That's the better way to make sure that the needs of the most vulnerable are addressed." SRLP primarily serves poor transgender people of color. In addition to providing direct services to their clients, SRLP collaborates with community-based organizations to collect stories of people affected by agency policies and then pressures agencies to change, typically without resorting to litigation. In a recent victory, SRLP and its partners persuaded the New York City Human Resources Administration to adopt procedures that eliminate discrimination against transgender people seeking welfare benefits.

Cole Thaler '02, formerly of Lambda

Legal and now with Georgia Legal Services in Atlanta, advocates for the transgender community using a spectrum of strategies, from high-impact rights litigation to direct client services to coaxing agencies toward transgender-sensitive policies. Thaler was on the legal team representing Izza Lopez as well as Vandy Beth Glenn, a transgender woman who successfully sued the Georgia state legislature for employment discrimination.

"The Glenn case is part of the broader range of Lambda's work," notes Cathcart. "This wasn't just a win for Vandy Beth Glenn. This has significant value for both trans and non-trans people. It is incredibly empowering for the community to take on a state legislature as a defendant and to triumph in court."

As part of the Lambda team, Thaler persuaded the National Commission on Correctional Health Care to adopt new policies on the placement and treatment of transgender people in prison, and he continues to campaign to make homeless shelters safe for transgender people. Thaler thinks that transgender advocates are using a wider range of approaches than their colleagues in the gay rights movement. "In the transgender movement, there's more of a commitment to remembering that one of the greatest sources of violence against transgender people is the state: prisons, policies and agencies," Thaler says.

In the end, the harsh reality that Thaler points to — that unenlightened employers, schools, welfare agencies, police, prisons and similar institutions hold sway over transgender lives on a spectrum spanning neglect to discrimination to violence — drives home the need for advocacy in all of its forms. According to Cathcart, which approach is better may not be the most useful question. "I think the real question should be what can each approach achieve, and which ones make sense in what circumstances," he concludes. And that, perhaps, is the power in the discussion: because it's hard to imagine a smaller, more misunderstood and underserved group than the transgender community.

*Jeri Zeder is a contributing writer. Her last feature for the magazine looked at professional equality for women lawyers.*

that transgender youth are more likely to be kicked out by their families and become homeless. With limited access to shelter and self-support, they frequently turn to prostitution.

But what if advocates worked to lift those limitations? For example, federal rules that require shelters to report to parents the whereabouts of youth within 72 hours; limits on minors' legal capacity to enter a lease for an apartment; labor laws that restrict young people's ability to support themselves; rules preventing minors from receiving their own child support — if these laws were appropriately modified, Adler claims, transgender youth might have a fighting chance of avoiding the dangerous street economy and acquiring arrest records that diminish their life prospects. Reforming these laws and policies, she says, could improve the lives of the most vulnerable in ways that rights-based advocacy simply cannot.

Cathcart agrees that transgender people face terrible circumstances when rules and policies fail to account for their needs: "There are holes a mile wide in the safety net, if there even is a safety net," he says. But he defends the vigorous use of civil rights litigation as a meaningful mechanism of change. "If we had more civil rights and more acceptance, we would have fewer of these problems," he insists.

Cathcart goes on to say that in addition to its emphasis on rights-based strategies, Lambda provides a broad range of services, such as the organization's Youth in Out-of-Home Care Project, which raises awareness and advances reform on behalf of GLBT youth in child welfare, juvenile justice and homeless systems of care. The goal is to increase the will and capacity of youth-serving organizations to prepare and support GLBT youth as they transition from adolescence to independence.

## One step leads to another

Not all transgender advocacy organizations rely so heavily on rights-based litigation. The National Center for Lesbian Rights in San Francisco and the Sylvia Rivera Law Project (SRLP) in New York, for example, do the sort of work Adler



# Just What the







# Lawyer ~~Doctor~~ Ordered

**IN THE WAKE OF NATIONAL HEALTH-CARE  
REFORM, GRADUATES WORK TO ENSURE  
A BASIC RIGHT** | By Debra Bradley Ruder

**T**HIS IS THE CIVIL RIGHTS ACT OF THE 21ST CENTURY,” US Representative James Clyburn of South Carolina declared as legislators approved the country’s massive health-care reform bill in March.

Advocates called the overhaul a step forward for social justice echoing the creation of the federal safety nets Social Security and Medicare. Along with making health insurance more affordable for Americans, they said, it would also help curb rising medical costs and the federal deficit.

Opponents during the acrimonious yearlong debate branded the bill as “social engineering legislation” and argued it would be too costly, hurt businesses, threaten personal freedom and expand government involvement in health care.

Time will tell whether the 2,000-page law withstands numerous legal challenges and achieves its goals. But should cost — either expenses or savings — be the litmus test when it comes to an issue that many consider a civil and human right? →

ILLUSTRATION BY STEVE ADAMS

"From my perspective, health care is up there with food and shelter," says Robert Greenwald '86, a national authority on legal issues around HIV and AIDS. "And I believe that food, shelter and health care should not be a privilege, but a right, in a country like the United States that has the resources to make it accessible for everybody."

Greenwald is managing director of the WilmerHale Legal Services Center of Harvard Law School and leads the school's Health Law and Policy Clinic, which serves poor and low-income people, many of whom are dealing with chronic medical conditions. The Boston-based clinic provides direct

in over the next five years Greenwald, who serves on Barack Obama's Presidential Advisory Council on HIV/AIDS, will be working to ensure the overhaul benefits people living with HIV/AIDS and other vulnerable populations.

## Mouthing off

Dental care is yet another critical area of health care that often doesn't get its due. Oral disease affects millions of children and adults in the United States and has been linked to health issues and poor school performance. In a tragic, well-publicized case in 2007, a boy from the Washington, DC, area died after an untreated tooth infection spread to his brain.

"Not having access to timely dental care multiplies the factors against kids from low-income families," says Clare McGorrian '91, who has spent part of the past six years helping secure dental services for low-income children in Massachusetts. "Yet there are simple treatments like tooth sealants and fluoride varnish that can help prevent the suffering caused by tooth decay."

As a senior staff attorney for Health Law Advocates, a nonprofit law firm in Boston dedicated to health-care access, McGorrian was lead counsel in a suit arguing the commonwealth failed to provide adequate dental care to children on Medicaid. Her team won the case in 2005, and McGorrian — now in private practice representing health-care consumers — has remained closely involved, working to expand the number of available providers.

As a result, the share of Medicaid-eligible children receiving dental services in Massachusetts has grown from 33 percent to nearly 50 percent, she says. "Dental care is finally starting to get the attention it deserves as part of overall health care."

McGorrian calls the Massachusetts dental case "a great laboratory for a problem we're having in this country: a lack of access to providers who'll take the insurance that these kids have. And we'll probably have more of that with national health-care reform."

## Close to home

For her part, Golda Philip '08 is encouraged by the new health-care law's provisions for advancing women's health. Among other measures, the legislation will bar "gender rating" for individuals and small businesses, a practice in which insurers can charge women more than men for similar coverage, according to the National Women's Law Center in Washington, DC. "Even women who were not smokers were being charged more than men who were smokers, just because they were women," Philip says. "Happily, the health-care reform has a pretty broad — although, I would argue, not broad enough — anti-discrimination provision."

Philip, who completed a post-graduate fellowship at the center, is now a civil rights investigator with the US Department of Health and Human Services (HHS) in Washington, responding to complaints about health-care discrimination based on race, color, national origin and other factors. This spring, for instance, she investigated a case in which residents of a small town claimed that the closing of a local hospital disproportionately affected the community's mostly African-American population.

Philip's passion for this kind of work crystallized at Northeastern, especially through the JD/MPH dual-degree



In addition to his advocacy and clinical work, Robert Greenwald '86 teaches courses related to family law litigation at Harvard Law School.

legal services and promotes systemic policy change aimed at improving lives locally and nationally.

When it came to federal health-care reform, Greenwald and his team logged hundreds of hours drafting legislative alerts, hosting briefings and circulating analyses of congressional proposals to help influence the debate and outcome. He believes the law represents "a step forward in meeting the health-care needs of poor and low-income populations, but it doesn't go far enough."

