

Northeastern Law

WINTER 2019

NORTHEASTERN UNIVERSITY SCHOOL OF LAW MAGAZINE | northeastern.edu/law

ABOUT FACE

Northeastern law
professors urge
confronting
the dangers of
facial recognition
technology

Winter 2019

◀ Sitraka St. Michael '20
heads downtown for a
co-op with DLA Piper

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Photograph by **Kathleen Dooher**

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DAVID LEIFER

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DAVID LEIFER

▲ Rachael Rollins '97, newly elected district attorney for Suffolk County, keynotes domestic violence conference.

So Much to Celebrate

THIS YEAR WE CELEBRATE THE 50TH anniversary of the reopening of the law school. Happy 50TH to our entire community! I am very excited and proud to be serving as dean at this historic point in the law school's trajectory. As I celebrate my 55TH birthday this year, I can't help reflecting on the fact that I've spent half of my life as a member of the Northeastern faculty and joined the law school at approximately the halfway point of its reopening.

My initial appreciation for the Northeastern Law ethos of striving for social justice and acting in the public interest was born from my lived experience when I first joined the faculty 27 years ago and has only been reinforced in the subsequent years. Northeastern Law's social justice mission and leadership in experiential education are its foundation. It's a foundation built by the law school community, and it's been a brilliant five decades as witnessed by the many accomplishments and impact of our students, graduates, faculty and staff.

One of the questions I frequently field as a new dean is, "What's your favorite part of the job?" That's easy for me. It's taking pride in the positive impact the Northeastern Law community makes on society — and working to do my part in facilitating that impact. I am always amazed by our graduates' achievements and how you individually and collectively make the world a better place. Our alumni/ae are indeed the backbone of our success, as aptly illustrated in the pages that follow and the accumulated 50 years of tremendous achievement. I am also asked about my vision for the next half-century. A simple answer is: more of the same. Social justice and training lawyers, whatever their practice areas, to change society for the better will always be the essence of this law school. It is who we are, and I believe who we should be in the future.

But, of course, we live in complex times. The landscape has changed since we reopened our

doors. New opportunities and challenges are upon us. As we continue our leadership in the public interest, we are also building toward a future of leadership in the fields of health and technology as they interface with law, public policy and, yes, social justice. A commitment to these fields ensures we remain on the cutting edge of social change just as we did when embarking on this journey in 1968.

We are also extending the law school's reach by offering more opportunities for both broader and deeper classroom-based and experiential learning



"It is an honor for me to serve as dean as we embark upon the next 50 years."

while expanding access to legal knowledge worldwide. We do this as part of, and in partnership with, a university that has itself risen to spectacular heights over the past few decades and is creating a global university system — providing a tremendous platform for us to take advantage of as we move forward.

Indeed, these are exciting times. It is an honor for me to serve as dean as we embark upon the next 50 years. I look forward to the future and the journey with you as a community, bound together by a shared love for Northeastern University School of Law and a commitment to the powerful ideal of doing good in the world.

Best,

James Hackney
Dean and Professor of Law

➔ **Letters** Comments? Kudos? A point you want to make (or three)?

Send letters to *Northeastern Law* magazine, 416 Huntington Ave., Boston, MA 02115, or email to lawcommunications@northeastern.edu.

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News Briefs

MASSACHUSETTS



Maura Healey '98
Attorney General



Rachael Rollins '97
Suffolk County District Attorney

MASSACHUSETTS HOUSE OF REPRESENTATIVES



Tram Nguyen '13
18th Essex District



Natalie Higgins '14
4th Worcester District

Victorious with the Voters

Congratulations to all of our graduates who ran for office and were elected or re-elected in November.

MASSACHUSETTS SENATE



Karen Spilka '80
*Senate President
2nd Middlesex and Norfolk District*



Michael Barrett '77
3rd Middlesex District



Becca Rausch '04
*Norfolk, Bristol and Middlesex
District*

COLORADO HOUSE OF REPRESENTATIVES



Kerry Tipper '10
District 28

Still Feisty at 50!

During Reunion and Alumni/ae Weekend, we celebrated the 50th anniversary of the law school's reopening. It was a solid-gold event!

▶ Watch our video, "50 Years: Celebrating Our Past, Building Our Future," at northeastern.edu/law/50-years.



(1) Jennifer Huggins '98 (left) and Carol Mallory '96 (2) Five decades of co-op and social justice leadership were on display in the university's elegant East Village 17th floor reception space. (3) The Nor'easters, the university's cappella group, performed before a rapt audience of 200. (4) Dean James Hackney (center) and his wife Ann (to his left), were joined in the front row by past deans, faculty members and guests. (5) Rahsaan Hall '98 and Sylvia Struss '96 (6) All hail members of the class of 1993 (from left): Rob Weissman, Seth Kaplan, Liz Stillman, Alison Gardyne, Gordon Moriarty and Joe McConnell. (7) Deans galore! All of our living deans came to campus for a conversation about the law school's history and future. From left: James Hackney (who moderated), Michael Meltsner, David Hall, Jeremy Paul, Emily Spieler, Roger Abrams and Dan Givelber.



DAVID LEIFER (7)

CRRJ Investigation Leads to Street Naming in Mobile

The law school's Civil Rights and Restorative Justice Project (CRRJ) gathered with more than 100 people in the city of Mobile, Alabama, in August to honor the lives of six local black men who were murdered in the 1940s by white men who had not been prosecuted for their crimes. The cold cases were uncovered, investigated and brought to light by CRRJ. Among the victims was Rayfield Davis; his story and CRRJ's work on the case were featured in *The Washington Post*.



Leaders and residents of Mobile held a ceremony to dedicate a street to Rayfield Davis next to the ditch where he was killed in 1948. Those who attended included (above, from left) Art May, president of the Dora Franklin Finley African-American Heritage Trail; Kaylie Simon '11, restorative justice project director for CRRJ; Professor Margaret Burnham, director of CRRJ; Yvette Chestang, a board member of the History Museum of Mobile; and Mobile City Councilman C.J. Small. The event was followed by the opening of an exhibit, "Murders in Mobile," at the History Museum of Mobile, featuring CRRJ's full investigation of the six local murders.



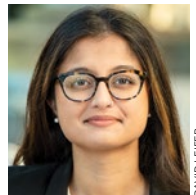
Students Soar

Meskerem Demese LLM '19 was recently awarded an international fellowship by the American Association of University Women (AAUW). Demese, who is from Ethiopia, is pursuing a master of laws with a concentration in human rights. The AAUW selected Demese for the award because "she is a determined person who aspires to create a better and safer environment for children and women."



Meskerem Demese LLM '19

Disha Patel '20 received *Massachusetts Lawyers Weekly's* 2018 scholarship award at the paper's Top Women of Law event last fall. Patel was honored for her "academic accomplishments, leadership qualities and extensive involvement with community service." The daughter of Indian immigrants and the first in her family to go to college, Patel is vice-chair of communications for the law school's South Asian Law Students Association and a volunteer with the Domestic Violence Institute's Legal Assistance to Victims project. Patel is also a long-time volunteer with the American Cancer Society and has completed 300 hours of service through the AmeriCorps Jumpstart Program, among other activities.



Disha Patel '20

McLaughlin Named First Mosaic Fellow

Roger McLaughlin '18 has been named Northeastern University's first Mosaic Fellow. Mosaic is a campus-wide alliance of student-led organizations and entrepreneurially spirited people who share a passion for formulating, building and leading new products, programs and organizations. As the Mosaic Fellow, McLaughlin is playing a leadership role in assisting with the operations of the law school's IP CO-LAB (intellectual property law clinic) and the Mosaic community.

"We are delighted by Mosaic's recognition and support of the IP CO-LAB's role and contributions to the university's award-winning entrepreneurial ecosystem. The community and clinic are already benefiting from Roger's

organizational and leadership skills, keen understanding of the IP CO-LAB and dedication to serving the clinic's clients," said Executive Professor of Law and Business Susan Barbieri Montgomery '86, faculty advisor for the IP CO-LAB.

McLaughlin's responsibilities include improving and managing IP CO-LAB operations within the university and with the US Patent and Trademark Office; working with students and colleges to develop new Mosaic organizations; and coordinating and communicating the IP CO-LAB's services with the rest of the university. In addition to operational duties, McLaughlin is providing IP-related legal services to a variety of clientele at Northeastern.





Dieter Reuther (above, standing), a LEGO Serious Play certified facilitator and self-proclaimed transformation catalyst, told the students, “The LEGO Play method unleashes inherent creative potential by tapping into the mechanics of childhood play.” Nicole Beggiani ’19 (left) unleashed her inner child while building the blocks for her career.



NuLawLab Mixes Work and Play

Sometimes fun and games are a good way to deliver justice and change lives. At least, that's how they see it at NuLawLab, the law school's interdisciplinary innovation laboratory. Its innovative RePresent suite of games, which teach players how to represent themselves in legal proceedings, was recently the subject of an independent evaluation by Dr. Jack Tsai of Yale University. His study found that “the RePresent games have potential to have population-level effects on legal outcomes.” The games were funded by the Legal Services Corporation Technology Initiative Grant program and developed by students and staff in the NuLawLab in collaboration with Northeastern's game design program and Statewide Legal Services of Connecticut. They

can be accessed at www.representgames.org, along with a summary of Tsai's report.

Because NuLawLab likes to play games as well as create them, it hosted two LEGO Serious Play sessions this fall. LEGO Serious Play, an innovative process designed to enhance innovation and business-related performance, is based on research that shows hands-on, minds-on learning produces a deep, meaningful understanding of the world and its possibilities. Dieter Reuther, a LEGO Serious Play certified facilitator, led students in using LEGO to explore career planning for change-making lawyers. “The students all had a blast and came away with real insight about their future paths,” said Dan Jackson '97, executive director of NuLawLab.

AT CENTER STAGE

Brief news from the law school's three Centers of Excellence ...

The **Center for Health Policy and Law**, its affiliated Public Health Law Watch (PHLW) initiative and the **Center for Public Interest Advocacy and Collaboration (CPIAC)** joined forces this fall to submit comments regarding the US Department of Homeland Security's proposed changes to how it determines whether an individual is inadmissible to the United States or for an adjustment of status under section 212(a)(4) of the Immigration and Nationality Act (INA) because he or she is likely at any time to become a public charge (i.e., someone likely to become “primarily dependent on the government for subsistence”). The proposed regulations were published in the *Federal Register* on October 10, 2018. The Center for Health Policy and Law also collaborated with CPIAC to host comment writing parties for students to learn about the issue and submit public comments as well.

The **Center for Public Interest Advocacy and Collaboration** took the lead in welcoming the Supreme Judicial Court's Standing Committee on Pro Bono Legal Services to the law school in November. The committee visits all Massachusetts law schools at regular intervals to hear about each school's pro bono activities and to promote pro bono work. The chair of the committee is the law school's own Elizabeth Ennen '08, acting executive director of the Program on Human Rights and the Global Economy. (We're pretty sure she liked what we had to say!)

The **Center for Law, Innovation and Creativity (CLIC)** teamed up this fall with the **Center for Health Policy and Law** and the law school's New Markets program to launch a Lunch & Learn Speaker Series aimed at increasing student access and engagement with graduates and practitioners in non-traditional legal roles.

In November, **CLIC** coordinated with the law firm C.A. Goldberg to hold a moot court of a US Court of Appeals for the Second Circuit argument in a products liability case against Grindr. Students were invited to serve as judges and opposing counsel.

In China, Klare and Williams Exchange Ideas and Lessons

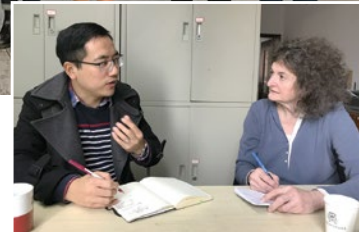
In November, professors Karl Klare and Lucy Williams taught a three-week mini-course on labor rights and social welfare law to graduate law students at Wuhan University School of Law in China's Hubei Province. The law school has a long-standing memorandum of understanding with Wuhan University School of Law that provides a framework for student and faculty exchanges in both directions. Most recently, several Wuhan students have pursued LLMs at Northeastern.

"This was my second trip to Wuhan," said Williams, who first visited the school as a Fulbright Specialist last April. "These experiences in Wuhan have been invaluable for my work on social and economic rights."

