

# Temple ESQ.

## PROFESSOR NANCY J. KNAUER WINS TOP PRIZES

In a little more than a decade Professor Nancy J. Knauer has authored twenty publications on issues related to identity, sexuality, gender, and the law. This year, her scholarship was recognized when she received both the Dukeminier Award and the Stu Walter Prize from the Williams Institute at UCLA Law School for her article "LGBT Elderlaw: Toward Equity in Aging," published in the *Harvard Journal of Gender and Law* in 2009.

The Dukeminier Awards are awarded by the Williams Institute to recognize the best articles published each year on sexual orientation and gender identity law.

The Williams Institute is an academic think tank at the UCLA School of Law focused on sexual orientation and gender identity law and public policy. Each year, UCLA faculty and students screen several hundred articles to identify the top forty articles, which are closely analyzed in an annual seminar. Seminar participants select ten finalists, and an editorial board of faculty and students chooses the best three to five articles of the year.

Knauer's article, along with those of the other finalists, will be reprinted in a special issue of the *The Dukeminier Journal*, named in memory of Jesse J. Dukeminier, a member of the UCLA law faculty for 40 years. Past award recipients include Professors Laurence Tribe, Andrew Koppleman, Eugene Volokh, and Kenji Yoshino.

The Stu Walter Prize, which is being given out for the first time in 2010, is an endowed prize recognizing outstanding scholarship in the field of sexual orientation and the law.

Previously, in 2004, Knauer's scholarship was recognized with the Friel-Scanlan Award for her article *Science, Identity and the Construction of the Gay Political Narrative*. She has also been recognized many times for her excellence in teaching. In 2002, she was named a University "Great Teacher" and received a CPR Dispute Resolution Award for teaching problem solving in the law school. She is also a three-time recipient of the George P. Williams Award for excellence in teaching. She has served as Associate Dean for Academic Affairs and is the former Peter J. Liacouras Professor of Law.



### GAY AND LESBIAN ELDERS

*Knauer's book focuses on the unique challenges facing this often neglected population.*

The approximately two million gay and lesbian elders in the US are an underserved and understudied population. First in her award-winning article (see above), and now in *Gay and Lesbian Elders: History, Law, and Identity Politics in the United States*, to be published by Ashgate Publishing in fall 2010, Professor Nancy J. Knauer continues her probing exploration of the unique challenges facing this group. At a time when gay men and lesbians enjoy an unprecedented degree of social acceptance and legal protection, many elders face the daily challenges of aging isolated from family, detached from the larger gay and lesbian community, and ignored by mainstream aging initiatives.

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## ENVIRONMENTAL LAW PROF'S WORK IS "BEST IN FIELD"

*Sinden makes a case for input limits to reduce pollution.*

In *The Missing Instrument: Dirty Input Limits*, Professor Amy Sinden makes the case for placing regulatory limits on the inputs that constitute the root causes of pollution in addition to—or instead of—the polluting outputs themselves. For example, in automotive regulation, output limits would place a cap on tailpipe emissions while input limits would cap the amount of gasoline that went into the vehicle to begin with.

Input limits are often superior to output limits because of their ability to reduce pollutants at multiple points along the production stream. As Sinden explains, "by reducing the amount of gas that goes into a car, we can reduce the pollutants created by the gasoline production process itself: less gas means less air pollution from oil refineries, fewer oil spills and related issues from crude oil transport, and less ecological disturbance from oil drilling. It impacts the entire chain of events instead of just the end result."

Sinden's persuasive article, co-authored with David M. Driesen, was named one of the five "best in the field" in environmental law for 2009 by a national panel of law professors and environmental scholars. In recognition of this honor, *The Missing Instrument: Dirty Input Limits*, which appeared originally in the *Harvard Environmental Law Review*, will be reprinted in *The Land Use and Environment Law Review*, an anthology of the most current scholarship on emerging land use and development issues.

Sinden teaches popular courses in property, environmental law, and an upper level seminar on climate change. Her published work criticizes the misuse of economic theory in environmental law, arguing against the use of cost-benefit analysis in environmental standard setting and countering claims that private property rights can solve environmental problems in the absence of government regulation.