Although pleased that the law as it stands will help some 32 million more Americans get insurance, there are millions of others left on the sidelines, he says. Greenwald had hoped reform would do more to drive down medical costs, encourage prevention, support immigrants and address barriers to quality health care among racial, ethnic and other groups. As it phases



program with Tufts University School of Medicine. Her law and public health co-ops provided additional insights into the health-law connection, like Philip's clerkship with a US district court judge who ran a program for offenders with substance-abuse problems. "It was a fascinating look into how the legal system can be public health-oriented in creative ways," Philip recalls.

But something much more personal also fuels her professional interests: "My mom has been uninsured for the last six years," Philip says. A lifelong nurse who retired in her 60s, she did not qualify for Medicare or Medicaid, could not afford private insurance and had a pre-existing condition (diabetes) that is under control, Philip explains. "In a lot of ways she's been lucky, but it's still scary to think about some catastrophic event happening to her. My mom is just one example of millions of people. I think health reform is going to help address that gap," she says, "but it remains to be seen who's left without coverage — and how the law will be enforced."

Access to treatment is also a challenge for people with mental and emotional illnesses, notes Lester Blumberg '84, general counsel for the Massachusetts Department of Mental Health (DMH). "There's very solid research that treatment for mental illnesses such as bipolar disorder, major depression and schizophrenia works," he says. "If folks have access to treatment [such as medication, therapy and social support], their chances of successful outcomes are much better than for many other health conditions."

What has stood in the way of treatment? According to Blumberg, social stigma poses the biggest barrier, despite the fact that an estimated one in four American adults suffers from a diagnosable mental disorder in a given year, the National Institute of Mental Health reports. "It touches all of us," Blumberg says, "and the cost to society is billions of dollars in lost income. Most mental illnesses are biologically based, and people don't need to be ashamed of them."

Discrimination in insurance presents another barrier to treatment, but Blumberg is buoyed by two legislative developments: national health-care reform and parity laws that require insurers offering mental-health benefits to provide comparable coverage for physical and mental ailments.

## Back to basics

Mala Rafik '97, a partner with Rosenfeld Rafik & Sullivan in Boston, often represents clients with debilitating conditions who've been denied disability and other benefits by private insurance carriers. And it's her work that brings home the very personal nature of health-care reform. Behind the statistics and percentages, Rafik knows all too well there are real people with real concerns — like those who lose their homes because they can't pay their medical bills. The work is gratifying, frustrating and heartbreaking; "If you win a case, there's nothing



As a law student, Golda Philip '08 completed a co-op with the US Senate Judiciary Committee.

better. But if you lose, there's honestly nothing worse," she reflects.

While the new federal law changes the dynamic so that health care is now a right that many in Massachusetts have enjoyed since passage of the state's landmark health-reform law in 2006, Rafik is disappointed the federal legislation won't directly help many of her clients: people denied benefits by long-term disability insurers.

She describes a five-year-long case she lost in the US Court of Appeals for the First Circuit earlier this year. It involved a woman with fibromyalgia, a painful chronic condition, who was denied long-term disability benefits because the insurance company claimed she was not as disabled as her doctors and independent examiners believed, according to Rafik. "I cried for days and days. My client was so deserving, and she took it with such grace. There's so much heartbreak in our cases," she adds, "but more than the heartbreak are the amazing people who maintain incredible attitudes in the face of horrible illness and devastation."

"When I started working here [in 1998] and meeting our clients," Rafik says, "I realized that for me, health care is the cornerstone of all human rights."

And it's that right that Rafik and others hope national health-care reform will advance in meaningful ways.

*Debra Bradley Ruder is a Boston-based writer and editor.*

**"WHEN I STARTED WORKING HERE AND MEETING OUR CLIENTS, I REALIZED THAT FOR ME, HEALTH CARE IS THE CORNERSTONE OF ALL HUMAN RIGHTS."**

— Mala Rafik '97

# Three's Company: Northeastern Welcomes a

*This fall, along with a new class of students, the School of Law looks forward to the addition of three new faculty members: Michael Bennett, an authority on science and the law; Aziza Ahmed, who focuses on law and global health; and Kara Swanson, an intellectual property and history of science expert. Their collective knowledge and research promise to broaden the depth and scope of NUSL's faculty scholarship and curriculum.*

— Deborah Feldman

## Where No Law Class Has Gone Before

Professor Michael Bennett

Michael Bennett is passionate about three things: tennis, tea and teaching.

First comes tennis, which he has played competitively and, most recently, coached informally and enthusiastically while on the faculty at Vassar College.

Then, comes tea, which he buys directly from China and brews in a small clay pot. It's an art form, according to Bennett.

Then, last but not least, comes teaching. Which he'll do at Northeastern this fall when he joins the faculty, teaching intellectual property law, and law and technology-related courses, both of which flow directly from his ongoing research in nanotechnology and science policy.

"I was a physics and math nerd in college," recalls Bennett, who studied applied physics as an undergraduate at

Florida A&M University and then went on to earn a JD from Harvard Law School and a PhD in science and technology studies at Rensselaer Polytechnic Institute. "And, then, while working [as a summer college intern] at Lawrence Livermore National Laboratory, I realized that the IP guys were doing the most interesting work."

With that in mind, Bennett launched a career that has included legal practice, fellowships, teaching and serving as an investigator on grants from the National Science Foundation and Michigan Technological University. His recent article, "The Nanotechnology Patent Class," appears in the 2010 *Encyclopedia of Nanoscience and Society*. Bennett is currently at work on a legal history of nanotechnoscience.



In the classroom, Bennett incorporates yet another passion: his "personal interest and near obsession" with science fiction. "I use science fiction as a tool to help students free up their minds," he explains. "There is explosive potential in blending the imaginary with reality."



## She's Banking On It

Professor Kara Swanson

The idea that you can "bank" on it takes on new meaning after you meet Kara Swanson. Her dissertation, "Banking on the Body: Milk Banks, Blood Banks and Sperm Banks, 1910-1980," examines the commodification of the human body through the institution of a "bank" — a special storage institution — in a linked history of law, technology, science and medicine.

"Milk banks were the first formal body banks, established about 100 years ago," explains Swanson. "The first US milk bank, in which mothers banked breast milk for ill or premature babies, was founded in Boston. Many people don't know that milk banks still exist."

How did Swanson, an expert in science and technology, come upon this interesting and fairly unusual subject?

"As an undergraduate, I loved history courses, but I never knew that the history of science, technology and medicine was a field," recalls Swanson, who earned a BS in molecular biophysics from Yale University and then a master's in biochemistry and JD from UC Berkeley.

"When I was looking for a way to spend time thinking about the many interesting questions I developed while practicing IP law, I discovered the discipline and its related interdisciplinary field, science and technology studies, and realized that here was an area in which I



# Troika of New Faculty

## Women's Rights Odyssey Professor Aziza Ahmed

Aziza Ahmed is on a long-term quest: to research, understand and ultimately change the reality that women's inequality is often rooted in an obsessive desire to control sexuality.

"When it comes to addressing public health concerns, especially concerning HIV, there can be a harsh legal response focused on controlling sex and sexuality," says Ahmed, who joins the Northeastern law faculty this fall, following a yearlong research appointment with the Program on International Health and Human Rights at the Harvard School of Public Health.

Ahmed's exploration into this complex topic and related issues led her to earn a degree in women's studies at Emory University, and then to travel to South Africa, where she assisted an NGO in organizing sex workers around HIV services. As Ahmed came to know sex workers in Johannesburg and Soweto who were struggling to survive the HIV epidemic, she recognized the need to address the interplay among law, race, gender, women's rights, sexuality and health.



Her determination to better understand these factors and how they work together has taken her literally around the world, from the United States to the Caribbean, and from Namibia to India. On each continent, in each community, she has sought to understand the nuances of local context, while teasing out the gender and power dynamics common across regions and countries.

"The impulse is to use the law as a quick fix to complicated issues," Ahmed contends. "We see this now, for example, with the HIV epidemic, where countries often attempt to pass laws that result in many negative or often unintended consequences."

Ahmed, who holds an MS from the Harvard School of Public Health and a JD from Boalt Hall at UC Berkeley, explains that in the area of anti-sex trafficking laws, "there is very little mainstream recognition that sex trafficking laws have had a negative impact on the delivery of HIV prevention, treatment and care, or on broader sexual and reproductive health issues."

"My goal is to help us begin to think critically about the law as it pertains to public health," she says, "and in doing so, to contribute to ensuring greater access to health care for all communities, especially for those who have been most marginalized."

could combine all my past training and return to my love of history."