Klare said he was nervous about how the teaching experience would go. "I needn't have been," he said. "Our students and colleagues were extraordinarily generous with their time and hospitality. The students were very engaged and committed to understanding where we are coming from and helping us to understand their situation and aspirations. As a labor lawyer, I was particularly intrigued by what the students taught me about parallels we can observe in current employment law issues in China and the US, despite the vast political and cultural differences. A highlight of our visit was meeting brave and imaginative legal aid and grassroots NGO lawyers who spend their days working for social justice."



Professors Karl Klare and Lucy Williams (above) were joined by students in their mini-course at Wuhan University's main gate. Professor Lucy Williams (right) met with Ding Peng, executive director of East Lake Institute for Social Advancement, an NGO that focuses on social aspects of human rights.



Immigrant Justice Clinic Wins First Asylum Case

The law school's new Immigrant Justice Clinic has won its first asylum case. The grant of asylum for a woman from Mexico and her son was the culmination of almost a year of clinic work among six different students and the two faculty directors, Rachel Rosenbloom and Hemanth Gundavaram.

Clinic students spent hundreds of hours on this case doing a range of work, including interviewing the client dozens of times, writing a declaration of the client's story to present to the government, researching the conditions in Mexico and writing numerous versions of a legal brief based on an ever-changing legal landscape.

"This was holistic, team-based lawyering at its finest and a very hard-fought victory," said Gundavaram. "The client is thrilled to finally feel safe in the United States and to remain here with her family. The grant of asylum means that the client and her son can remain in the US, seek a green card in one year and gain citizenship in five years."

PHAI Helps Secure \$113.3M in Virgin Islands Tobacco Cases

In August, the law school's Public Health Advocacy Institute (PHAI) helped secure \$113.3 million in verdicts against R.J. Reynolds in two cases — *Gerald v. R.J. Reynolds Tobacco Co.* and *Brown v. R.J. Reynolds Tobacco Co.* — that were brought by two now-deceased smokers who had been hooked on Newport cigarettes as minors. The cases were tried simultaneously in the Virgin Islands, with both juries together hearing evidence common to both cases, and each separate jury hearing issues such as medical testimony that was specific to its case. These were among the largest verdicts achieved to date in individual tobacco litigation.

The case was brought by St. Thomas attorney Russell Pate and tried by attorneys Michael Weisman, who is of counsel with PHAI, and Gordon Rhea, a former special assistant to the US Senate investigating committee who is now in private practice with Richardson, Patrick, Westbrook & Brickman. The trial attorneys were assisted by PHAI attorney Meredith Lever '14. "The trials provide good experience and a boost of morale as PHAI is preparing for three cases set to go before Massachusetts juries in the coming year," said Professor Richard Daynard, president of PHAI and one of the main strategists in the lawsuits.

Hear a Lecture, There a Lecture

Fall 2018 Lectures and Conferences



DAVID LEIFER (2)



During an intensive course held over two weeks, Leah Aden (left) shared her insights and experience with 25 students.

Givelber Distinguished Public Interest Lecturer Program

Leah Aden, Senior Counsel, NAACP Legal Defense and Educational Fund

(9.20-29.18) In honor of Professor Emeritus Dan Givelber's outstanding contributions to the School of Law as dean and faculty member, the Givelber Distinguished Public Interest Lecturer Program brings leading public service practitioners to the school as visiting faculty so they may share with students and faculty the challenges and satisfaction of public service practice. In the fall, Leah Aden, who serves as senior counsel at the NAACP Legal Defense and Educational Fund, shared with students her experience in using litigation, legislative, policy and public education strategies to ensure that black and other people of color have equal access to the political process, economic opportunity and environmental justice.

Center for Law, Innovation and Creativity (CLIC)



MICHAEL MANNING

Author Event Featuring Professor Jennifer Rothman

(10.1.18) Jennifer Rothman (left), professor of law and the Joseph Scott Fellow at Loyola Law School, Los Angeles, spoke about her new book, *The Right of Publicity: Privacy Reimagined for a Public World*.

AI, Media and the Threat to Democracy

(10.12.18) In cooperation with the School of Journalism in the College of Arts, Media and Design, CLIC co-sponsored a conference featuring a group of award-winning journalists, innovative scholars and practitioners who discussed the impact of artificial intelligence on democracy.

Author Event Featuring Professor Brett Frischmann

(11.14.18) In November, CLIC welcomed Professor Brett Frischmann, Charles Widger Endowed University Professor in Law, Business and Economics at Villanova University School of Law, to campus for a discussion about his new book, *Re-Engineering Humanity*.

Daynard Distinguished Visiting Fellows Program

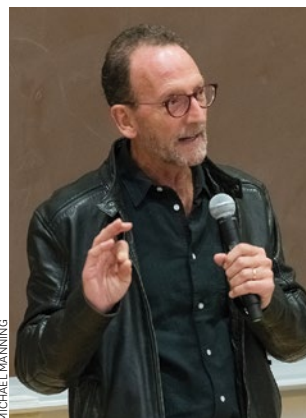
Roundtable: Defying Borders and Binaries: Legal Resistance and Civil Disobedience During the Rise of White Nationalism

(9.24.18) Daynard Visiting Fellow Prerna Lal, founder and managing attorney of Lal Legal, came to the law school for three days in September to share their experience as a formerly undocumented immigrant, strategist and mobilizer. Lal was integral to establishing United We DREAM and the DreamActivist network, both led by undocumented youth, and was among those who led national efforts to extend DACA and other related initiatives. After earning a law degree, Lal provided immigration legal services to more than 500 students and their family members through a partnership between East Bay Community Law Center and UC Berkeley's Undocumented Student Program. While in residence at the law school, Lal delivered a community lecture, "Immigrants Making America Great Again: Lessons from an Undocumented Immigrant Turned Lawyer," in addition to participating in a roundtable.



DAVID LEIFER (2)

Prerna Lal (top) discussed legal resistance to white nationalism during a roundtable with (above, from left) Patricia Montes, executive director of Centro Presente; Daniela Carvajal, immigrant rights organizer at Centro Presente; and Marisa Howe, managing attorney for Kids in Need of Defense (KIND) in Boston.



MICHAEL MANNING

School of Law

Screening and Filmmaker Discussion Featuring David Heilbroner '84

(10.3.18) David Heilbroner '84 (left) came back to the law school for a special screening of "Traffic Stop," his Oscar-nominated short film about Breiaion King, a 26-year-old African-American elementary school teacher who was pulled over by a white police officer for a routine traffic stop. The incident escalated into a violent arrest, followed by a conversation about race in America between King and a white officer while he drove her to the station.

David Heilbroner's recent film, "Say Her Name: The Life and Death of Sandra Bland," is available on HBO.

Program on the Corporation, Law and Global Society in cooperation with the Institute for International Human Studies and Harvard Law School's Institute for Global Law & Policy

Workshop: Exploring the Corporation In and Through History

(10.5-6.18) In October, Professor Dan Danielsen, director of the law school's Program on the Corporation, Law and Global Society, welcomed colleagues from

across the globe for two days of discussions and reflections on the past and future role of corporations in empires, governance, democracy and politics.

Faculty Forum

Faculty Book Forum Series with Professor Libby Adler

(10.10.18) In October, Professor Libby Adler '94 discussed her new book, *Gay Priori: A Queer Critical Legal Studies Approach to Law Reform* (Duke University Press, 2018), with the law school community as part of a series featuring new books by our faculty. Upcoming books forums will feature Professor Woodrow Hartzog, author of *Privacy's Blueprint: The Battle to Control the Design of New Technologies* (Harvard University Press, 2018), and Professor Rashmi Dyal-Chand '94, author of *Collaborative Capitalism in American Cities: Reforming Urban Market Regulations* (Cambridge University Press, 2018).



DAVID LEIFER

Legal Skills in Social Context

Legal Writing Workshop: Increasing Critical Engagement — How to Get Students to Get Serious

(12.7.18) Increasingly, law schools and law students are recognizing the importance of skills teaching. Law students in particular understand the critical role that skills learning has in their law school career — as preparation for co-ops, internships and post-graduate employment. But the practice of law is evolving, and the student body is changing. This national workshop brought together legal writing instructors to discuss how to adapt teaching to meet these new demands and innovations.

Center for Health Policy and Law

Annual Health Law Lecture: #JusticeforJane: What Happened and What Comes Next in the Fight for Abortion Access

(11.9.18) Over the past two years, Brigitte Amiri '99 (left) has been at the center of a national, high-profile lawsuit challenging the Trump administration's policy of preventing young immigrant

women from having abortions. In 2017, Amiri successfully argued on behalf of a 17-year-old woman, Jane Doe, who was able to get abortion care after an appeals court in Washington, DC, issued a decision that cleared the way. Amiri, who delivered the Center for Health Policy and Law's annual lecture, highlighted the efforts of the ACLU and its partners fighting for health care access and protections for unaccompanied minors who are in government custody. Amiri talked about the steps, challenges, setbacks and successes in the ACLU's work to litigate on behalf of unaccompanied minors to ensure access to abortion services when the circumstances necessitate such actions.



MICHAEL MANNING

Northeastern University Law Review Symposium

Rethinking Borders: Climate Change, Migration and Human Rights

(11.2.18) The law review's annual symposium was co-sponsored by the law school's Program on Human Rights and the Global Economy, Center for Public Interest Advocacy and Collaboration, chapter of the International Refugee Assistance Project and the Sweden-based Raoul Wallenberg Institute of Human Rights and Humanitarian Law.

Physical and legal borders — as well as the concept of borders themselves — were discussed, with the goal of developing innovative solutions to the immigration and refugee crisis.



MICHAEL MANNING

Civil Rights and Restorative Justice Project (CRRJ)

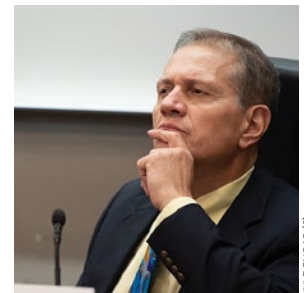
Past Harms, Present Remedies: Law Enforcement and Families Affected by Historical Police Violence in Conversation

(10.20.18) In cooperation with Loyola University New Orleans College of Law and the National Network for Safe Communities at John Jay College of Criminal Justice, CRRJ convened

this event in New Orleans to bring together law enforcement and families affected by historical police violence for an unprecedented conversation about the past and present.



Panelists included Professor Margaret Burnham (right), director of CRRJ, and Professor Andrea Armstrong of Loyola University New Orleans College of Law.



Louis Dekmar, chief of police for the LaGrange Police Department

KYLE ENCART (2)

Domestic Violence Institute and Center for Health Policy and Law

Finding the Nexus: Linking Systems for Domestic Violence Survivors

(12.14.18) Survivors of domestic violence face innumerable barriers when accessing judicial and social service systems. With no central hub, services such as shelter, housing, benefits and education splinter into additional systems to navigate and manage. From there, it gets even more complicated: with offices and organizations that are disjointed, siloed, not easily accessible or conveniently located, not inclusive, and unable to effectively collaborate and communicate among themselves. This conference explored the many barriers domestic violence survivors face as well as potential solutions to bridging the gaps and linking the systems.



In her keynote address, Rachael Rollins '97, newly elected district attorney for Suffolk County, emphasized the need for district attorneys and other members of the legal system to meaningfully collaborate with advocates and community organizations.

DAVID LEIFER

Co-op Matters



At Home in the Law

Sitraka St. Michael '20 took the circuitous route to law school in every sense of the word. He grew up in Madagascar and France, went to high school in Canada, attended Princeton

University in New Jersey and then worked in Chicago and San Francisco. He came to Boston in 2015 to earn a Master in Divinity from Harvard before starting law school.

VITALS

Sitraka St. Michael '20
Co-op with DLA Piper
Boston, Massachusetts

"Law school was always the plan," St. Michael explains. "But I wanted to read, think and write about ethics and emotional intelligence first as a way to be as grounded as possible before immersing myself in the law." That grounding has put St. Michael in good stead. "I love the law," he says. "I've arrived in a field that empowers me to be efficient, energetic and ambitious all at once."

St. Michael took those ambitions on co-op first at the Massachusetts Attorney General's Office and now in the real estate department of DLA Piper's Boston office. "My co-op at DLA Piper was my first exposure to transactional work," he says. "The fast pace and the premium on getting things done fit my personality well."

He has relished his experience at DLA Piper, especially his involvement with the sale of a major building and the formation of a real estate investment fund. "I love learning something new and complex while helping move the ball forward. This co-op allowed me to do both. I am thankful for how much I have grown since I joined the Northeastern community and am very excited about the journey ahead."