**PROFESSOR AMY SINDEN, SHOWN AT THE WISSAHICKON CREEK IN PHILADELPHIA, WRITES ABOUT LEGAL AND REGULATORY APPROACHES TO ENVIRONMENTAL PROBLEMS.**

## GAY AND LESBIAN ELDERS

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Drawing on materials from law, history, and social theory, *Gay and Lesbian Elders* integrates practical proposals for reform with larger issues of sexuality and identity. Beginning with a summary of existing demographic data and offering a historical overview of pre-Stonewall views of homosexuality in order to provide context for the current generation of gay and lesbian elders, Knauer goes on to address the invisibility of this community. She examines the multiple double binds central to their identity formation, including ageism among gays and lesbians and homophobia among seniors, and discusses specific legal concerns such as estate planning, housing, discrimination, and financial insecurity. Integrating theory with practical questions of policy, and advancing a new understanding of the construction of sexuality and identity, Knauer's book advocates meaningful new reforms designed to ensure equity and dignity in aging, regardless of sexual orientation.

### EXCERPT FROM

#### *Gay and Lesbian Elders*

The identities of the current cohort of gay and lesbian elders were forged within a historical period that seems far removed from today's reality of legalized same-sex marriage and openly gay celebrities. The pre-Stonewall generation came of age in a time when being "out and proud" was a sure fire way to get a Section VIII discharge from the military or an appointment for electroshock therapy. Homosexuality was classified as a severe sociopathic mental illness and sodomy was uniformly criminalized. The closet was not only a survival mechanism – it was, quite simply, a way of life.

Today, gay men and lesbians who are age 65 and older are a largely invisible and silent minority. Existing demographic and gerontological research is frustratingly incomplete and partial. Growing anecdotal evidence, supported by data collected by advocacy groups, suggests that gay and lesbian elders struggle with financial insecurity and social isolation. They overwhelmingly rely on single-generational chosen families for support, underutilize aging resources, and face significant barriers to health care and related elder care services. Fearful of discrimination, gay and lesbian elders are prone to retreat to the closet when dealing with health care and elder care professionals or living in institutional settings. The willingness and ability of gay and lesbian elders to conceal their identities contributes to their invisibility and, in so doing, allows heteronormative and homophobic practices to go unchallenged. As one study concluded, "The difficulty in undertaking change in an environment in which older gays and lesbians are profoundly silent cannot be underestimated."

## ADVANCING THE BALL FOR COACHES OF COLOR

*Duru's book explores race and sports in contemporary society*

Two days before Super Bowl XLI in 2007, the game's two opposing head coaches posed with the trophy one of them would claim after the contest. It was a fairly unremarkable event, except that both coaches were African American—a fact that was as much of a story as the game itself. In December, 2010, Professor N. Jeremi Duru's new book, *Advancing the Ball*, will roll off the presses of Oxford University Press. Featuring a foreword by coach Tony Dungy, *Advancing the Ball* reveals how this unique milestone resulted from the work of a determined group of people whose struggles to expand head coaching opportunities for African Americans ultimately changed the National Football League.

"Since the league's desegregation in 1946," says Duru, "opportunities had grown plentiful for African Americans as players but not as head coaches—the byproduct of the NFL's Old Boys' network and lingering stereotypes of blacks' intellectual inferiority. Although Major League Baseball and the NBA had, over the years, made progress in this regard, the NFL's head coaches were almost exclusively white up until the mid-1990s." *Advancing the Ball* chronicles the campaign of former Cleveland Browns' offensive lineman John Wooten to right this wrong and undo decades of discriminatory head coach hiring practices—an initiative that finally bore fruit when he joined forces with attorneys Cyrus Mehri and Johnnie Cochran. Together with a few allies, they galvanized the NFL's African American assistant coaches to push for equal opportunity and convinced the league to enact the "Rooney Rule," which stipulates that every team must interview at least one minority candidate when searching for a new head coach. Duru's interest in the complex issues explored in *Advancing the Ball* began early in his legal career. After earning a joint Master's in Public Policy and J.D. from Harvard and clerking for a federal judge, Duru worked as a litigator at Mehri & Skalet in Washington, DC. There, much of his work involved challenges to discriminatory employment practices in the world of professional athletics, and in recognition of that work, the National Bar Association honored Professor Duru with its 2005 Entertainment and Sports Lawyer of the Year award.