In addition to earning her PhD from Harvard, Swanson's resume includes a variety of prestigious fellowships and honors, including a National Science Foundation graduate research fellowship and the Society for the History of Technology's Robinson Prize. She has taught at both Harvard University and Drexel University's Earle Mack School of Law.

This fall, she'll begin sharing her interests and expertise with Northeastern law students, covering all of the basics of IP, science and technology while undoubtedly introducing some more fluid concepts.

## FACULTY NOTES

Richardson Professor of Law **Roger I. Abrams** filed an amicus brief to the Supreme Court together with other labor arbitrators in *Rent-a-Center v. Jackson*, No. 09-497. He served as chief judge of the 2010 National Baseball Salary Arbitration Competition held at Tulane Law School in January, and spoke on "Improving Baseball Salary Arbitration" at Suffolk Law School in April. Abrams recently published two articles: "Sports Arbitration and Enforcing Promises: Brain Shaw and Labor Arbitration," in 20 *Marquette Sports Law Review* 223 (2009) and "Tiger Woods Redux: Can Companies Learn Something from Tiger Woods?" in 1 *The Workstyle Magazine* 3 (UK) (2010). The Bureau of National Affairs also published three of Abrams' labor arbitrations: Central Maine Power, Walt Disney World and American Medical Response. Abrams was appointed a permanent arbitrator by Massachusetts General Hospital and the Construction Trades Council. He was a guest lecturer in Northeastern University Professor John Kwoka's course on Sports Economics in February and served as a member of the university's Negro League Baseball Exhibit planning committee.

Professor **Daniel A. Austin** received an award from the American Bankruptcy Institute (ABI) for his book, *Reaffirmation Agreements in Consumer Bankruptcy Agreements*. As a result of the book's popularity, Austin's second edition will soon be published.

As is his practice, Professor **Brook K. Baker** has recently traveled internationally and domestically and written in multiple forums on intellectual property rights and trade policies that negatively impact access to medicines in developing countries; on global resource needs and the crisis of flat-lined funding for HIV/AIDS; on the International Monetary Fund's macroeconomic restraint policies that restrict full investment of domestic and donor resources for health in developing countries; and on initiatives to increase investments in human resources for health and health system strengthening.

In February, Baker participated in two workshops organized by the United Nations Development Programme, Canadian HIV/AIDS Legal Network and UNICEF that addressed implementing the World Trade Organization decision on exporting/importing generic medicines and related reform of Canada's Access to Medicines



Regime. Also in February, he attended a consultation, Public Interest Analysis of the Global IP Enforcement Agenda, at American University in Washington, DC, and attended another enforcement-agenda consultation there in June. He co-authored a submission by Health GAP to the US Trade Representative on the 2010 Special 301 Review (a listing of countries that fail to adopt US-style intellectual property rights) and also worked on a Joint Civil Society Special 301 submission. With respect to intellectual property rights and access to medicines, he presented at a Biotech Patent Pool Workshop at UC Berkeley on the UNITAID patent pool initiative. He has been consulting with UNITAID experts on licensing terms and incentive systems for drug company participation in the patent pool.

On December 7, 2009, he co-authored an op-ed, "An Express Line for AIDS Treatment," in *The Boston Globe* on the danger of flat-funding global AIDS. In February, he wrote "Health GAP Policy Analysis: Making a Mistake on Treatment – PEPFAR's New Five-Year Strategy." In April, he was on a panel at Yale University on AIDS exceptionalism and the funding crisis. He was invited as an expert speaker to a roundtable in Madrid in June addressing challenges in funding, health systems and universal access in development policies. He was commissioned by European health advocacy groups to write a paper on a proposed currency transaction level for health, global resources needs estimates for health and alternative funding modalities for dispersing the resulting revenues.

On the topic of the IMF's macroeconomic restraint policies and health funding, he published "The Impact of the International Monetary Fund's Macroeconomic Policies on the AIDS Pandemic," in *40 International Journal of Health Services* 347 (2010), and a shorter paper, "IMF Macroeconomic Fundamentalism and the AIDS Pandemic," for *Mass Dissent*, the newsletter of the Massachusetts chapter of the National Lawyers Guild. He was on a panel, "Have Fiscal Policies Constrained Needed Responses to the HIV/AIDS Epidemic in Developing Countries?" at the World Bank in Washington, DC, in February. He also traveled to Brussels in April for a World Bank Civil Society health roundtable, "Continuing the Dialogue on Health Toward 2015."

Baker was commissioned by the Global Fund to write a background paper for the "Global Fund Civil Society/Private Sector Pre-Consultation on the Joint Health System Strengthening Platform," which he attended in Geneva in January. He had attended an earlier Geneva consultation in November of the Global Health Workforce Alliance and was appointed to its reference

## Ramirez Testifies Before Congress

PROFESSOR DEBORAH A. RAMIREZ, head of the university's Partnering for Prevention and Community Safety Initiative (PfP), went to Washington, DC, on March 17 to testify before the US House Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment, and traveled again on June 17 to speak before the House Subcommittee on the Constitution, Civil Rights and Civil Liberties.

PfP seeks to identify and help implement promising practices for building relationships between federal, state and local law enforcement and American Muslim, Arab and Sikh communities. Ramirez says such

partnerships enhance counter-terrorism initiatives, protect communities from hate crimes and incidents, and help preserve American civil liberties.

During her remarks before Congress, Ramirez focused on the benefits of PfP's approach and the role community tips have played in thwarting terrorist plots in the United States and the United Kingdom.

"We cannot indiscriminately target, arrest, profile, deport, fingerprint and harass this community in the morning and then ask them to partner with us to thwart terrorism in the afternoon," said Ramirez.



group. Finally, he has been appointed an honorary research fellow to the Faculty of Law at the University of KwaZulu Natal in Durban, South Africa.

Associate Dean for Clinical and Experiential Education **Martha F. Davis** speaking and scholarship continue to focus on domestic human rights issues. In January, she presented a paper, "Child Exclusion in a Global Context," at *Case Western Reserve Law Review's* "Symposium on Reproductive Rights, Human Rights and the Human Rights to Health;" her article is forthcoming in the related symposium issue. In February, she was invited by the University of Cincinnati School of Law's American Constitution Society chapter to speak on reproductive rights and human rights.



Davis visited the SUNY-Buffalo Law School in March to present on "City-Based Treatment of Human Rights Treaties" as part of the university's Baldy Center lecture series. She then traveled to the University of Pennsylvania School of Law for its annual Public Interest Week, which included a panel and reception celebrating the publication of Davis' co-edited book, *Bringing Human Rights Home* (Penn Press, 2009). In March, she was interviewed on Pacifica Radio about the use of legal strategies to expand economic and social rights in the United States. Traveling to New York, Davis participated in the May by-invitation "Global Incubator" hosted by the Center for Reproductive Rights. In June, she presented at Columbia Law School's Conference on Ethics and Human Rights Lawyering; papers from the conference will be published in the *Columbia Human Rights Law Review*.



Wearing her associate dean hat, Davis also spoke about NUSL's unique educational approach on two panels at the "Externships 5" conference in Miami, in March.

Davis' article arguing for a broader view of "work" under welfare reform — "Learning to Work: A Functional Approach to Welfare and Higher Education" — appeared in 58 *Buffalo Law Review* 1 (2010), in time for the 2010 welfare reform reauthorization debate. Her timely article on abortion and health care reform, "Abortion Access in the Global Marketplace," appears in 88 *University of North Carolina Law Review* 1657 (2010). Davis penned a blog, "A Movement Grows: The Human Right to Housing in America," posted at *The Valley Advocate* on April 29, 2010. Finally, in June, Davis served as amicus counsel of record in *Flores-Villar v. United States*, a US Supreme Court challenge to sex-based citizenship laws. Davis' brief for Equality Now, Human Rights Watch and other international human rights organizations (including the University of Virginia's International Human Rights Law Clinic headed by Deena Hurwitz '96) addressed the relevant international and comparative law (see related story page 5).