—Maura King Scully

VITALS

Alissa Weinberger '20
Co-op with Social
Justice Collaborative
Berkeley, California



“On co-op, I was floored by how fast immigration law is changing and how difficult it is to keep up with the changes. The flip side is that I was able to work on many cutting-edge briefs and put forward novel and creative arguments in my writing on behalf of people who have given up everything to come to this country.”

“Since I am primarily interested in a career in litigation, I decided to co-op with a judge. The judge and the clerks treated me as an equal, listening to my independent legal opinions and allowing me a lot of latitude in writing my initial opinion drafts. In turn, they gave me invaluable feedback that helped me sharpen my arguments and skills.”

VITALS

Samantha Westbrook '19
Co-op with the Honorable
Alfred Covello, Senior US
District Judge, US District
Court for the District of
Connecticut
Hartford, Connecticut



ABOUT FACE

**NORTHEASTERN LAW PROFESSORS
URGE CONFRONTING THE DANGERS
OF FACIAL RECOGNITION
TECHNOLOGY**

BY ELAINE MCARDLE



Houston, Texas
Female Age 57



Locating record...



Oakland, California
Male Age 43



Madison, Wisconsin
Female Age 27

Facial recognition technology (FRT) is perhaps the most exciting technology unfolding today. So much convenience: Imagine never again struggling to remember a password to use your debit card, open your laptop or buy something online — because a camera will recognize your face and determine if you’re really who you say you are. The possibilities are endless. Apple is currently promoting its new Face ID as a better option for unlocking your iPhone, and you already know how fun it is to “tag” yourself in photos on Facebook to connect your face to your name (and, in the process, contributing to a vast database of facial identities under Facebook control). In some companies, employees don’t need money at the cafeteria: a camera recognizes their faces in the checkout line and adds purchases to their account.

Then there are the truly powerful uses for this growing database of faces: tracking down criminals, locating terrorists, finding missing children. The FBI and the US military see FRT as “very crucial technology” for surveillance and law enforcement purposes, and are investing in it, says Dr. Raymond Fu Yun, an associate professor of electrical and computer engineering at Northeastern, who has been working in the FRT field since 2001. “From a technological perspective, I think facial recognition is very useful for many aspects of human life,” he says.

With all these remarkable benefits, where’s the harm?

Surveillance on Steroids

Where *isn’t* the risk of harm, warn law professors Woodrow Hartzog and Andrea Matwyshyn, who are among a growing chorus of technology experts, human rights activists and civil libertarians deeply worried about the implications of FRT.

From wrongfully identified people being arrested or killed by law enforcement to totalitarian abuses — despots using it to identify and arrest government protestors in large crowds, for example — FRT is the “most uniquely dangerous surveillance technology ever invented,” cautions Hartzog, a professor of both law and computer science. “FRT is a surveillance practice on steroids, and that should terrify everyone — or at least give them cause for concern.”

Our sense of privacy may soon be dead. “The future of facial recognition, if fully realized, means we will never be able to hide again,” says Hartzog. By “hide,” he means that the simple obscurity in which all of us but celebrities dwell — being able to walk down the street in anonymity, let alone join a government protest — is over.



And the possibilities for abuse or mistakes are terrifying, Hartzog and Matwyshyn agree. Last July, the ACLU conducted an experiment with Amazon's FRT software, Rekognition, comparing databases of known felons with photos of members of the US Congress. Rekognition incorrectly identified 28 members as criminals; 40 percent of those misidentified were people of color. When it was revealed this year that Amazon was selling Rekognition to the US government, Hartzog joined a large coalition, including the ACLU and Amazon shareholders and employees, demanding the company stop.

It didn't, Hartzog notes.

The potential for government abuse of FRT is so enormous, he says, it would make Big Brother shiver with delight. Meanwhile, facial-identity databases, already being compiled by Facebook and other companies, are ripe for seizure by third-party malicious attackers, Matwyshyn adds. "Since everybody can find an upside to this technology," Hartzog warns, "we are not treating it as dangerous as it really is."

Pay Attention

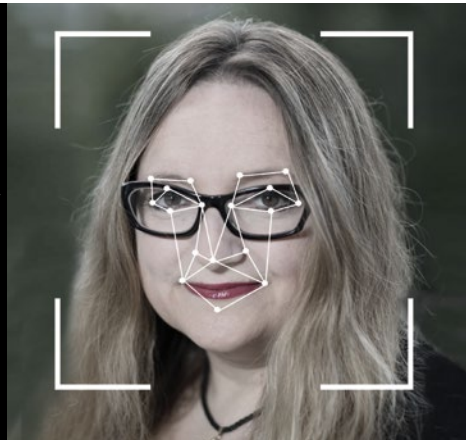
The public simply isn't paying attention, note the law professors. Many people are opting into FRT a bit at a time without recognizing the full impact; anyone who tags herself in a photo on Facebook, for example, has already become part of Facebook's FRT database. "It's a slow creep," says Matwyshyn. "Technology is never foisted upon us in one dramatic social change; it slips in slowly, getting us more comfortable with increased levels of data aggregation and surveillance."

"Facebook asks us to opt in, and then Twitter does and then Instagram, and five years from now, we'll look up and [FRT] is implemented in every aspect of what we do," Hartzog says. "And the databases we thought only Facebook had are promiscuous not only in industry but also in government."

Once the FRT infrastructure is in place — a process already underway — people will lose any ability to opt out. Apple is planning to phase out fingerprint readers for unlocking iPhones in favor of FRT, and some airports are testing FRT as an alternative to boarding passes for people getting onto flights. "If that goes well, everyone will adopt it, and then airports will start to make it mandatory because of the perceived security benefit," Hartzog says. From there, "it's only a short jump to mandatory FRT in many other government-controlled settings."

"THE QUESTION FOR US IS, DO WE WANT TO LIVE IN THAT KIND OF SOCIETY? MY ANSWER IS NO."

ANDREA MATWYSHYN



And that very well could lead to the worst-case scenario: "You have a turnkey system for despots and authoritarian uses," Hartzog says. "They can leverage the entire system for oppressive purposes, even though it was built for other reasons. If we continue along this track, we might look up one day and be trapped."

"The question for us is, do we want to live in that kind of society?" Matwyshyn asks. "My answer is no."

Hartzog argues that we need a better understanding of the many different kinds of facial recognition technologies and their uses to tackle this problem. "There are, of course, some very positive uses for facial recognition technology," Hartzog says. "Facial recognition can be used to secure our phones, find missing people, power robots and automated vehicles, and provide significant aid to those who have impaired abilities. Whole categories like 'facial detection' tools, which simply distinguish faces from other objects, don't bring up the same concerns as, say, matching faces in a crowd to specific identities." Because FRT offers so many attractive uses, "unless there is either social movement or technical or legal barriers put in place soon, people will probably continue to adopt facial recognition," Hartzog says. "The important thing will be to distinguish between the benign and problematic uses and designs."

"I think privacy is definitely an issue," says Yun, "but that doesn't mean you kill the whole field." While the job of engineers like himself is primarily "to make the technology work," he adds, "For any technology that's going to transform the lives of human beings, it needs to be carefully discussed by people from different fields."

That's where Hartzog and Matwyshyn, both experts in law, technology and privacy rights, have stepped up and become increasingly vocal about FRT. "We're not a fun duo at faculty parties. We're the two downers," Matwyshyn says, with a laugh.

Right now, one of the most pressing concerns related to FRT is its high error rates, especially in identifying people of color and women. But that rate will almost certainly decline the more that the technology is used, which "leads to the even more oppressive problem of having facial recognition as a ubiquitous surveillance in every aspect of our lives at every point," Hartzog warns.

What the world needs, Hartzog says, is "an open mind to more robust measures like moratoriums and bans," as well as "better rules for the use, development and storage of facial recognition technology." Industry leadership is essential, with private companies imposing moratoriums on selling their databases to the government or other companies. Government agencies should also enact self-imposed moratoriums to resist FRT "because of the tendency of surveillance systems to become entrenched, combined with the uncertainty surrounding what our facial recognition future should look like," Hartzog says.

As for the general populace, "we need a little more skepticism and perhaps even reverence for the sheer power of facial recognition technology and the danger in normalizing it," Hartzog urges.

Sounding the Alarm

Both Hartzog and Matwyshyn have met with federal and state regulators and legislators to sound the warning bell, and Hartzog says he is finding "budding interest" on both sides of

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FIGHTING THE CURRENTS

BY JERI ZEDER

FIND A BODY OF WATER on a map and trace upstream. Farther. Now farther still. Go all the way back to the most intermittent streamlets, the source-waters, the headwaters of our nation, and imagine how they shrink and swell with the seasons. They trickle, trip, rush and fall into our streams and rivers, smoothing rocks, moistening silt, nourishing mosses along the way. They fill our aquifers and reservoirs, brightly spilling out as drinking water from the taps of one in every three Americans.


Addressing water pollution was a priority of the Obama administration. After extensive rulemaking that was backed up by a thousand scientific studies and a million comments, the administration issued the Clean Water Rule in 2015. That rule reinforced and clarified the scope of federal protections for more than half of our nation's streams, including headwaters. It was the culmination of nine years of

ENVIRONMENTAL LAWYERS GET CREATIVE TO KEEP OUR AIR AND WATER CLEAN

advocacy by people like John Rumpler '96, senior attorney and clean water program director for Environment America, a state-based, citizen-supported advocacy group.

The Trump administration has moved to block it.

The attempt to “repeal and replace” the Clean Water Rule is but one of the dozens of federal environmental protection rules being rolled back by the Trump administration. Should the rollbacks take effect, we are likely to see greenhouse gas emissions increase, habitats destroyed, more hazardous substances such as arsenic, lead, mercury, selenium, chromium, cadmium and per- and polyfluoroalkyl substances (PFAs) discharged into our waters, and more benzene, metals and other toxics polluting the air.

A man with short brown hair and blue eyes stands outdoors by a river. He is wearing a blue and white plaid button-down shirt over a white t-shirt, and blue jeans with a black belt. His hands are in his pockets. The background shows a calm river, a sandy bank, and bare trees under a cloudy sky.

**“THE MORE HOPELESS
A SITUATION LOOKS,
THE HARDER I WORK.”**

TODD TUCCI '00

Standing between these rollbacks and the delicate ecology of the earth is a body of law that is being expertly deployed by public interest lawyers. They are setting the table for successful challenges of anti-environment federal rules by ensuring that the voices of scientists, environmentalists, businesses, hunters, anglers, mayors and town and city councils are extensively represented in public comments. They include state attorneys general who are acting in concert to defend public health and environmental protections. And they are doubling-down and taking the long view.

ROLLING BACK

Federal environmental rollbacks are not new. What is different now, Rumpler says, “is the tone of the administration, the completely brazen and transparent way in which the administration is launching these attacks,” and the fact “we have one party whose leadership appears to be positioning itself as uniformly hostile to environmental protection.”

Andrew Wheeler, for one, would surely take issue with criticisms like these. Wheeler is the acting EPA administrator and nominee to head the agency. As he indicated to *The Washington Post* in July, he believes that the EPA overstepped its authority when it promulgated the Clean Water Rule. “I think our role is to follow the statutes that are provided to us by Congress,” he told the *Post*. “And I think that the statutory directives are very small.”

“I know that there’s a number of senators that would like us to go much further, but of course environmental organizations would love us to go much further,” he continued. “But you’re not going to see the EPA, at least under my direction, make up a lot as we go along. We’re going to follow the law that Congress has given us.”

Wheeler was a prominent coal and mining lobbyist before becoming the EPA’s acting administrator. The Department of the Interior, which is charged with managing and protecting federal lands, was headed by Ryan Zinke until he was forced to resign in December. When Zinke was Montana’s representative in Congress, he voted against the environment and for fossil-fuel interests 96 percent of the time, according to the League of Conservation Voters.

“This administration is remarkably beholden to, and run by appointees affiliated with, fossil fuel industries,” says Professor Lee Breckenridge. Under such leadership, federal agencies are actively cutting initiatives like the

NASA Climate Monitoring Program, which funds pilot projects to improve the tracking of global carbon emissions, and shutting down expertise, like the Particulate Matter Review Panel, a group of scientists that advises the government on air pollution. And even though our nation’s suite of environmental laws and public land management statutes — including the Clean Water Act, Clean Air Act, National Environmental Policy Act, Federal Land Policy and Management Act and the National Forest Management Act — demand structured benefit/cost analyses and careful attention to environmental impact and human health effects, these legal frameworks are being deliberately undermined and ignored. “The Trump administration has overtly focused on dismissing and undervaluing the public health benefits of strong environmental protections — benefits such as avoided hospitalizations and asthma attacks and reduced numbers of deaths,” Breckenridge says. “Some other important public benefits that get overlooked in the indiscriminate efforts to roll back regulations are the many jobs and profitable industries that we can have in the renewable energy sector.”