Duru, who joined the Temple Law faculty in 2005, teaches sports law, employment discrimination, and civil procedure. In 2008, students voted him the George P. Williams Memorial Outstanding Professor of the Year.



### EXCERPT FROM

#### *Advancing the Ball*

Fans who viewed the Rooney Rule as unfair affirmative action, meanwhile, were up in arms for different reasons. Several months earlier, the NFL, pleased about the rule's impact in the head coaching ranks, expanded the rule to cover a team's search for a general manager. Even many fans who had grudgingly accepted and in some cases supported the rule began to question both its expansion and its continued necessity.

Indeed, some such fans pulled the Supreme Court's *Grutter v. Bollinger* affirmative action decision into the argument, noting that Justice Sandra Day O'Connor, who authored the majority opinion in that case, suggested the University of Michigan's plus-factor admissions policy, while reasonable at the time of the decision, might eventually grow unnecessary. Although O'Connor's time horizon in the *Grutter* case was twenty-five years, these fans wanted the Rooney Rule abandoned much sooner, and they expressed their displeasure.

The Rooney Rule and the manner in which the NFL was administering it were under attack from supporters

and opponents alike. And although the League's precise path forward was unclear, Commissioner Goodell expressed no interest in scrapping the rule or otherwise pulling back on the League's diversity efforts. While the head coaches and general managers of color had generally been quite successful, their proportion of all NFL head coaches and general managers remained quite low (among the League's thirty-two teams, there were only six and five, respectively) and continued to lag far behind the proportion of the League's players of color.

How best to catalyze further change—whether through refining the Rooney Rule, as some of the rule's supporters were demanding, or through exploring other equity-inducing initiatives—was debatable, but there was no debating the track record the League had established over the course of the previous eight years. It had moved from having virtually no head coaching or front office diversity to being an industry leader in equal employment opportunity matters, and its efforts had begun to influence workplace diversity debates in others contexts. For better or for worse, depending on the perspective, the National Football League had become a major player in the racial politics of the new millennium.



# HOSEA HARVEY AND BRISHEN ROGERS JOIN FACULTY

*New profs bring expertise in banking, labor law.*

## PROFESSOR PARTICIPATES IN INTERNATIONAL CRIMINAL COURT CONFERENCE

**JUNE 2010** Professor Margaret M. deGuzman, who teaches criminal law, international criminal law and transitional justice, traveled to Kampala, Uganda to attend the Review Conference of the International Criminal Court (ICC). Seven years after the ICC became operational, delegates from more than 100 countries gathered in Uganda to take stock of the ICC's achievements, to push forward proposals to strengthen its rules, and to arrive at a consensus about what defines "crimes of aggression."

As a Yale Law student, deGuzman had participated in the historic 1998 Rome gathering at which the Hague-based court was established. In Rome, she was assigned to advise the government of Senegal about the treaty's implications for that country. The U.S., which is not a party to the Rome Statute, participated actively in the Review Conference as an observer state. The U.S. was represented at the Kampala conference by a sizable delegation led by deGuzman's mentor, State Department Legal Adviser and former Yale Law School Dean Harold Koh.

Over a week's time, deGuzman, an accredited conference observer, conducted interviews with conference participants, including a number of current and former chief prosecutors of international criminal tribunals. The interviews relate to her research on the relationship between the goals of the ICC and the exercise of prosecutorial discretion to select cases. This work is part of deGuzman's broader research agenda on the appropriate role of international criminal law in the global legal order.