Professor **Richard A. Daynard** has had a relatively quiet year thus far. In January, he met with the Human Rights and Tobacco Control Network in Geneva. In February, he went to Bethesda, Maryland, for a National Cancer Institute investigators meeting, and went back there in early March for a peer review ("study group") meeting of the National Institutes of Health, which also selected him for membership in its Community Influences in Human Behavior study group. In April, he spoke at a symposium at Tufts University on the policy implications of the possible finding that certain food ingredients are addictive. Later that month he flew to Brasilia, the capital of Brazil, for a 15-minute lecture on tobacco litigation, US-style (totally flying time: 30 hours). In May, Daynard and his wife, Carol, were invited to a dinner at the US Supreme Court hosted by Chief Justice John Roberts for the clerks of the late Judge Henry Friendly.



In May, Professor **Melinda F. Drew**, who serves as director of the Academic Success Program, hosted a meeting of the New England Consortium of Academic Support Professionals (NECASP). Representatives from Suffolk University Law School, New England Law-Boston, University of Connecticut School of Law, Franklin Pierce Law Center and Western New England

College School of Law attended. NECASP's second annual academic support conference will be held in December.

Matthews Distinguished University Professor **Karl E. Klare** delivered a lecture, "Labor Standards and International Economic Integration — Two Case Studies," to the Harvard Trade Union Program in January. In April, he participated in an inter-generational panel discussion, "On the Legal Left," sponsored by the online journal *Unbound* and held at Harvard Law School. He also attended and participated in organizing the "Second Workshop on Justiciability of Socio-Economic Rights," co-sponsored by the School of Law's Program on Human Rights and the Global Economy and the Faculty of Law, Universidad de los Andes, Bogotá, Colombia, held in Bogotá in May. At the conference, he arranged and spoke on the panel, "Comparative Horizontality," concerning the application of constitutional rights guarantees to private, non-state actors (see related story page 6). Klare recently completed a long-term research project on the effect of the South African Constitution on common and customary law.

Professor **Hope Lewis** was appointed to the executive council of the American Society of International Law during its 104th annual meeting in Washington, DC, in March. She also chaired a panel on human rights responses to the Haitian earthquake disaster and was a member of the program committee that planned the conference. Lewis' most recent essay, "Transnational Dimensions of Race in America," was published in 72 *Albany Law Review* 999 (2009). In March, she participated in a roundtable, "Black Women in International Law," at Florida A&M University School of Law in Orlando. Lewis is a regular contributor to *IntLawGrrls.com*, the international law professors' blog. She also spoke on "Social Media and Human Rights" at the 2009 American Civil Liberties Union of Massachusetts statewide conference in February.



In March, Matthews Distinguished University Professor **Michael Meltsner** delivered a lecture via videoconference to a group of activists and American studies students in Amman, Jordan, on "The Uses of the Legal System to Effect Social Change." The program was organized by the US Embassy and the Department of State's Office of Democracy and International Security. Also in March, Meltsner spoke at Seton Hall University's Whitehead

School of Diplomacy and International Relations on his work with public interest lawyers during South Africa's Apartheid years. A busy month continued with a book reading and discussion hosted by The Friends of the Cambridge Public Library, which celebrated *Cambridge Voices*, a new book about writers' library experiences. Meltsner was among a group of local writers who read excerpts from their work.

Matthews Distinguished University Professor **Wendy E. Parmet** published "Pandemic Vaccines — The Legal Landscape," in 362 *The New England Journal of Medicine* 1949 (May 27, 2010).

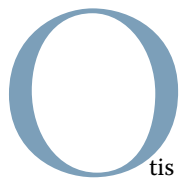
In February, Professor **Deborah A. Ramirez** traveled to Georgetown University's Prince Alwaleed Bin Talal Center for Muslim-Christian Understanding for a conference, "National Security: American Muslims and US Government Relations." As head of the Partnering for Prevention and Community Safety Initiative (see page 26), she joined with Muslim leaders and organizations, scholars and government officials to discuss domestic terrorism. She also delivered the keynote speech for the University of Birmingham's (United Kingdom) conference, "Do Community-Focused Approaches to Terrorism Work?" Ramirez's forthcoming paper, "Community Partnerships Thwart Terrorism," looks at various examples of community involvement in stopping terrorism, as well as community reactions to law enforcement efforts to combat terrorism.

Professor **Lucy A. Williams**' "Water Rights as a Justiciable Issue: *Mazibuki v. City of Johannesburg*" appeared in 36 *Forum for Development Studies* 5 (2009), the Norwegian Association for Development Research's journal. Her keynote speech delivered in 2009 at the *Hamline Journal of Public Law and Policy*/Southern Minnesota Regional Legal Services (SMRLS) symposium, "Administrative Law: Justice in the Lives of Low-Income Families," was published in 31 *Hamline Journal of Public Law and Policy* 47 (2009). Under the auspices of the School of Law's Program on Human Rights and the Global Economy (PHRGE), Williams wrote the foreword (with Professor Karl Klare) to Professor Sandra Liebenberg's book, *Socio-Economic Rights: Adjudication Under a Transformative Constitution* (Juta Law, 2010).

Williams also served as a convener for the "Second Workshop on Justiciability of Socio-Economic Rights," co-sponsored by PHRGE and the Universidad de los Andes, Facultad de Derecho, Bogotá, Colombia, held May 14-15, 2010, in Bogotá, Colombia (see related story page 6).

# Second to None

THE SUPREME COURT'S RULING THAT THE SECOND AMENDMENT RIGHT TO "KEEP AND BEAR ARMS" APPLIES TO THE STATES IS RAISING MANY QUESTIONS AND PROVIDING ALMOST NO ANSWERS. | By Meghan Laska '98



Otis McDonald, 76, wasn't looking for a fight. But, after being threatened at gunpoint, he decided that a handgun was the best way to protect himself from gangs in his Chicago, Illinois, neighborhood. The problem was that handguns were banned in the city.

The lawyers representing McDonald maintained that his Second Amendment right, "the right of the People to keep and bear Arms," was at stake in *McDonald v. Chicago*, a highly watched US Supreme Court case arguing that such handgun bans are unconstitutional.

After the Supreme Court decided the case in June, holding that the Second Amendment is fully applicable to states, a slew of questions came to the forefront: What kind of gun can people own? Can the state require that it be locked? Can the state require that it be kept apart from live ammunition? Can background checks be required?

Currently, states vary widely in their treatment and tolerance of handgun ownership. In some states, like Vermont, which neither requires nor issues gun permits, the Second Amendment seems to apply to everyone. However, in other places, like Washington, DC, and Chicago, private citizens until recently did not have the right to keep a handgun in their home. And in much of the rest of the country, the answer lies somewhere in the middle.

Why is the right to keep and bear arms suddenly such a hot topic? Up until the 2008 case *District of Columbia v. Heller*, in which the Supreme Court ruled that Washington, DC, could not prohibit ownership of handguns in homes, it had been almost 70 years since a Second Amendment case had made its way to the high docket. And after President Obama was elected, gun rights activists and potential gun owners were in a further frenzy, fearing gun restrictions were just around the bend. Applications for background checks for gun ownership hit a 10-year high in 2008. Even though such restrictions have not materialized, the issue has nonetheless remained at the center of a national debate.

## GUNS AGAINST A SCARY WORLD?

In March, two weeks after the Supreme Court heard oral arguments in *McDonald v. Chicago*, the Northeastern law community weighed in on the issue when the student-run *Northeastern University Law Journal* held a symposium, "Chamber to Chambers: The Second Amendment in the New Century."

"For many people, this has come to symbolize their ability to maintain some individuality against a larger scary world," says Professor Wendy Parmet, who moderated one of the symposium panels. "The *Heller* decision gave legitimacy to the claims that gun ownership advocates have made for a long time. And the issue is

clearly tied to the populist anti-government wave that is currently politically powerful."