“Under the Trump administration, EPA’s staff and funding is being slashed, which means major cuts in monitoring and enforcement programs. In many respects, the EPA of today isn’t able to do its job,” says Heather Govern ’13, staff attorney and director of the Conservation Law Foundation’s Clean Water Program.

The results of the deregulatory agenda can be seen on several fronts. In an unusual move, the Supreme Court stayed the implementation of the Clean Power Plan, a set of final rules from 2015 to control greenhouse emissions, pending litigation in the Court of Appeals, which, in turn, has held the litigation in abeyance at the behest of the Trump administration while the EPA works on a replacement rule.

Equally unusual is the administration’s attempts to undo, for the sake of mining and drilling interests, Obama’s establishment of the Bears Ears National Monument under the Antiquities Act of 1906. “Never, not once, in 112 years has any president ever de-designated a national monument with the sole purpose of undermining the protection of the national resources that the monument designation created,” says Todd Tucci ’00, senior attorney for Advocates for the West, an environmental protection public interest law firm, based in Idaho and Oregon.

Tucci’s response to the situation? “The more hopeless a situation looks, the harder I work,”

he says. Advocates for the West specializes in litigation on behalf of national, regional and local environmental organizations. Tucci litigates against the government in federal courts, nimbly developing narratives that will win cases. He is well aware that an environmentally hostile Trump administration is increasingly nominating federal judges who are being confirmed by a compliant, Republican-majority Senate, but that just makes him want to work harder.

“This time will pass,” he says. “We will endure. We will lose some areas, which is heartbreaking, but the task at hand is to limit our losses so that we can win, in the end, and we can protect the wildlife and wild lands for our children and future generations.”

Some of the most effective advocates for the environment have been state attorneys general. “The environment and science are under an unprecedented attack by an administration beholden to the fossil-fuel industry. That’s why it’s more important than ever that states take the lead in addressing climate change and hold the Trump administration accountable for enforcing the laws that protect the air we breathe and the water we drink,” says Massachusetts Attorney General Maura Healey ’98.

UNITED WE STAND

In that vein, a coalition of state attorneys general has brought a number of lawsuits against the federal government for rolling back or otherwise failing to enforce rules that address pollution and the emission of greenhouse gases. Since early 2017, Healey’s office has joined or initiated more than 30 actions — including filing and intervening in lawsuits, filing amicus briefs and submitting extensive rulemaking comments. Many are still pending, but in notable wins, the DC Circuit Court of Appeals blocked the EPA from unlawfully suspending regulation of leaks of methane and other pollutants from new sources in the oil and gas sector; the US District Court for the Northern District of California ordered the US Department of Energy to implement air pollution-reducing energy efficiency standards; the DC Circuit Court of Appeals ordered the EPA to stop the delay of rules that would prevent chemical explosions and accidents; and the Ninth Circuit Court of Appeals ordered the EPA to ban the neurotoxic pesticide chlorpyrifos. Faced with litigation, the EPA also ended its delay of statutorily required designations that address ozone pollution, and it reversed a pledge not to

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**Northeastern's clinics change lives while
training lawyers, one case at a time**

By Andrew Faught

Standin

Domestic Violence Clinic



From left: Nuryllen Aguasvivas '19, Professor Margo Lindauer '07, Shaquera Robinson, Jennifer Cullinane '19 and Daniel Bateson '18

g Up for Justice



IT'S NO SECRET THAT NORTHEASTERN University School of Law is the nationwide leader in practical training. While the law school's co-op program sets it apart, the thousands of students who have taken part in the clinical program often sum up the experience simply as life-changing.

"In the clinics, you see students deepening their understanding of the law and coming to really appreciate the work by doing it side by side with faculty," says Professor James Rowan, director of the clinical program. "The students are making a difference for themselves and for their clients."

All told, upper-level students provide more than 20,000 hours annually of no-cost legal assistance to those who in many instances can't afford representation, while gaining hands-on experience that gives them valuable insights into work they will do beyond Northeastern. Unlike co-op, in which students work full time under the direct supervision of lawyers and judges in the field, the clinical program takes place during students' academic terms, with faculty experts providing guidance and feedback as students work through often-thorny cases and complicated legal matters.

Each of the clinics — Civil Rights and Restorative Justice, Community Business, Domestic Violence, Immigrant Justice, IP CO-LAB, Poverty Law and Practice, Prisoners' Rights and Public Health — aim to impart to students skill sets that ready them for careers in every field of law.

Rowan has another abiding objective for the students that he oversees. "I hope that they take some habits of reflection and of preparation," he says, "and an attitude of providing service as a way of being. It's a way of honoring their professional independence to serve people in need and give back to society."

Here is a glimpse into the impact of three of these dynamic clinics.

Photographs by **Dana Smith**

Combating Domestic Violence

In the United States, nearly 20 people per minute — or more than 10 million men and women per year — are physically abused by an intimate partner, according to the National Coalition Against Domestic Violence.

They include Shaquera Robinson of Boston, who, with the help of the Domestic Violence Clinic, was able to secure a permanent restraining order against her former boyfriend. Daniel Bateson '18, Nuryllen Aguasvivas '19 and Jennifer Cullinane '19 took the lead in guiding Robinson through defending her restraining order process after her abuser attempted by multiple motions to have it vacated.

"The students and faculty were there to support me through and through," says Robinson, a mother of three. "I was drained emotionally. I was having to make decisions that were final while still combating my transformation from loving my abuser to loving my life more because it's best for my children."

As a result of her experience with the clinic, Robinson is now trying to help other victims of violence. "I started my own advocacy program, where we can refer people in violent situations to agencies that can help them," she explains.

To prepare for client interactions, clinic students engage in role-play simulations that allow them to practice their lawyering and litigation skills with feedback from faculty and peers. "I had an amazing, enriching and rewarding experience at the clinic," Aguasvivas says. "It's hands-on, and it helps you think on your feet. With Shaquera's case, it was emotionally a lot to deal with. Sometimes by the end of the week I was mentally and emotionally drained, but helping clients like Shaquera is the best reward for me."

Clinic students also help clients obtain 258E orders — a harassment prevention order, restraining order or protective order — against stalkers and perpetrators of sexual assault.

Aguasvivas says she plans to go into private practice but notes that the skills she acquired in the clinic are useful in every field of law. And she foresees a future in which she continues handling pro bono work on behalf of domestic violence victims. "One thing the clinic taught me was how to be personable enough with the clients, so they'll know that you're trying to be there for them," she says. "A lot of domestic violence victims don't always feel comfortable sharing their experiences with people. Client interaction is definitely one of the skills that I will be taking with me in my toolkit."

Professor Margo Lindauer '07, head of the Domestic Violence Clinic, emphasizes "holistic lawyering" with the students. "It's meeting the client where they are and seeing what their self-identified needs are," she explains. "Clients are the best narrators of their experience, and lawyering doesn't happen in a silo. My goal is to be empathetic and empowering to the clients, and I want to instill that in my students."

Restoring the Net

It's the biggest fraud in Social Security history: Kentucky lawyer Eric Conn bilked \$550 million in disability payments from as many as 900 of his former clients. In September, he was sentenced to 27 years in federal prison.

One of Conn's victims, Gregory Chaffins, turned to the Poverty Law and Practice Clinic on the advice of a law firm in Pikeville, Kentucky, where Chaffins lives with his mother after suffering a broken neck in a 2007 car accident. "I worked heavy construction for 35-plus years, but I can't stand for more than 20 to 30 minutes," says Chaffins, 59, who is fighting to get his monthly \$1,132 in disability payments reinstated in the wake of the government's investigation of Conn.

Helping Chaffins submit an application to the Social Security Administration last summer was Andrew Kinde '19 who, with

classmate Megan Hiserodt '19, spent hours on the phone guiding their client through the process. It was one of six cases in which students offered assistance to a former Conn client.

"We collected all of Gregory's medical history and any documentation that he had, and then created the appropriate argument for why Gregory is entitled to Social Security Disability Insurance," Kinde says.

Chaffins' hearing is pending. "It was a really good experience in terms of understanding how our welfare system works and the flaws within the country's Social Security structure," Kinde says. "This is one of the reasons that I went to law school: to try to help others who are less fortunate and who need assistance in making the law work for them."

One of the biggest takeaways from the experience, Kinde adds, is understanding

the toll that can be exacted by a single unscrupulous lawyer.

"It was scary to realize how much trouble one bad lawyer can do," he says. "It goes to show how much responsibility lawyers have to zealously advocate for their clients and to put their clients above themselves. That's what being a lawyer is all about."

Kinde took part in the clinic to better understand the nation's health care and welfare systems. He plans to pursue a career in energy and environmental law, particularly concerning impoverished populations. The clinic experience, Kinde says, "gave me a different perspective on poverty law and ways to help those who are less fortunate."

Chaffins, meanwhile, regularly expressed appreciation to the students. "He couldn't thank us enough, and he was so glad that we were able to help him," Kinde says. "It was a really good feeling."



Professor Jim Rowan (left) with Megan Hiserodt '19 and Andrew Kinde '19

Reinforcing Humanity

For Laura Brewer Bermudez '17, taking part in the Prisoners' Rights Clinic was a reminder that empathy — and not just legal probity — plays a critical role in the quest for justice.

"People often don't commit crimes because they want to commit crimes," says Bermudez, now a public defender in the Committee for Public Counsel Services' New Bedford office. "There are a series of events that are set in motion and, statistically, things only get worse when they enter the system."

As a student, Bermudez and classmates Hala El-Khair '16, Eric Barton '17 and Stephen Fuller '17 led efforts to secure parole for a Massachusetts man who had served 41 years in prison after being convicted of second-degree murder in the death of a woman in 1972.

Because the man was a minor when he committed the crime, he was entitled to extra protections as a matter of federal and state law, including a "meaningful opportunity" to be released from prison, says Professor Wally Holohan, who oversees the clinic with adjunct professor Patricia Garin '84.

In 2015, Bermudez and El-Khair represented the man at a parole release hearing, which was denied. The following year, the four-member student team drafted a lengthy appeal to the parole board, which resulted in granting a rehearing. In August 2017, Bermudez and Garin represented their client at his 10th hearing — the man, then 62, was finally granted parole. Northeastern law students in the Prisoners' Rights Clinic had been working for 25 years on his behalf.

Were it not for the clinic, the man, who does not want his name published, has little doubt he'd still be in prison. "They most definitely made the difference," he says. "They know what the board is looking for, and they really work hard for you. You can tell that they care. They're invested in the clients that they represent. No one would fight for me like they did."

Bermudez says she joined the clinic because of a longstanding interest in representing marginalized populations. "I saw how the criminal justice system failed people who have so much to offer society," she adds.



Professors Patricia Garin '84 (left) and Wally Holohan with Laura Brewer Bermudez '17

"In the clinic, our goal is to ensure that each student learns how to zealously represent their client's interests and to protect the client's rights to due process and fair treatment," explains Garin.

Bermudez echoes Garin's point: "This type of work is necessary for ensuring that the state is held accountable to its duty to justice," says Bermudez. "It's a duty that often gets blurred in hysteria and jadedness, so there have to be people who can pierce that and remind society that these are our fellow human beings."

Adds Holohan: "What's missing in our criminal justice system and prison system is a sense of compassion, understanding and forgiveness. We encourage students to fight to change the prison system and to volunteer to represent a prisoner as much as possible. I'm always amazed at how our students rise to the challenge, how dedicated they are to securing justice."

Andrew Faught is a freelance writer based in Fresno, California. He has written widely on issues and ideas involving higher education.

About Face

Continued from page 15

the aisle. (Privacy “should be a nonpartisan issue,” he insists.) In December, he testified before the Federal Trade Commission’s two-day hearing on competition and consumer protection. The agency is in the midst of reassessing its entire approach in the digital era. He has also recently published articles about the perils of FRT in *Medium* and *The Guardian* and was interviewed on “CNN Business.” He says he’s going to keep “banging the drum, trying to continue to make the case to the public and lawmakers about the dangers of this technology and the need for more robust and sophisticated rules regarding it.”