**"Blatant attempts to discourage people from owning a gun are what the courts will be patrolling going forward."**

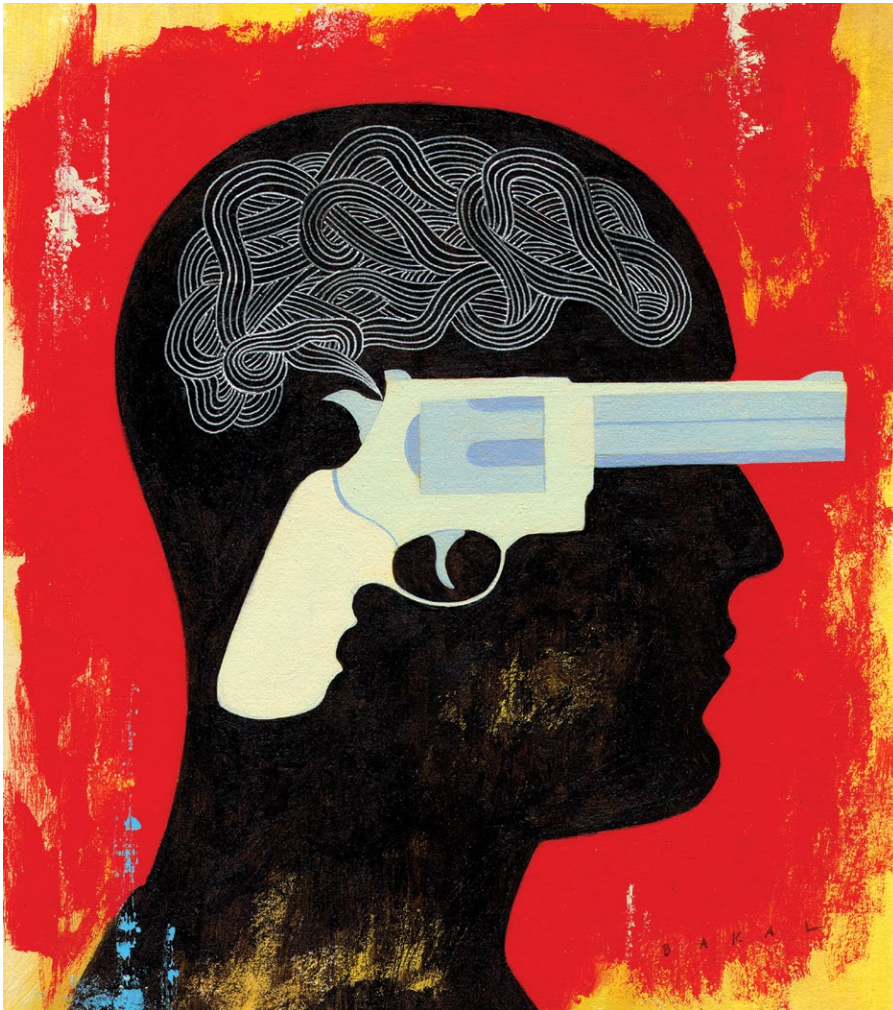
—CLARK NEILY, SENIOR ATTORNEY FOR THE INSTITUTE FOR JUSTICE IN WASHINGTON, DC

At the symposium, there was little debate about the "fundamental" nature of the right to bear arms; instead, panelists focused on the "content and contour" of that right, says Parmet, since fundamental rights are still subject to great limitations.

"Child pornography is not protected, and you can't shout 'Fire!' in a crowded theater," she explains. "And we have a right to privacy, but the government can still search us before getting on an airplane."

Andrew Ketterer '74, Maine's former attorney general who is now a private practitioner in Norridgewock, Maine, represents both the National Rifle Association (NRA) and the National Shooting Sports Foundation and obtained signatures from more than 30 attorneys general for amicus briefs in both the *Heller* and *McDonald* cases. He says that the challenge for lawmakers is to craft language that regulates but does not prohibit the use of firearms. The key, he says, will be to balance the government's job to protect citizens from crime in a free society while honoring the Second Amendment right to possess firearms.





*The “Chamber to Chambers” issue of the Northeastern University Law Journal will be available online in February 2011. It will include articles by symposium panelists as well as NUSL students.*

“The holding in *Heller* was very narrow and that alone had a chilling effect on state and municipal gun control legislation,” says Charles, who delivered the symposium keynote speech. “Legislators will still have great latitude in proposing gun control legislation after *McDonald*, and ultimately it will be up to them

Clark Neily, a symposium participant who served as co-counsel for the plaintiffs in *Heller*, says the challenge will be to figure out what types of regulations are constitutional and which are not. For example, would it be constitutional to require a standard application and nominal fee to own a gun? Would it be constitutional to impose more arduous barriers that make people jump through a lot of hoops? “Blatant attempts to discourage people from owning a gun are what the courts will be patrolling going forward,” he notes.

A senior attorney for the Institute for Justice in Washington, DC, Neily says that the Supreme Court cases have already spawned a second wave of litigation that will take years to play out. “Activists on both sides will be looking for test cases to bring,” he expects.

#### **WHEN TO HOLD 'EM, WHEN TO FOLD 'EM**

Patrick Charles, a legal analyst for the Immigration Reform Law Institute in Washington, DC, who was cited in one of the *McDonald* amicus briefs, anticipates that more officials will begin checking local and state laws to see if they are in line with the recent Supreme Court cases.

and the voters to determine whether to fold their current laws or create new ones.”

While lawyers and advocates may be reviewing their state and local laws, Professor Peter Enrich, a state and local government expert, doesn't expect to see a lot of new legislation in the short term. “You might think there would be ways to improve gun licensing or sales rules, but you can't be sure that the change would be constitutional, and it might actually attract litigation,” he explains. “Unless you have an ordinance that looks a lot like the former Washington, DC, ordinance that completely banned handguns, I wouldn't advise municipalities to start making a lot of changes at this point.”

“It will be a long process to figure out what the courts think the standards ought to be,” he concludes. “This is probably what it was like to be around when *Miranda* was decided. We have a new body of law and now have to start filling in what it looks like. It's really a fascinating moment.”

*Meghan Laska '98 is a freelance writer and editor located near Philadelphia.*

PROFILE LENNOX CHASE '98

## The Chase is On

LENNOX CHASE '98 DOESN'T LIKE TO BOAST, but there are a whole lot of companies out there who want to buy him out. That doesn't surprise the savvy entrepreneur, because when he founded MyBarPrep.com, the nation's first online bar preparation site, he had no doubts he was on to a great idea.

"When I started out back in 2001, an online bar course that provided

questions, answers and outlines was not in existence," recalls Chase. "My understanding is that the bar prep companies did not see a financial benefit to completely switching to an online format. Many of the major bar review companies seemed to be uncertain about student willingness to prepare online. And, providing all of the materials online would, of course, bite into their profit on selling

taped lectures and books. Now, those arguments seem quaint but they were firmly held beliefs a decade ago."

Though Chase's business is strictly web-based, he provides a highly customized, personal experience for each client. "Students can study at their own pace in the environment of their own choosing," says Chase, who systematically creates his course content based on licensed materials from the National Conference of Bar Examiners. "And, we provide unlimited tutoring to students via email and telephone. The collaborative nature of our program gives the students a sense of security and focus."

**Last year, Boston Mayor Thomas Menino selected Chase as a "connector" in the city's Boston World Partnerships (BWP), a global marketing initiative.**

Chase's charm and entrepreneurial success have not gone unnoticed. Last year, Mayor Thomas Menino selected Chase as a "connector" in the city's Boston World Partnerships (BWP), a new global marketing initiative. "My primary focus has been providing consulting services to venture capitalists and entrepreneurs," says Chase, who additionally runs his own solo law practice. "I also attend functions for companies seeking to establish a presence in Boston. My goal is to act as a concierge to domestic and international companies that transition to Boston."

So, Chase welcomes more businesses to the Boston area with open arms, but when those large bar prep organizations try to poach his site for talent and ideas, he knows how to fend for himself. "We have become masters of guerrilla warfare," he says with a knowing smile.

— Deborah Feldman



PHOTO: JODI HILTON



## 1974



**Stephen Samuels**, a partner at Schottenstein Zox & Dunn in Columbus, Ohio, was named an Ohio Super Lawyer 2010 by *Law & Politics*.

## 1975

**Phyllis Gelman** recently formed Gelman & Jones, an employment law, family law and trusts and estates firm, in New York City.

**Claire Moise** recently published a novel, *Adele, Grace and Celine: The Other Women of Jane Eyre*. According to the *Kirkus Discoveries* review, "Readers will easily follow Moise's smooth transitions between the epistolary form and Adele's first-person narrative, even with a multitude of characters from past and present to account for. Authentic, exciting and well-researched."

## 1976

In 2009, the Honorable **Dana Fabe**, associate justice of the Alaska Supreme Court, was elected president of the National Association of Women Judges.

## 1979

**Frank McGuire** was recently named president of the Brewer Economic Development Corp. Frank, a partner at Rudman & Winchell in Bangor, Maine, specializes in estate planning and administration, and employment and labor law.

## 1982

**Deborah Marshall** joined Sidley Austin in December 2009 as a partner in the firm's new Palo Alto, California, office. Prior to joining Sidley Austin, Deborah was with Howard Rice in San Francisco.

**Daniel Kanstroom** has been promoted to full professor with tenure at Boston College Law School, where he also serves as director of the Human Rights Program. In 2009, he was a visiting professor of law at American University, Washington College of Law. Dan's book, *Deportation Nation: Outsiders in American History*, is now out in paperback (Harvard University Press).

## 1984

**Lester Blumberg**, general counsel to the Massachusetts Department of Mental Health, was honored with the 2010 Executive Achievement Award from the Jewish Community Relations Council (JCRC) of Boston. The award recognizes a member of the executive branch of state government who has been instrumental in policy and legislative initiatives that benefit disadvantaged and vulnerable members of society. Lester was recognized for his role in initiatives such as mental health parity, the children's mental health law, civil commitment reform and Children in Need of Services (CHINS) petition system reform. (For more about Lester, see story, page 20.)

In January, **Debra Krupp** was appointed the wrongful conviction specialist for the Committee for Public Counsel Services (CPCS).

## 1986

**Robert Greenwald** received a Positive Leadership Award from the National Association of People with AIDS, during AIDS Watch, a federal grassroots HIV/AIDS advocacy event held in Washington, DC, in April. Robert, founding director of Harvard Law School's Health Law and Policy Clinic, was also honored by the AIDS Action Committee of Massachusetts at a reception recognizing 25 people whose

contributions have been critical to the fight against AIDS in the commonwealth and beyond (see related story, page 20).

## 1989

**Leslie Feldman-Rumpler** appeared before the US Supreme Court in February as a member of the respondents' legal team in *United States v. O'Brien and Burgess*. The issue was whether the firearm type provision of 18 USC §924(c), which makes it a separate offense to use and carry or possess a firearm in furtherance of certain federal crimes, is an offense element that must be proven to a jury beyond a reasonable doubt, or a sentencing factor to be found by a judge on a preponderance of the evidence. At stake for the defendants was the possibility of an additional 23 years of mandatory minimum incarceration. After the trial judge ruled for the defendants, the First Circuit affirmed, resulting in a 6-2 circuit split favoring the government's view. In May, the court unanimously affirmed the First Circuit's judgment, leaving the defendants' sentences unenhanced.

## 1990

The Honorable **Elizabeth Doyle** presides over the Juvenile Drug Court of the Court of Common Pleas in Blair County, Penn. The new court was featured in the *Altoona Mirror* in a May 30 article, "Juvenile Drug Court finishes 'Tough' First Year."

**Ken Pierce** is a partner at Monaghan Leahy, a small civil litigation firm in Portland, Maine. Ken and his wife, Kathleen, live in Cape Elizabeth with their sons, Will, 17, and Matty, 15.

## 1991

**Andrew Botti** has been elected chairman of the board of the Smaller Business

## Anker Heralded as Woman of Justice

Deborah Anker '75 was recognized by *Massachusetts Lawyers Weekly*, the Massachusetts Association of Women Lawyers and the Women's Bar Association as a 2009 Woman of Justice for her role as one of the world's leading scholars and practitioners of immigration law. Anker, director of the Harvard Immigration and Refugee Clinic and a clinical professor at Harvard Law School, is the author of *Law of Asylum in the United States*, a leading treatise frequently cited by international and domestic courts and tribunals, including the US Supreme Court.



## Mo Cowan '94 Appointed Governor's Chief Legal Counsel

In November 2009, William "Mo" Cowan '94 was appointed chief legal counsel for Massachusetts Governor Deval Patrick. Cowan is responsible for advising the governor on legal and policy issues, judicial selection, legislation, and all legal issues concerning the governor and the Office of the Governor. Prior to his appointment, Cowan was a member of the Boston law firm of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo.



Association of New England, a 900-member nonprofit organization founded in 1938 to promote and advance the interests of smaller businesses throughout the six-state region.

**John Hartle**, city attorney for Juneau, Alaska, was recently elected to a second term as president of the Alaska Municipal Attorneys Association.

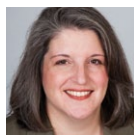
## 1992

**Gail Schwartz** and her wife, Lucie Gagnon, recently welcomed a son, Alexi.

## 1993

**Connie Vetter** was selected to attend the LGBT Family Law Institute in Miami, Florida, in August. The chosen 125 participants discussed cutting-edge legal strategies for representing lesbian, gay, bisexual and transgender clients on matters including family creation, surrogacy, ethics, estate planning, interstate parentage issues, collaborative law, transgender issues, dissolution of relationships and elder law. Connie is a solo practitioner focusing on LGBT legal matters in Charlotte, North Carolina.

## 1995



**Amy Rosenberger**, a Philadelphia labor lawyer and partner with Willig, Williams & Davidson, has been appointed to the board of directors of the

Lawyers Coordinating Committee of the American Federation of Labor and Congress of Industrial Organizations.

## 1998

**Tara Allen** is an assistant federal defender for the Western District of Pennsylvania. She was previously a supervising attorney for the Civil Law Unit in the Staff Attorney's Office at the US Court of Appeals for the Ninth Circuit and an adjunct professor at UC Hastings College of the Law in San Francisco.

## 1999

**Tony DeProspo** and his wife, Angela, recently welcomed their first child, Mia. Tony is a partner at Sherin and Lodgen in Boston.

**Christine Dietrick** is city attorney for San Luis Obispo (Calif.). She was previously assistant city attorney for five years.

**Angela Laughlin** was awarded tenure in 2009 at Texas Tech University School of Law, where she has been a member of the faculty for seven years, teaching in the areas of civil procedure and evidence.

**Tiffany Williams** was sworn in as an administrative law judge in New Jersey in March. Tiffany previously served as a government lawyer at both the state and federal levels, and worked for one of New Jersey's largest law firms, Riker, Danzig.

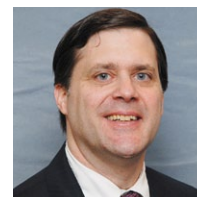
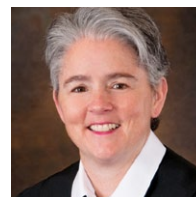


### John Murphy '87 to Head Guantanamo Prosecution Team

Navy Capt. John Murphy '87 (above, center), an assistant US attorney, will oversee the prosecution of Guantanamo Bay detainees. He previously worked as a military lawyer at the detention facility in Cuba, where he prosecuted Osama bin Laden's driver. Murphy joined the US Attorney's Office in New Orleans in 1992 and, like a number of prosecutors at Guantanamo, has experience prosecuting complex drug and violent crime cases. He was appointed chief military prosecutor in May 2009.

### McCafferty and Cott Appointed US Magistrate Judges

In January, Landya Boyer McCafferty '91 was appointed a US magistrate judge for the District of New Hampshire. She previously served as disciplinary counsel to the New Hampshire Supreme Court's Committee on Professional Conduct. In the Southern District of New York, James Cott '85 was also appointed a magistrate judge. He was previously chief of the Southern District US Attorney's Office civil division and before that worked as associate director of litigation at the NAACP.



### Gordon Fox '91 Elected Speaker of Rhode Island House



Gordon Fox '91 was elected the 222nd speaker of the Rhode Island House of Representatives in February. In 2003, after serving as chairman of the House Finance Committee, Fox was elected majority leader, the second-ranked position in the chamber. As majority leader, Fox sponsored and subsequently helped pass into law acts that have banned smoking indoors in restaurants and workplaces, increased the minimum wage and invested millions of dollars into renewable energy initiatives. He made national news and history as the first openly gay speaker of any lower house of the legislature in all 50 states, and as the first gay and non-white speaker since Rhode Island's inception as a colony more than 300 years ago.



## Karin Raye '98 Recognized as Unsung Heroine

Karin Raye '98, whose work in recent years has dramatically improved the health and safety of domestic violence survivors in Newton and surrounding suburbs, received a 2010 Massachusetts Unsung Heroine Award from the Massachusetts Commission on the Status of Women at a ceremony at the Massachusetts State House in May. The award singles out Raye's tireless work to bring together community and hospital leaders to establish domestic violence and sexual assault services at Newton-Wellesley Hospital, as well as her work at The Second Step, a Newton-based transitional living and community outreach program for domestic violence survivors.