Matwyshyn, for one, is optimistic that “there are some pretty easy fixes” as a starting point. For example, on the state level, legislators could begin by applying basic contract law to legislatively create implied promises in every user agreement, to act as minimum baselines for companies’ privacy and security conduct. California has begun considering state-law interventions to protect consumer privacy in the context of new technologies, and some municipalities have chosen to ban FRT, she says. State attorneys general and the Federal Trade Commission should be considering enforcement actions against private companies that make false assertions about the accuracy, privacy and security of FRT and other technologies in marketing materials, she adds, and federal agencies such as the Consumer Financial Protection Bureau should be considering how FRT and social feeds might be used as a data input in credit determinations.

“Any technology can be used for constructive or destructive purposes. It’s about how the technology is wielded,” she says. “I think every agency and every legislature should be aware of these technologies and the potential harm they can cause and then engage with their particular regulatory sphere in order to anticipate how these technologies might change their own regulated space.” Companies should also be required to consider how malicious actors might foreseeably use the technology to cause harm and take steps to minimize those chances.

“People should start treating facial recognition technology with the kind of care that a dangerous tech would demand,” Hartzog says. “And lawmakers have to start getting serious about rules against facial recognition, not simply applying window dressing that purports to regulate it but really only ends up further entrenching it.”

Elaine McArdle, based in Portland, Oregon, is a contributing writer.

Fighting the Currents

Continued from page 19

enforce emissions standards on “glider” trucks (heavy-duty trucks outfitted with old and inefficient engines) while it considers revoking the existing regulations.

Healey’s office is leading a coalition of 16 states in opposing an EPA proposal that would roll back a rule requiring that appliances be repaired and maintained to prevent emissions of hydrofluorocarbons (HFCs). HFCs are used in products like refrigerators, air conditioners, insulation, fire extinguishing systems and aerosols. They are a substitute for chemicals that deplete the ozone layer, but they are also powerful greenhouse gases — and they are now the fastest growing source of greenhouse gas emissions. Healey has filed public comments on behalf of the multistate coalition. Her comments push back against the Wheeler-EPA’s position that it lacks statutory authority to enforce the so-called Refrigerant Management Program. Last year, Healey led a coalition of 18 attorneys general in filing an amicus brief urging the Supreme Court to review a decision from the DC Circuit Court of Appeals that held that the EPA could no longer ban all uses of HFCs and other dangerous substitutes for ozone-depleting chemicals. Recently, the court declined to take the case.

States have a long history of working together to protect air quality since air pollution easily crosses state borders, and national standards help protect all states, especially those harmed from upwind out-of-state sources they lack authority to control. Over time, the states’ common national environmental interests have expanded, and their coordinated legal actions together form a “bulwark against the administration’s campaign to weaken and destroy the fundamental federal environmental protections that have benefited for decades our communities, the environment on which we depend for our survival and our economy,” says Melissa Hoffer ’98, chief of Healey’s Energy and Environment Division. “What we can see here is really a new articulation of progressive states’ rights, where states are coming together to protect the investments they’ve made for future generations and fighting back against federal efforts that would harm the health of their residents and the climate,” she says.

When states work together in support of the environment, it says something about the



mindset of the public — and that’s a big part of the strategy of environmental protection lawyers. “In my work defending the environment,” says Rumpler of Environment America, “the more important court oftentimes is the court of public opinion.” When he and his environmental colleagues make sure that large quantities of scientifically compelling comments from diverse constituencies are filed on proposed federal rules, they make Congress aware of strong public support for the environment. Those comments also help to hold federal agencies accountable in court when their rollbacks are challenged as arbitrary and capricious.

“What gives me hope,” Rumpler says, “is that poll after poll shows that an overwhelming number of Americans — Democrats, Republicans and Independents from every corner of the country — favor strong clean water protection and think that the government can be doing more. As long as the public sees value in clean air and clean water, and as long as we live in a democracy where the voices of the public can be heard, I am optimistic that we can make progress.”

Jeri Zeder is a regular contributor.

Faculty News



Alfred Brownell (left) with Jill Biden and James King, director of the Scholar Rescue Fund at the Institute of International Education

Brownell Awarded Biden Chair

Alfred Brownell, a distinguished scholar in residence with the law school's Program on Human Rights and the Global Economy, has been awarded the first Institute of International Education Scholar Rescue Fund Beau Biden Chair. The chair was created in 2016 to honor the legacy of Beau Biden, the former attorney general of Delaware and son of former Vice President Joe Biden. Beau Biden died in 2015 from brain cancer.

"It's a huge honor," said Brownell, one of Africa's leading environmental and human rights defenders. He has been in residence at the law school since 2016 — he and his family were forced to flee his native Liberia after an attempt on his life in response to his leadership in protecting community land rights. Brownell has continued to assist his colleagues in Liberia with legal work, notching some important victories against multimillion dollar palm oil companies along the way. Last July, the Carter Center invited Brownell to one of its Human Rights

Defenders Policy Forums, which bring together leading human rights activists from a number of countries.

The Beau Biden Chair provides fellowships to preserve the lives and knowledge base of scholars who are in danger in their own countries. It enables them to continue their academic careers, teaching and conducting research at safe-haven universities, where they educate future generations and, in many cases, help to rebuild their home countries after times of crisis and conflict.

Brownell said the award has motivated him to shine a light on the work of human rights lawyers across the globe. "Land-right defenders are persecuted and killed all the time. Four of my colleagues around the globe will be killed each week," he said, citing a statistic from Global Witness, the human rights watchdog organization.

"This work is for all of humanity," he said. "Who else is going to pick up the struggle? We don't have a choice."

For Sessa, Business Was a Pleasure

It often takes a leap of faith to launch a business. So, too, a clinic: when Professor **Peter Sessa** arrived at the law school in 2010, we had a five-year grant and an idea for a clinic that would help fledgling businesses get off the ground. Peter, who brought 30 years of experience in legal services, community organizing, small business development and affordable housing, gave a true kick start to our concept, building the Community Business Clinic from the ground up. Peter retired in December, having turned the clinic into a permanent part of our offerings by fostering a record of innumerable community and student success stories.

Students and colleagues alike will miss Peter's larger-than-life personality, collegial respect and engaging and dynamic teaching style. He has many mantras that he lives by, but the one that made the greatest impact on his students and one that he lives and breathes every day is that "you can do well and do good." Peter embodied and taught professionalism, consistency, hard work and professional commitment. He will be sorely missed as he recommits to organizing support for Citizens Clearinghouse for Hazardous Waste in preparation for the 2020 election ... and to his golf game.

— Professor Margo Lindauer '07



DANA SMITH

→ **So Noted** Professor **Leo Beletsky** has been appointed to the Massachusetts Executive Office of Health and Human Services Harm Reduction Commission. The 15 members, including Boston Mayor Marty Walsh, review and make recommendations regarding harm reduction opportunities to address substance use disorder.

Haupt Selected for Prestigious Workshop

Professor **Claudia Haupt** was one of four health law scholars selected for the 2018 Health Law Scholars Workshop. Announced at the American Society of Law, Medicine & Ethics' annual Health Law Professors Conference, the competitively selected scholars are invited to present and workshop their research in progress and receive in-depth advice from experienced health law academics. Haupt focuses on the intersections of

free speech and medical care, and her abstract proposed considering the role of artificial intelligence in the physician-patient relationship.

"The Health Law Scholars Workshop was a wonderful forum to discuss scholarship," she said. "A generous group of scholars gave in-depth feedback on my draft and, beyond that, the workshop provided an amazing opportunity for many engaging conversations that will certainly continue."



GOING PLACES

Talking Turkey

Professor **Martha Davis** spent Thanksgiving in Istanbul, Turkey, where she delivered the keynote address on "Localizing Human Rights: The Concept of the Human Rights City" at the International Human Rights Cities conference organized by the Sweden-based Raoul Wallenberg Institute.

Brussels Spouting

Professor **Woodrow Hartzog** was invited to give the keynote address at the International Association of Privacy Professionals' Europe Data Protection Congress in Brussels in November. His topic: "The Case Against Idealizing Control."

In the Leeds

Professor **Aziza Ahmed** headed to the University of Leeds in West Yorkshire, England, in September to speak about "Science, Feminism and Institutional Vulnerability" at the Workshop on Vulnerability Theory and the Human Condition: Celebrating a Decade of Innovation.

Capital Ideas

Professor **Andrea Matwyshyn** was a panelist at the 2018 International Conference on Cyber Conflict U.S. (CyCon U.S.), which took place in November in Washington, DC. CyCon U.S. is a collaborative effort between the Army Cyber Institute at the US Military Academy and the NATO Cooperative Cyber Defence Centre of Excellence.

Jazzing Things Up

Faculty members **Libby Adler**, **Shalanda Baker**, **Leo Beletsky**, **Margaret Burnham** and **Andrea Matwyshyn** hit the high notes on panels that focused on gender identity, climate change, law and mental disability, social justice, and internet and computer law at the Association of American Law Schools annual meeting in New Orleans in early January.

Top History of Science Society Award Goes to Swanson

This fall, Professor **Kara Swanson** received the History of Science Society's Margaret W. Rossiter History of Women in Science Prize in recognition of her article, "Rubbing Elbows and Blowing Smoke: Gender, Class and Science in the Nineteenth-Century Patent Office," published in *Isis: A Journal of the History of Science Society*.

According to the award citation, "Swanson deftly gets at the question of how scientific spaces were made hostile to women, and calls upon analytic tools of gender, class, space and embodiment to disentangle complexities. In particular, her attention to the 'social skin' of the

workplace highlights practices of deportment and honor in mid-19th century American culture that shaped who fit in and who was edged out."

Swanson's research draws heavily on her training as a biochemist and molecular biologist prior to attending law school as well as her subsequent years as a practicing patent attorney and her Harvard University PhD in the history of science. She is a frequent contributor to leading journals and author of *Banking on the Body: The Market in Blood, Milk and Sperm in Modern America*, published by Harvard University Press.



Professor Kara Swanson with Dr. Bernard Lightman, president of the History of Science Society and professor of humanities at York University in Toronto. With 3,000 individual and institutional members, the History of Science Society is the world's largest society dedicated to understanding science, technology and medicine, and their interactions with society, in full historical context.



Silbey Honored as Top Woman of Law

Professor **Jessica Silbey** — along with seven Northeastern law graduates and one current student (see page 36) — was among those honored as trailblazers and role models by *Massachusetts Lawyers Weekly* at its annual Top Women of Law ceremony in October. Silbey is an intellectual property expert, co-director of the law school's Center for Law, Innovation and Creativity (CLIC) and the recipient of a 2018 Guggenheim Fellowship.

While a Guggenheim Fellow, Silbey is working on a book that considers intellectual property debates in law and culture as a bellwether of changing social justice needs in the 21st century.

Parmet Receives AALS Community Service Award

Professor **Wendy Parmet**, a nationally recognized expert on health, disability and public health law and faculty director of the law school's Center for Health Policy and Law, was honored in early January with the 2019 Association of American Law Schools (AALS) Section on Law, Medicine and Health Care's Health Law Community Service Award.

Parmet's record of community and professional service over the years has included roles with the Public Health Law Association, the American Bar Association's AIDS Coordinating Committee and the ABA Commission on Mental and Physical Disability Law. She was previously president of, and is now a board member of, Health Law Advocates, a public interest

law firm that provides pro bono legal representation. She is also board vice president of Health Care for All, which advocates for health justice in Massachusetts.



DAVID LEIFER

Parmet's service has often taken the form of direct provision of legal services. In 2012, she was lead counsel in a case in which the Massachusetts Supreme Judicial Court held that the state's exclusion of legal immigrants from state-subsidized health insurance was unconstitutional. In 1998, Parmet acted as co-counsel in *Bragdon v. Abbott*, the first AIDS/HIV case to come before the US Supreme Court under the Americans with Disabilities Act.

In 2016, Parmet was honored with the prestigious Jay Healey Health Law Teachers Award by the American Society of Law, Medicine & Ethics.

In December, *Health Affairs Blog* (published by *Health Affairs*, the leading journal of health policy thought and research) noted that Professor Wendy Parmet, a frequent contributor, had the fifth most read blog post on its site in 2018 — the article was titled, "Immigration And Health Care Under The Trump Administration."