Tara Lai Quinlan '04



Katherine Grainger '02

## Quinlan and Grainger: New York Stars on the Rise

Tara Lai Quinlan '04 and Katherine Grainger '02 were named in June to a list of 40 rising stars under 40 in politics and government by *The Capitol*, a publication for and about New York state government.

As legislative director and general counsel for the New York State Trial Lawyers Association, Quinlan is part of one of the most powerful lobbying groups in the state. Quinlan, who uses her position to champion the underdog, told *The Capitol*, "You define yourself by who is on the other side of the coin of what you're doing. On the flip side of

what I'm doing is big-tobacco and anti-consumer groups. I feel we're on the right side of the issues."

According to *The Capitol*, Katherine Grainger '02, deputy director of the Office of the Senate, Democratic Majority Counsel, "is the architect of much of the major pieces of legislation coming out of the Senate these days, from the Race to the Top bills, to domestic rights for workers, to matrimonial reform legislation." Said Grainger, "It's the most stressful job I've had in my life, and the job I love the most."



## Sullivan Running for DA in Western Mass.

Dave Sullivan '86 is out campaigning to be the district attorney in Hampshire, Franklin and Athol counties. In 2002, he was elected as Hampshire County's register of probate. He began his law career as a civilian trial attorney representing US Army and Air Force service members in general and special courts-martial in West Germany.

## 2000

**Sofia Ali-Khan** is now a staff attorney at Prairie State Legal Services, a nonprofit law firm serving low-income persons and seniors in northern and central Illinois.

## 2001

**Michael Blacksbury** and his wife welcomed a son, Samuel Destry Blacksbury, "who rode onto the scene on January 7, 2010, weighing in at 8 lbs., 4 oz., all mouth, like his father."

**Eliza Cox** was elected partner at Nutter McClennen & Fish in December 2009. She is a member of the real estate and finance department and works out of the firm's Hyannis office.

**April Upchurch Olsen** has joined Jackson Lewis as an associate attorney in the firm's Seattle office. April's practice focuses on employment and labor law.

## 2003

**Derek McLeod** and wife, Kristen, welcomed a son, Christian Derek McLeod, on July 7, 2009.

## 2004

**Kia Andrews** departed the New York City Department of Corrections to join the Kings County District Attorney's Office as an assistant district attorney in Brooklyn. Kia is excited about this new adventure after working on Riker's Island for two years, assisting inmates with legal research, motions and appeals. Kia also spent a year working in South America, where she taught health and physical education to middle school and high school students.

**Michael Maccaro** joined Murphy, Hesse, Toomey & Lehane, a firm with offices in Quincy, Boston and Springfield. Michael's practice focuses on labor and employment in the public and private sectors, as well as litigation and employee benefits. Prior to joining the firm, he served as associate general counsel for a large public sector labor union.

## 2005



In 2009, **Bret Hendrickson** joined Nolan Sheehan Patten, a Boston-based real estate law firm that focuses on affordable housing and community development.

He previously practiced with the real estate group at DLA Piper in Boston.



In June, **Heather Zelevinsky** joined Looney & Grossman as an associate concentrating in business reorganizations and liquidations.

## 2006

**Steven Seiden** has joined Crowell & Moring in the firm's aviation group.

## 2007



**Lisa Geoghegan** recently joined Barron & Stadfeld's family law and probate department as an associate. Lisa was previously a judicial law clerk for the Massachusetts Probate and Family Court for two years.

**James Shaw** and **Michelle Moor** were married on August 22, 2009, in Hanover, New Hampshire. Back home in Boston, Michelle is an associate at Kotin, Crabtree & Strong, and James is an associate at Segal Roitman. They met while taking Professor Karl Klare's job security class.

## 2008



**Danielle Kinkel** joined Boston-based Nolan Sheehan Patten in 2009 as an associate focusing on real estate transactions in the area of affordable

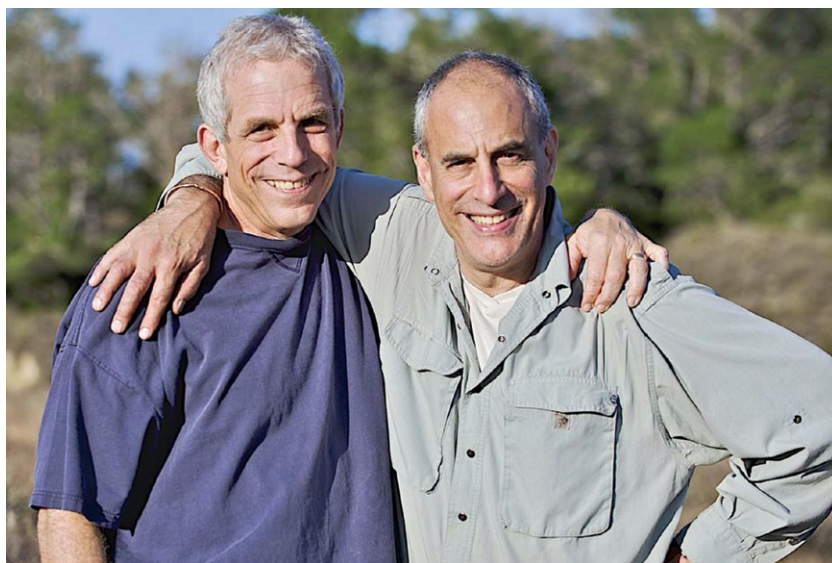
housing and community development. She was previously an associate at DLA Piper in Boston.

## 2009

**N. Tasmin Din**, currently a fellow with the law school's Civil Rights and Restorative Justice Project, will join Bingham McCutchen in January 2011 as an associate.

**Sarah Schendel** is back home in Oregon, where she is working as a legal services attorney. She sends her "thanks" to the law school's Public Interest Law Scholars Program for "making this possible!"

In November, **Justin Vartanian** joined Devine Millimet, one of New Hampshire's largest law firms, as an associate in the firm's corporate department. Justin concentrates his practice in the areas of business and tax planning, finance, and mergers and acquisitions. Justin was a summer associate at Devine Millimet in 2008; he works in the Manchester office.



## Weintraub and Ross Honored as Champions of Justice

David Weintraub '76 (left) and Matt Ross '76 were honored as Champions of Justice by the Bay Area chapter of the National Lawyers Guild at the California group's annual dinner in March. As law students, Weintraub and Ross founded the Northeastern Guild chapter and helped create the Dorchester Law Collective. After graduation, they both headed west to the Bay Area — Ross is a partner with Leonard

Carder, where he practices labor law, and Weintraub represents public school teachers and other employees as senior counsel with Beeson, Tayer and Bodine. The friends were honored for nurturing their guild chapter and "as individuals who have helped guide the organization and whose exemplary legal careers and political activism are an inspiration to us all."

## Joyce Kauffman '92 Named Massachusetts Lawyer of the Year

Family law expert Joyce Kauffman '92 was selected as a 2009 Lawyer of the Year by *Massachusetts Lawyers Weekly*. Kauffman specializes in helping nontraditional families, with a concentration in gay and lesbian issues. Recently, Kauffman, whose work often involves sperm banks, represented New England Cryogenic Center, which was sued by a woman who wanted to learn the identity of her sperm donor so that she could collect child support. In a motion to dismiss, Kauffman argued that granting the woman's request would end sperm donation as it exists today in Massachusetts.



## Middlesex Assistant DA Michael Fabbri '83 is Prosecutor of the Year

Middlesex Assistant DA Michael Fabbri '83 was named a 2010 Prosecutor of the Year by the Massachusetts District Attorneys Association. In 2008, Fabbri's work led to the conviction of Neil Entwistle, found guilty of two counts of first-degree murder for the shooting deaths of his wife, Rachel, and their baby daughter, Lillian. More recently, Fabbri was an assistant prosecutor on the case *Commonwealth vs. John Odgren*. In April, a jury found Odgren guilty of first-degree murder for the stabbing death of classmate James Alenson at Lincoln-Sudbury High School. Odgren was sentenced to life in prison without the eligibility of parole.





### Patti Prunhuber '84 Honored by MBA

In March, the Massachusetts Bar Association honored Patti Prunhuber '84 with an Access to Justice Award for providing exemplary legal services to the public. On staff with the Legal Assistance Corporation of Central Massachusetts in Worcester, Prunhuber was lauded for continuously advocating for low-income families, immigrants and low-wage workers rights with regard to unemployment compensation, access to health care, affordable housing and public benefits issues.