Lindauer Named AALS Bellow Scholar

Professor **Margo Lindauer '07**, director of the law school's Domestic Violence Institute and Domestic Violence Clinic, was named a Bellow Scholar at the annual meeting of the Association of American Law Schools (AALS) in early January. The Bellow Scholar Program recognizes and supports research projects of clinical law professors that reflect the ideals of Professor Gary Bellow — a pioneering founder of modern clinical legal education.



DAVID LEIFER

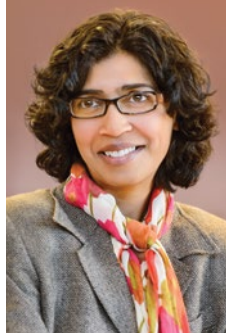
Every two years, the Bellow Scholar Program seeks innovative project proposals from clinical legal educators designed to improve the quality of justice in communities, enhance the delivery of legal services and promote economic and social justice. Lindauer's project goal is to assess correlations between civil restraining order procurement and outcomes in criminal prosecutions for domestic violence and sexual assault and then make recommendations for policy changes based on the empirical findings. The goal is to reduce inequality in outcomes and to improve access to justice for victims of domestic violence and sexual assault.

Prior to joining the Northeastern community, Lindauer worked at Project Place as the director of Partnerships to Opportunities for Women in Re-Entry (POWER), where she oversaw the implementation of an innovative US Department of Labor grant dedicated to working with female ex-offenders within six months of re-entry into society.

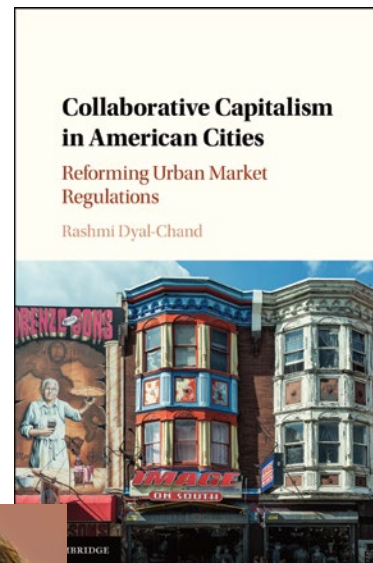
In New Book, Dyal-Chand Says Sharing is a Path to Business Stability

In many American cities, the urban cores still suffer. Poverty and unemployment remain endemic, despite a variety of policy initiatives aimed at systemic solutions. In a new book, *Collaborative Capitalism in American Cities: Reforming Urban Market Regulations* (Cambridge University Press, 2018), Professor **Rashmi Dyal-Chand '94**, a property law expert, focuses on how businesses in some urban cores are succeeding despite the challenges.

Using three examples of urban collaborative capitalism, Dyal-Chand extrapolates a set of lessons about collaboration, which she defines as the sharing of key resources, such as training and vocational education, labor, financing, market data, suppliers and supplies, management expertise and physical space, as a means of reducing costs for a network of businesses and for each business in the network. She argues that sharing can fuel business development and growth. Sharing among businesses can be critical for their economic survival. Sharing can also produce a particularly stable form of economic growth by giving economic stability to employees.



DAVID LEIFER



"Sharing can allow American businesses to remain competitive while returning more wealth to their workers, and this more collaborative approach can help solve the problems of urban underdevelopment and poverty," said Dyal-Chand, who served as an associate general counsel of The Community Builders, Inc., a nonprofit affordable housing developer, prior to joining the law school's faculty.

Talking the Talk



Turning Up the Heat on ICE

“Advocates know they can count on the administration to do more harm to more people because its policies are so incendiary. So I think the momentum for change will continue to increase.”

Professor Hemanth Gundavaram
“Abolish ICE? Reform it? Or what?”
The Christian Science Monitor
July 31, 2018

Fact-Based Recovery

“It’s sort of the wild west. There’s a danger of doing more harm than good if it’s done in a way that’s not grounded in science.”

Professor Leo Beletsky
“Federal Opioid Funds Target Those Recovering from Addiction”
U.S. News & World Report
October 22, 2018

For the Record

“The focus needs to be on increasing transparency. I think clerk’s hearings should be public or recorded and accessible.”

Professor Margo Lindauer ’07
“Panel is Charged with Reviewing State’s ‘Secret Courts’”
The Boston Globe
November 30, 2018

Full Disclosure Not Required

“[The new decision] could weaken states’ ability to protect public health by regulating commercial speech.... [A]dvertising regulations, such as limits on tobacco promotion or restrictions on pharmaceutical marketing, have not been subject to strict scrutiny.”

Professor Wendy Parmet
“Uncertain Future for Health Laws After Supreme Court Crisis Pregnancy Center Ruling”
Medical Bag
October 1, 2018

Don’t Make ’Em Like They Used To

“The idea of such a transformative bipartisan piece of legislation coming out now is pretty much unfathomable.”

Professor Daniel Medwed
“Remembering President Bush: The Enduring Impact of the Americans with Disabilities Act”
WGBH/NPR
December 5, 2018

Face Facts

“Facial recognition is probably the most menacing, dangerous surveillance technology ever invented.”

Professor Woodrow Hartzog
“The Always-On Police Camera”
The Atlantic
September 26, 2018

On the House



Opening Doors

Rob Kerwin '82 helps build professional bridges for African immigrants | BY MAURA KING SCULLY

GROWING UP IN A LARGE IRISH-CATHOLIC FAMILY, Rob Kerwin remembers that social justice was much like a main course: served at the dinner table. “My parents had an expectation that you do what you can to help others, whether they were sick or had lost their jobs. We kids were included, whether it was pitching in at fundraisers or welcoming someone to our home.”

Kerwin is also the grandson of immigrants, and he's been troubled by growing anti-immigrant rhetoric. So when he was invited to join the board of the African Bridge Network (ABN), a Boston-based organization that helps African immigrants assimilate to the US, he said yes.

“The current climate is very polarizing,” says Kerwin, who is general counsel to the international diagnostic imaging trade association IAMERS. “I feel like if I'm not helping now, when would I be?”

Launched in 2015, the ABN provides support for the estimated 100,000 African immigrants living in Massachusetts. “Despite being highly skilled with advanced fluency in English, African immigrants experience significant barriers in leveraging their education and experience to build careers in the US,” says ABN Executive Director Emmanuel Owusu. “They end up working in low-paying, part-time jobs that underutilize their skills, limiting their contributions to our society.” The ABN paves the way through orientation workshops, advocacy and professional networking, with a suite of programs that reaches about 500 people annually.

Professional Connections

Kerwin and Owusu met in 2014 when Kerwin was chief legal officer at Mortgage Master, and Owusu was at Citizens Housing and Planning Association. Owusu shared his idea of starting an organization to help African immigrants. “From time to time, Rob would ask how he could help,” Owusu recalls. “When I founded ABN, I asked for Rob's help in putting together a speaker's series on home ownership.”

As the ABN grew, Owusu asked Kerwin to join the board. “Having a legal mind at the table is good. Rob makes sure we cross all our t's and dot our i's, particularly with contracts,” Owusu notes. And, as with the home ownership program that first brought them together, Kerwin's connections have proved invaluable. “The recent

immigrant community doesn't have connections. Rob connects us to the right people.”

Kerwin has long incorporated pro bono and other types of volunteer work into his career. He's provided pro bono assistance on bankruptcy debtor cases and has “handled more than a few matters involving criminal misdemeanors.” Over the years, he's spent his time with professional associations including the Massachusetts Bar Association and the Massachusetts Municipal Lawyers Association, for which he served as president.

No matter the topic, Kerwin's typical response when someone needs help is, “I know someone....” Owusu notes. Case in point: “When the new administration's ultra-anti-immigration stance created panic in the immigrant community, Rob said, ‘It wouldn't be a bad idea to meet with the police commissioner to hear what he has to say,’” recalls Owusu.

Owusu doubted his ability to make that happen. “Oh, I know someone who has worked with the commissioner's office, and the commissioner would likely welcome a meeting,” Kerwin responded. And so it happened that leaders from seven different African immigrant communities met with the Boston police commissioner to start a mutually beneficial dialogue.

“It wouldn't have happened if Rob hadn't opened that door,” Owusu says. “And then he didn't even go to the meeting. He worked behind the scenes and then stepped back.”

Personal Touch

This past year, Kerwin has been more out in front, taking an active role in the ABN's Professionals Mentoring Program. “You're matched with someone in your field for a nine-month program. Mentees are required to prepare a set of goals of what they hope to accomplish,” says Kerwin. He was paired with a Nigerian-born lawyer who wants to practice law in the US. “She's super smart. She will adjust well,” he predicts.

While Owusu appreciates Kerwin's service, he's most touched by Kerwin's personal concern. “Rob cares about me, not just the organization. Every now and then, we have lunch, and he wants to know how I'm doing — how is my workload, how is my family. He has a really good heart.”

“I like working with the ABN. Their mission is solid,” Kerwin concludes. “In my small way, I'm just paying it forward, like everyone else.”

Class Actions

► **PROFILE** James Morton '81

Constructive Revenge

Half English-Irish, half African-American, James Morton grew up poor in Madison, Wisconsin. When he was 10, his father went to prison, which he recalls, quickly took his family from “working poor to welfare poor.”

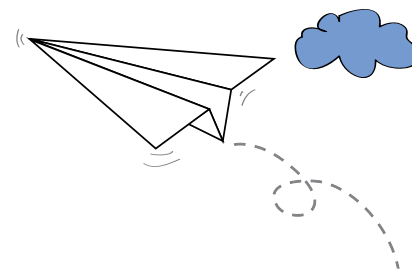
In high school, Morton decided he wanted to be a lawyer. “I knew what had happened to my family and other low-income families was unfair and unjust. I learned that lawyers were agents of positive social change,” he recalls.

That desire led him to Northeastern and then to practice law in Greater Boston and Springfield, Mass. After 18 years, he segued to teaching and then ran two workforce development agencies before landing at the YMCA in Springfield as president and CEO. He held the same role in Hartford, Conn., and then moved to Boston in 2015. There, steps down from the law school on Huntington Ave., Morton leads the YMCA of Greater Boston, one of the state’s largest social service providers. The YMCA offers programs that nurture the potential of children and teens, promote health and well-being and encourage social responsibility.

“Our goal is to elevate our impact on the lives of those we serve,” he says. “We want to do that as a charity, employer and the partner of choice while serving more children and families.” Morton reports that he still uses his law degree “every single day, if not every single hour. I’m proud of my legal training. It’s made me a better person, professional, advocate and collaborative leader.”

Morton sees his work — and his life’s purpose — as “taking constructive revenge on racism and poverty. I did that as a lawyer, as a teacher and now as a YMCA professional.”

— Maura King Scully



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CLASS NOTES

1979 **Joe Frankl** retired as regional director of the National Labor Relations Board (NLRB), San Francisco, in 2016. He is now building a labor and employment arbitration/mediation practice based from his home in Sonoma County, California. For more information, visit joefrankldispres.com.

1982 While serving as a visiting professor on international contract issues at the IV Pacific Law Forum held at Far Eastern Federal University School of Law in Vladivostok, Russia, **Robert Kerwin** gave a big nod to the law school with a presentation, "Reflections on NUSL Cooperative Legal Education Program." (See page 30 for a story about Rob's pro bono commitment.)

1984 In October, **David Heilbroner** returned to campus for a special screening and discussion of his Oscar-nominated short film, "Traffic Stop" (see page 8). David and his wife, Kate Davis, have been producing award-winning documentaries for two decades.

1985 **Judith Jacobson** has been named general counsel and managing director of the Preservation of Affordable Housing (POAH), a nonprofit developer, owner and operator of more than 10,000 affordable homes in 11 states and the District of Columbia. She has more than 30 years of experience in affordable housing and community development.

1990 **Shepard Davidson**, a partner in the business litigation group at Burns & Levinson, has been certified as a mediator by Massachusetts Continuing Legal Education (MCLE). With 27 years of experience representing both plaintiffs and defendants in business litigation cases, Shepard has managed hundreds of mediations throughout his career.

1991 **Jeffrey Dretler** has joined the Boston office of Rubin and Rudman as a partner in the firm's labor and employment department. Jeff, formerly of Fisher Phillips, is a seasoned litigator who represents employers in state and federal courts and administrative agencies. He is a member of the School of Law's Alumni/ae Association board of directors. **1**

1992 In October, **Josefina Martinez Stamatos**, senior partner and general counsel at Employment Benefit Solutions (EBS) in Newton, was appointed by Massachusetts Governor Charlie Baker to the State Ethics Commission. Josie has more than 28 years of legal experience representing clients from a variety of industries in all aspects of litigation in state and federal courts. She served in Governor Paul Cellucci's administration as executive director of the Judicial Nominating Council, overseeing four Supreme Judicial Court (SJC) appointments and the appointment of the first female SJC chief justice. Baker appointed her to chair the commonwealth's Latino Advisory Commission in 2017.

Wendell Roberts, adjunct associate professor of education at the University of Richmond's School of Professional and Continuing Studies, was honored with the 2018 Itzkowitz Family Distinguished Adjunct Faculty Award. He delivered brief remarks focused on the importance of collaboration at the school's commencement exercises in May.

1994 In July, **Laura Matlow Wong-Pan** opened a general practice law office in Poughkeepsie, N.Y., with a focus on employment and labor law, special education law and real estate. She previously served as a partner at Thomas, Drohan, Waxman, Petigrow & Mayle in Hopewell Junction, N.Y., in the areas of

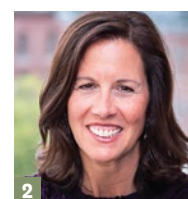
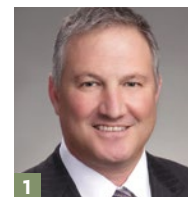
labor and employment law. She began her legal career at the National Labor Relations Board.

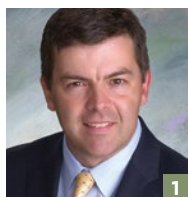
1996 In the August issue of *Mainebiz* magazine, **Joan Fortin** was profiled among "Women to Watch." A shareholder, board member and director of attorney recruiting with Bernstein Shur in Portland, Maine, she was lauded for her role as a mentor and recognized as a champion for women, diversity and inclusion in the legal industry. Coming up in March: she's the luncheon chair for the American Heart Association's "Go Red for Women" event in Portland. **2**

1997 **Joshua Abrams** was recently named attorney development manager at Partners HealthCare Office of General Counsel in Boston, where he has practiced since 2001. He remains a senior attorney in the Partners patient care law group and employment law group. In his new role, Josh will use the skills he developed as an adjunct professor at the law school and as a lecturer and panel member at Massachusetts Continuing Legal Education (MCLE) and Boston Bar Association presentations. He will also draw on his experience as a mentor to many Northeastern law co-op students and junior attorneys in his office.

1998 **Antoinette Theodossakos** has joined the West Palm Beach office of Saul Ewing Arnstein & Lehr as counsel in the firm's labor and employment practice. She advises corporations, entrepreneurs and nonprofit institutions on a broad range of labor and employment issues.

1999 **George Price**, an attorney at Casner & Edwards in Boston, has been named to the Massachusetts Super Lawyers list in the field of business litigation.





2001 In collaboration with Northeastern's business accelerator, IDEA, **Seema Brodie** and her husband, Eric, have launched BikeBus, an indoor cycling tour experience that allows groups of people to exercise together on stationary bikes in a fun, adrenaline-pumping, musical environment within a climate-controlled bus. For more information, visit bikebus.com.



2006 **Christopher Pierson** has joined Bacon Wilson as counsel in the firm's Springfield, Mass., office. He is an experienced trial attorney whose practice encompasses all aspects of civil litigation, including commercial disputes, individual matters and personal injury. **1**

2008 **Anastasia Dubrovsky** was recently named chief deputy clerk for the First Circuit Court of Appeals in Boston. She previously served as supervisory attorney in the Office of the Circuit Executive for the First Circuit.

In August, **Jennifer Rushlow** was appointed director of the Environmental Law Center at Vermont Law School. Jennifer has expertise in a wide range of environmental legal matters and most recently served as a senior attorney and director of farm and food at the Conservation Law Foundation in Boston. In 2016, Jennifer argued and won a landmark climate law case before the Massachusetts Supreme Judicial Court, *Kain v. Department of Environmental Protection*. She was named a 2016 Lawyer of the Year by *Massachusetts Lawyers Weekly* for her work on the case.

2009 **Sofia Lingos** was named an On the Rise – Top 40 Young Lawyer for 2018 by the American Bar Association (ABA) Young Lawyers Division. This prestigious award is given to attorneys who exemplify a broad range of high achievement, innovation, vision, leadership and legal and community service.

Talesha Saint-Marc is now a shareholder in the Manchester, N.H., office Bernstein Shur. She provides advice and counsel to

Remembering Randi Friedman '85

In height, pretty much everyone towered over Randi Friedman. In heart, few came close to reaching her depth.

Randi passed away on November 5, 2018. She was 59. The cause was complications resulting from Multiple Myeloma.

Randi was a graduate and for many years a colleague, joining the co-op office in 1992 as associate director and then serving as assistant dean/director of career services and later as co-op advisor to LLM students. For more than two decades, she gave every student she worked with her undivided attention, always interested in not just where they wanted to go, but also from where they came and what really mattered to them. She was most recently director of career advancement at the Harvard TH Chan School of Public Health.

Most of all, Randi was an amazing friend and mentor to so many in our community. There was an authenticity and warmth to Randi's personality that is hard to capture — she looked you in the eye, she asked the right questions, her interest was always genuine, she

was honest about herself, she didn't sugarcoat her opinions when you asked her for them, but she was always gentle in the delivery. Her ability to empathize and to give the very best advice was unparalleled.

Randi fended off cancer and its complications for far longer than doctors might have expected, always with a sort of incredulous honesty and humor, often commenting on the "roller coaster of this disease." She loved and was loved by a wonderful family: her husband, Lester; her kids, Ben and Sari, and their partners, Sarah and Sam; her grandson, Eli; her father and siblings; and many others.

At Randi's memorial service, her brother shared with the overflowing crowd that Randi had told him that her one regret was that she had not "changed the world." But she did — one friend, colleague, student and graduate at a time. With little fanfare but immeasurable compassion, Randi changed our worlds by making us feel we were at the center of hers.

— Deborah Feldman



employers regarding all aspects of employment law. In addition to representing employers before government agencies and in court, she represents employers in collective bargaining, contract administration, and grievance and arbitration proceedings before the National Labor Relations Board. **2**

In December, **Josh Zakim**, Boston City Councilor for District 8, and his wife, Grace Sullivan Zakim, welcomed their first child, Leo Patrick.

2010 **Adam Minsky** is now a contributing writer for *Forbes*. One of the nation's leading experts on student loan law, Adam was also named a 2018 Massachusetts Super Lawyer Rising Star for his ongoing work helping student loan borrowers. He is the author of numerous books and articles about student loans.

In Memoriam

1940s

Robert F. Bessette '41

1950s

Joseph A. Fanale '53

1970s

Marilyn R. Walter '72

1980s

June Adams Johnson '84
Randi Friedman '85

1990s

Marilyn A. DeAmicis '90
Donandrea M. Costello '91
Mark P. McGrath '96
David Loh '98

2000s

Tiffany U. Austin '00

2012

In June, **Gavriela Bogin-Farber**, an associate with Messing, Rudavsky & Weliky, was elected vice president of the Massachusetts Employment Lawyers Association. She focuses her employment practice on representing individuals in cases before the Massachusetts Commission Against Discrimination and in state and federal court. Gavriela advises a range of clients in a broad variety of employment matters, including reviewing severance and employment agreements.

Lisa Lee has joined the Boston office of Andrus Wagstaff as an associate attorney. Lisa has represented thousands of clients injured by high-powered corporations in the health care industry. A large part of Lisa's practice has been focused on defective medical products used exclusively by women, including a female permanent sterilization device and transvaginal meshes. She has helped to facilitate numerous multimillion-dollar settlements and argued on behalf of her clients in both federal and state court. In 2018, Lisa was invited to join The National Trial Lawyers: Top 40 under 40.

Andrea Zoia has been elevated to partner at Morgan, Brown & Joy, where she specializes in labor and employment. She is a graduate of the Massachusetts Commission Against Discrimination Certified Harassment Train-the-Trainer Program and regularly conducts trainings.

2013

Paige Clapp has joined Vertex Pharmaceuticals as senior manager and associate corporate counsel. She was previously assistant director of intellectual property and contract counsel at Northeastern University and had worked as an associate at Northeastern's Center for Research Innovation, where she spent one of her co-ops.

Stephanie Gharakhanian, special counsel for the Workers Defense Project in Austin, Texas, won a December run-off election for Place 8 on the Austin Community College District's board of trustees. A first-generation American whose father is from Iran and whose mother is from Italy, Stephanie began her six-year term on the board in January.



► **PROFILE** Michael Behn '87

King of *Qui Tam*

Michael Behn prosecuted his first white-collar criminal case as part of a fifth-grade class assignment in Albany, New York. He lost but hasn't done much losing since.

For the past 25 years, Behn has specialized in *qui tam* whistleblower cases in which clients sue on behalf of the government and share in any eventual recovery. "There's no greater privilege in law in my experience than representing the United States of America," says Behn, a former prosecutor for the US Commodity Futures Trading Commission and the US Attorney's Office for the Southern District of New York. "Once you do that, it's hard to give it up."

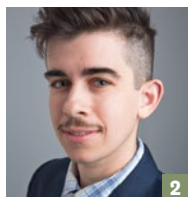
Behn and the firm he co-founded with law school classmate Linda Wyetzner '87 have

helped claw back hundreds of millions of dollars for the government and their clients. One of Behn's highest profile matters — a False Claims Act case against defense contractor Northrop Grumman Corporation that Behn says resulted in a total recovery of \$134 million — was recently featured on "Whistleblower," a new CBS series. The case was settled in 2005, more than 16 years after it began, but continues to exemplify the risks and rewards of *qui tam* actions (Behn's client was homeless for a time because of his efforts).

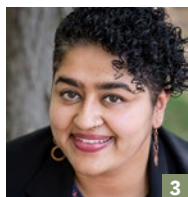
"I love my clients," Behn says. In some cases, "they lost their jobs for standing up for what's right. To serve those kinds of clients, to have their trust when their trust has been so fundamentally violated, is an honor." — *Rebecca Beyer*



Carla Erskine has joined McDonald Hopkins as an associate working with the business law department in the firm's West Palm Beach office. She was previously an associate at Ciklin Lubitz in West Palm Beach and Spiegel & Ultera in Coral Gables.



2014 Luke Blackadar has joined the Arts & Business Council of Greater Boston as director of legal services. Luke now manages the Volunteer Lawyers for the Arts and Patent Pro Bono programs. He has extensive experience counseling start-ups and creatives around the country in trademark, copyright and business law matters. As a visual artist and IP attorney, he is passionate about serving small businesses and creatives.



2015 Isabelle Lew has joined the board of directors of the Permanent Endowment for Martha's Vineyard, which provides grants to the island's nonprofits, scholarships to its students and fiscal sponsorship to local initiatives. Born and raised on the island, Isabelle moved back in 2016 to join Reynolds, Rappaport, Kaplan & Hackney. She specializes in municipal and real estate law.

Joan Lopez has joined the Long Island office of Moritt Hock & Hamroff as an associate. She concentrates her practice in all areas of employment-related matters, including workplace discrimination, harassment and retaliation.

Carson Shea has joined the Boston office of Eckert Seamans, where he focuses his practice on commercial litigation in state and federal courts.

2017 Gabrielle Rosenblum has joined the Family Court Division of the New York City Law Department.

Juliana Shulman-Laniel has joined the Center for Public Health Litigation, a project of the law school's Public Health Advocacy Institute, as a litigation associate. The goal of the center is to use litigation to help shape public policy through law, specifically in the areas of tobacco control and child health.

Class of 2006 Creates Fund to Help Immigrant Families

In response to the Trump administration's actions on immigrant and refugee policy, a generous group of 2006 graduates has established an Immigrant Family Protection Fund, called the Dolphin Project. The fund was set up by Nicole Lake, Kate Campbell, Brad Crevier, Per Olstad, Amy Ostiguy, Sierra Rosen and Rebecca Waltuch to support students participating in non-paying or low-paying co-op positions in the field of immigration law.

"Like many, we were horrified by the inhumane, 'zero-tolerance' immigration policy implemented last year," said Campbell. "Also, like many, we wanted to contribute to the fight to reunite separated families and to defend the rights of immigrants — especially immigrant children."

The class of 2006 group felt compelled to respond to calls for volunteer legal help from nonprofit organizations that provide legal representation to immigrant families. "Knowing that Northeastern law students could provide such public interest legal work in the immediate future, we created this co-op stipend," explained Campbell. "We call it 'The Dolphin Project: Immigrant Family Protection Fund' because it is an assist to shore from treacherous waters. It's a win-win: nonprofit organizations receive months of volunteer legal work and future lawyers receive training in immigration law."