## IN MEMORIAM

### 1930s

Kathleen Ryan Dacy '35  
Louis Fox '39  
Nathan Goldstein '38  
George M. Hershenson '36  
Diana J. Auger '39  
Suren G. Kinoshian '39

### 1940s

Marie E. Curtin '41  
Russell B. Donovan '41  
Frank J. Dowd Jr. '41  
Harry W. Vozella '41

### 1950s

Charles P. Burgess '53  
Kenneth C. Bernstein '54  
Linus O'Rourke '56

### 1980s

Lawrence F. Riedman '86

### 1990s

Clifford A. Truesdell '91

### 2000s

Tristan D. Peters '06

## IN MEMORIAM

### Diana J. Auger '39

Diana Auger '39, described in a July *Boston Globe* obituary as a "trailblazer for women in the legal profession who specialized in trademark, copyright and patent law in Boston, New York and California," died June 10, 2010, at her home in Los Altos, California.

In a 2005 feature article in this magazine, Auger recalled that she was among 50 women in a class of 500 students and, at that time, "only a handful of law schools nationwide accepted women."

When Auger graduated from Northeastern in 1939, she hit the pavement looking for a job, but the legal world was far from welcoming to women lawyers. "When I went to law offices, the only opening would be at a typewriter," Auger told the magazine.

At barely 5 feet tall, she still managed to clear many hurdles. She eventually went into intellectual property, specializing in trademarks and counting many top corporations as her clients. She served as trademark counsel for the Syntex Corporation, the multinational pharmaceutical company that manufactures Aleve, as director of numerous corporations, and as president of the National Association of Women Lawyers.

A lifetime member of Northeastern University's board of trustees, she was awarded an honorary doctor of laws degree in 1991. A year later, she generously established the Diana J. Auger Scholarship to provide financial assistance to one or more law students based on financial need.

"Diana Auger was a truly remarkable woman," said Dean Emily Spieler. "We were incredibly proud to call her one of our own."



Gifts may be sent to:  
Diana J. Auger Scholarship  
Northeastern University  
School of Law  
Office of Alumni/ae Relations  
400 Huntington Avenue  
Boston, Massachusetts 02115

## Francisco, Joseph and Rogers Named In-House Leaders

In March, three Northeastern law graduates were heralded by *Massachusetts Lawyers Weekly* as 2010 In-House Leaders. Betty Lo Cualio-Francisco '98, Leslie Joseph '93 and Kathleen Rogers '87 were included in a select group of 15 attorneys singled out as leaders for their achievements as in-house counsel. Francisco is executive vice president, legal and administration and general counsel, for Millennium Partners Sports Club Management, which owns and operates sports and fitness clubs under the Sports Club/LA and Reebok Sports Club/NY brands. Joseph is general counsel for Mount Auburn Hospital, and Rogers is vice president, general counsel and secretary to the board of trustees for Simmons College.

# I Assumed She Had Nothing to Teach Me

By Deborah Feldman

**M**y son would never hit a woman. I tell myself that. I tell the judge that. I tell that to the lawyer who keeps pummeling me with questions about what I remember from March, when she ran off with the kids to her folks' house, what I remember from December. The party. Him screaming. Scaring the kids. His hands on her arms. He just wanted to talk to her. She wouldn't listen. He was frustrated. Anyone would have been frustrated.

Law professors stay law professors. Or, very, very rarely, they go back into practice or government jobs. They don't give up tenure and prestige for second careers in service professions. Channels and meridians, *qi* and blood flow are not their domain. They sometimes needle their colleagues and students, but they don't quit their jobs to become acupuncturists.

Then, there's Clare Dalton. On the faculty for the past 22 years, Clare has done what the best law professors — and perhaps the best acupuncturists — do: teach us to be thoughtful, to question our assumptions.

In 1993, when I first met Clare, I assumed she would be intimidating. She was British. She had been on the Harvard Law School faculty. She founded our Domestic Violence Institute. She was on leave, living in Washington, DC, with her children and then-husband, Robert Reich, the US Secretary of Labor. But, our first conversation proved that she wasn't what I expected at all. She was soft-spoken and gracious; warm, and down to earth.

Clare retired this spring. An early retirement to pursue a second career as an acupuncturist — inserting and

manipulating needles into various points on the body to address symptoms, relieve pain and restore balance. She is drawn to the spiritual aspect of this healing art and surprised even herself with a new passion for this ancient craft.

Clare's last class at the law school was a litigation seminar. It included a final, brief mock trial. One afternoon in early May, Clare asked me if I would play a part in this simulation. I was to portray a 71-year-old grandmother with a son in the middle of a messy divorce and custody hearing, accused by his wife of abuse. Clare, who has spent a lifetime protecting women from violence,

sat with me and told me the story of a family, and through her eyes I quickly, shockingly, felt myself identify as this man's mother. In a moment, Clare transformed my thinking: I went from the kind of person who thinks accused batterers are guilty until proven innocent to a grandmother who sees and feels the complexities of a family in crisis.

Assumptions are interesting. I assume that I will always think batterers are innately bad guys. I assume my son (and, in reality, I do have sons) would never become an abuser. I assume a law

professor will always be a law professor, and never an acupuncturist.

And then I think about Clare, and I realize there is only one assumption in all of this that is a certainty: her artful and seemingly effortless ability to make us examine our perceptions and presumptions — about law professors, abusive relationships, those accused of crimes and most of all, ourselves — will be deeply missed.





# reunited and it feels so good

reunion & alumni/ae  
weekend 2010

**OCTOBER 22-23**

NORTHEASTERN UNIVERSITY SCHOOL OF LAW

**Hey, hey,** classes of '50, '55, '75, '80, '85, '90, '95, '00 and '05, save the date for the next Northeastern University School of Law Reunion and Alumni/ae Weekend, October 22-23, 2010. In addition to the reunion class dinners and all-graduates reception, special events are planned for all alumni/ae and their families.

For more information contact the Office of Alumni/ae Relations at 617-373-8268 or go to [www.northeastern.edu/law/alumni/](http://www.northeastern.edu/law/alumni/).



Feminist Theory • Feminist Practice • Women's Experience

# Challenging Boundaries in Legal Education

## A Symposium Honoring Clare Dalton's Contributions as a Scholar and Advocate

This symposium, co-sponsored by the *Harvard Journal of Law and Gender*, will explore the ways in which feminist theory has enriched feminist practice and both shaped and reflected women's experiences. Panels will address the institutional integration of women into law schools and explore its impact. Areas of particular focus will include new theoretical and practical approaches to violence against women, and the growth in attention to women's rights at the global level.

Visit [www.northeastern.edu/law/dalton-symposium](http://www.northeastern.edu/law/dalton-symposium)  
for more information about the symposium  
or to register.

Nov 5, 2010

### PARTICIPANTS:

Keynote address by  
the Honorable Nancy  
Gertner, US District  
Court for the District  
of Massachusetts

### Caroline Bettinger- López

Associate Professor  
of Clinical Legal Education and  
Director, Human Rights Clinic,  
University of Miami School of  
Law •

Lisa Crooms Professor  
of Law, Howard University School of  
Law •

Martha Davis Professor  
and Associate Dean for Clinical and  
Experiential Education, Northeastern  
University School of Law •

Zanita  
Fenton Professor of Law, University  
of Miami School of Law •

Leigh  
Goodmark Director, Family Law  
Clinic, University of Baltimore •

Cheryl  
Hanna Professor of Law, Vermont Law  
School •

Vicki Jackson Carmack  
Waterhouse Professor of Constitutional  
Law, Georgetown University Law School •

Lois Kanter Clinical Professor and  
Executive Director, Domestic Violence Institute,  
Northeastern University School of Law •

Martha Minow Dean of the Faculty of  
Law and Jeremiah Smith, Jr. Professor of Law,  
Harvard Law School •

Deborah Rhode Ernest  
W. McFarland Professor of Law and Director  
of the Center on the Legal Profession, Stanford  
Law School •

Elizabeth Schneider Rose  
L. Hoffer Professor of Law, Brooklyn Law School •

Ann Shalleck Director of the Women and the  
Law Program, Carrington Shields Scholar, American  
University Washington College of Law •

Emily  
Spieler Dean and Edwin W. Hadley Professor of Law,  
Northeastern University School of Law •

Zipporah  
Wiseman Thomas H. Law Centennial Professor of  
Law, University of Texas School of Law at Austin