For more information about the Dolphin Project, contact Director of Development and Alumni/ae Relations Meghan Hallock at m.hallock@northeastern.edu.

Ponder's Advocacy is Music to Our Ears

Danielle Ponder '11, a criminal defense attorney and an internationally recognized singer-songwriter, was featured in the October issue of the *ABA Journal*. The article, "From courtroom to concert stage, this criminal defense lawyer uses her voice to push for reform," explored Ponder's activism and a multimedia show she has developed called, "For the Love of Justice." "For me, writing opening and closing statements is like writing a song. There's a chorus in there that the jury is going to be repeating, and you need to have a good hook," Ponder told the magazine. **1**

Strangio and Sarang-Sieminski Recognized as Top LGBT Lawyers Under 40

Chase Strangio '10 **2** and Hema Sarang-Sieminski '05 **3** were named to the 2018 class of the Best LGBT Lawyers Under 40 by the National LGBT Bar Association. Strangio is a staff attorney with the ACLU's LGBT & HIV Project in New York, and Sarang-Sieminski is a senior attorney with the Victim Rights Law Center in Boston.

Dudley Receives ABA Lifetime Achievement Award

At the American Bar Association (ABA) convention in Chicago in August, Adriane Dudley '72 received the organization's

Daniel J. Curtin Jr. Lifetime Achievement Award in recognition of her outstanding contributions to the practice of state and local government law. Dudley has spent most of her legal career in the Virgin Islands, beginning with a clerkship with Territorial Court Judge Eileen Peterson in 1976. Dudley then served as a prosecutor for the attorney general and later as an assistant US attorney for the Virgin Islands. Since 1979, she has been in private practice; her current firm, Dudley Rich, is located in St. Thomas.

Congratulations, Top Women!

Seven Northeastern law graduates — as well as Professor Jessica Silbey and Disha Patel '20 (leadership scholarship recipient) — were among those honored as trailblazers and role models by *Massachusetts Lawyers Weekly* at its annual Top Women of Law ceremony in October (see pages 5 and 27).

Congratulations to:

Nicole Bluefort '10, Law Offices of Nicole M. Bluefort

Ashley Brooks '05, Sullivan & Worcester
Chelsea Loughran '08, Wolf, Greenfield & Sacks

Karen O'Toole '86, Clients' Security Board
Raquel Webster '03, National Grid

Heather Yountz '07, Demissie & Chur
Rachael Rollins '97, who was sworn in on January 2 as district attorney for Suffolk

Benched!

Hail to the Chief

Congratulations to US District Judge Landya McCafferty '91, who became chief judge of the US District Court for the District of New Hampshire in November. She is the first woman to hold the title, which, according to US Senator Maggie Hassan '85, is "an accomplishment that will pave the way for girls and women throughout the state and country and will add to the diversity of our federal bench in critical ways." **4**

A First for the Last Frontier

Una Gandbhir '93 was appointed to the Anchorage Superior Court in July. She previously practiced law in Alaska for 24 years, including a private practice focused on elder and disability law for 15 years before becoming a magistrate judge in 2013.

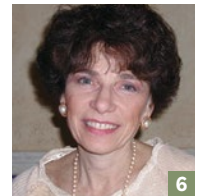


Gandbhir was the first woman of color appointed to the Superior Court in Alaska's history. Gandbhir (sixth from left) was joined at her swearing-in by many family members, including her husband, Phil Shanahan '93 (far right). **5**



Lucky 21

Jacqueline Woodward '94 ran unopposed in November to serve as a judge for the Miami-Dade County Court Florida Group 21. She was previously a senior partner at Woodward & Reizenstein in Miami.



County, received the Circle of Excellence award, which recognizes former Top Women of Law honorees who "continue to exemplify professional, civic and mentoring achievements year in and year out."

NAACP Branch Honors Jeanne Baker

In September, Jeanne Baker '73 was honored by the Miami-Dade branch of the NAACP at its 30th anniversary Freedom Fund Soirée. For the past seven years, Baker has chaired the Miami ACLU's Police Practices Committee (PPC) and, in that capacity, has served as the convener and administrative organizer of a coalition of community organizations — including the NAACP — concerned with criminal justice in Greater Miami. Under Baker's leadership, the PPC has focused on documenting discrimination in Miami-Dade County's criminal justice system, resulting in the development and recent publication of the ACLU report, "Unequal Treatment: Racial and Ethnic Disparities in Miami-Dade Criminal Justice." The PPC is now embarking on a major push to institute reforms to ameliorate those disparities. **6**

Time After Time, Healey Amazes

This fall, Massachusetts Attorney General Maura Healey '98 was named to *Time*'s list of the 50 Most Influential People in Health

Care of 2018. In addition, *InStyle* recognized her on its list of 50 "badass women" who "show up, speak up and get things done." **7**

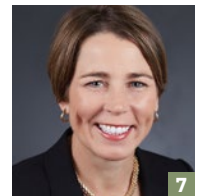
Cowan Joins Edward M. Kennedy Institute Board

William "Mo" Cowan '94, president of global government affairs and policy for General Electric, has joined the board of directors of the Edward M. Kennedy Institute for the United States Senate. Cowan served as a US Senator representing Massachusetts on an interim basis

when John Kerry vacated the seat to serve as US Secretary of State in 2013. **8**

Russell Lauded for Work on Behalf of Juveniles

At the Juvenile Detention Alternatives Initiative (JDAI) Awards Breakfast in September, Lauren Russell '11, a staff attorney with the Committee for Public Counsel Services' Youth Advocacy Division in Essex County, received the "Tenacious Initiative Award" in recognition of her outstanding contributions to JDAI's work.



Well-Wishers in Washington

In November, 50 graduates and students in Washington, DC, came to the Hotel Palomar to meet and greet Dean James Hackney, who shared his vision for the School of Law's future.



(1) Dean James Hackney with a surprise guest, Professor Emerita Mary O'Connell '75 **(2)** Mytrang Nguyen '96 feeling the love with Director of External Relations Mielle Marquis **(3)** DC chapter leaders (from left) Jonathon Foglia '05, Golda Philip '09, Rebecca Cary '09 and Christina Gilbert '09

Reunion and Alumni/ae Weekend

October 19-20, 2018



We laughed, we cried, we danced, we debated (we are lawyers, after all!). We celebrated the 50th anniversary of the reopening of the School of Law and honored the classes of the 1950s as well as '73, '78, '83, '88, '93, '98, '03, '08 and '13. More than 250 graduates had a lot of fun catching up and comparing notes on life and the law, while sipping the weekend's signature drink, the "golden" pear bellini.



Distinguished Professor of Political Science Michael Dukakis moderated a panel, "Drawing the Line: Redistricting and the Midterm Elections."



Massachusetts Attorney General Maura Healey '98 delivered the reunion gala keynote address.



The class of 1998 was picture perfect.



Dean James Hackney (left) welcomed the happy crowd of more than 250 graduates.

Harry Daniels '71 (above, standing) was among those who couldn't contain their enthusiasm, including former dean David Hall (seated).



Selfie sensations (from left) An Duong '12, Anielka Sanchez Godinez '13 and Abi Oyegun '13



Pam Wilmot '88, executive director of Common Cause Massachusetts, spoke on the panel about redistricting.



Sunu Chandy '98 (left) with Jody Ratner '98



Barry Bisson '13 (left) with Joseph McConnell '93 (middle) and Amit Sachdeo (Barry's husband)



A panel, noting the 20th anniversary of the Legal Skills in Social Context Program, was titled, "Celebrating 20 Years of Social Justice Impact in Legal Training." Speakers included (from left) Alice Kopij '13, Cody Thornton '13, Natalie Higgins '14, Desiree Murphy '13 and former dean David Hall. Professor Susan Maze-Rothstein, who long served as director of the program, received a standing ovation.



Arlene Lieberman '82 (left) during the morning panel sessions.

Supremely Skeptical

BY MICHAEL MELTSNER

THE CURRENT TERM OF THE SUPREME COURT was thought to harbor a seismic shift not seen since President Franklin Roosevelt's appointees replaced hard-core conservative justices.

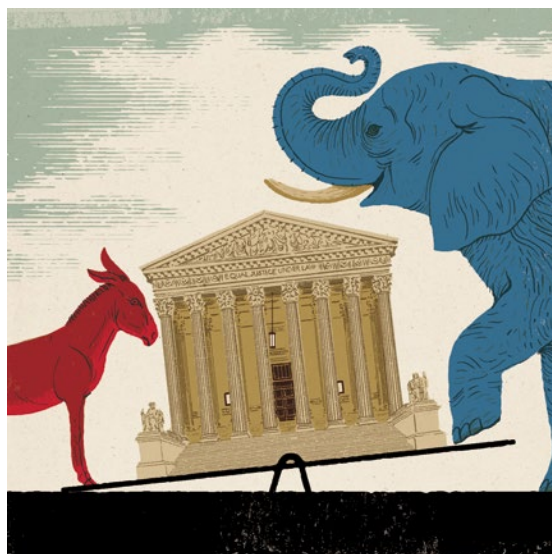
With the Kennedy retirement and the confirmation of Brett Kavanaugh, many of us feared that *Roe v. Wade* was in jeopardy, that presidential and corporate power would be enhanced and voting rights diminished. The question was not whether, but when these shifts in doctrine would take place.

Kavanaugh's divisive Senate confirmation process re-enforced a growing public perception that the court is driven far more by politics than law — a sentiment that was gathering steam even before the GOP Senate refused to advance the nomination of Merrick Garland. Unelected justices have little to support respect for their powers if they are merely political surrogates. The Constitution created a system of separation of powers and an independent judiciary to guard against just such an eventuality.

Several of the justices share a commitment to maintain the prestige of the court as a body that doesn't appear to be driven by election returns. Hence the many comments that the best thing for the court now is a term that has no "blockbusters" — cases that won't stimulate widespread public debate. A recent decision supported by Chief Justice John Roberts as well as Kavanaugh not to accept an abortion-related appeal supports this view.

Cases now before the court can also be seen as under the radar. For example, the scope of the Endangered Species Act; claims Apple has monopolized the distribution of iPhones; whether the Constitution's double jeopardy clause permits both state and federal governments to charge the same crime; and the extent to which an arbitration clause bars a court suit.

Such issues are important to certain constituencies, but they aren't likely to command public attention the way of last term's major decisions — approving the Trump travel ban, prohibiting unions from collecting dues from non-members and protecting the religious beliefs of the anti-gay wedding cake baker.



Still, sooner or later such a period of quietude will end. Coming down the road are divisive controversies that will be difficult to avoid: the court has decided to tackle gerrymandering, and may have to consider whether anti-discrimination law protects gays, whether state abortion regulations create an "undue burden" and even whether *Roe* remains the law. Then, there are the potential legal issues and cases arising from the Mueller investigation.

The court is an essentially conservative institution. With the exception of the late New Deal and Warren years (when I frequently brought cases to the court for the NAACP Legal Defense Fund), the justices have mostly favored the wealthy, the corporate and the interest group powers conferred by the election returns.

After an initially sleepy period, we might expect a wake-up call that brings on a regression to this norm. But predicting the ways of the court can be like trying to pick a year in advance the winner of the Kentucky Derby. A shift in personnel after the 2020 election could bring change and who knows, now that the Senate has stacked the courts of appeals with Trump nominees, the Supremes might even begin to look slightly liberal.

Matthews Distinguished University Professor of Law Michael Meltsner, a constitutional law expert, has argued six cases before the US Supreme Court. Read more about his life in the law in his latest book, *With Passion: An Activist Lawyer's Life*.



PROMISES AND PERILS OF EMERGING HEALTH INNOVATIONS

APRIL 11–12, 2019 • ANNUAL HEALTH LAW CONFERENCE

Topics will include:

- *Artificial Intelligence*
- *Data Privacy and Security*
- *Digital Health*
- *Access for Vulnerable Populations*

KEYNOTE
SPEAKER

JOHN D. HALAMKA, MD
Chief Information Officer,
Beth Israel Deaconess System

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A background image showing three women from the chest up, looking upwards and to the right with expressions of hope and aspiration. The woman in the foreground is a Black woman with curly hair, wearing a white shirt. Behind her are two white women, one with glasses and one with dark hair.

BELIEVE

IN YOURSELF

IN OTHERS

IN YOUR FUTURE

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