Ever since she attended the Rome conference in 1998, deGuzman has been researching the impact of the ICC. She first wrote about the ICC in 1999, in "Article 21, Applicable Law," for *Commentary on the Rome Statute of the ICC*. In 2009, her article "Gravity and the Legitimacy of the International Criminal Court" was published in the *Fordham International Law Journal*. She has authored chapters on "Crimes against Humanity," in two *Handbooks of International Criminal Law*. She is also co-author of "Initiation of Investigations and Selection of Cases," in *Towards Codification of General Rules and Principles of International Criminal Procedure*, to be published in 2010.

**AUGUST 2010** Hosea Harvey and Brishen Rogers join the sixty plus members of the Temple Law faculty this fall semester. Their areas of expertise will bolster the law school's already strong—and rapidly expanding—business and employment and labor law course offerings.

Professor Peter Spiro chaired the five-person committee that was charged with the search for new faculty. "Brishen and Hosea were among the best candidates in an extremely strong applicant pool," says Spiro. "The result shows that Temple can compete with other top law schools in attracting rising academic stars and build on the many other excellent entry-level additions to the faculty in recent years."

Assistant Professor Hosea H. Harvey will be teaching courses on contracts and banking, and a seminar on race and gender issues in corporate law, markets, and business organizations. Prior to accepting the position on the Temple Law faculty, he was general counsel for New York Needs You—a non-profit focused on mentoring, cultivating leadership, and enhancing career opportunities for low-income, first-generation New York college students—and an associate general counsel, specializing in non-profit corporate legal matters, for Planned Parenthood Federation of America.

Harvey was previously a corporate associate at Cravath, Swaine & Moore LLP. He also clerked for Judge Ann Claire Williams of the U.S. Court of Appeals for the Seventh Circuit and for Judge Barrington D. Parker Jr., then of the U.S. District Court for the Southern District of New York.

Harvey's research centers around using empirical methods to solve a central question: what is the appropriate role of the law in minimizing the effects of race and gender disparities in business and consumer markets? His past work includes examinations of the political psychology of race and politics in the U.S., as well as an examination of the causes and legal consequences of race and gender disparities in the business operations of film and sports markets.

Professor Harvey is excited about being able to use his diverse corporate law practice experience to enhance his teaching. "Today's market-savvy law students will



HOSEA H. HARVEY



BRISHEN ROGERS

increasingly demand that law schools teach the fundamentals of black letter law, and yet also provide practical knowledge enabling graduates to excel at the practice of law in the real world. I look forward to helping students understand how the law that we study is actually practiced in corporations, government, non-profits, and law firms."

Assistant Professor Brishen Rogers is teaching a course on torts and a seminar on emerging issues in labor law. Rogers came to Temple from Cambridge, MA, where he was a Climenko Fellow and Lecturer in Law at Harvard Law School. There he had the opportunity to conduct research in employment law and corporate law, and teach first-year legal research and writing. He has published on various subjects related to the law of the workplace, including corporations' responsibility for wage and hour violations among their contractors and suppliers, and the complex relationship between shareholder primacy norms and corporate social responsibility.

"I'm thrilled to be joining the faculty at Temple Law," Rogers says. "I've seen first-hand how low-wage workers often lack effective legal representation, and therefore cannot effectuate their legal rights. Teaching at Temple Law seems like a perfect way to help remedy that, as Temple graduates are nationally renowned as first-rate attorneys with a strong commitment to social justice."

Prior to his Harvard fellowship, Rogers was in-house attorney for the pension advisory arm of Change to Win, a labor federation with more than six million members.

Harvey earned his undergraduate degree from Dartmouth College in 1995, as well as a master's degree in 1997 and a doctorate in 2005 from Stanford University. He earned his law degree in 2000 from Stanford Law School, where he was senior articles editor of the *Stanford Law & Policy Review*.

Rogers earned his undergraduate degree in 1998 from the University of Virginia, and his law degree in 2006 from Harvard Law School, where he was president of the Labor and Employment Law Project and co-editor in chief of *Unbound*, a new law review.

"We are delighted to welcome these exceptionally gifted professors to our faculty," says Dean JoAnne A. Epps. "Their experience and reputations serve to further solidify our profile within the academic and legal communities, enabling us to enrich and broaden these key areas of our curriculum."

MARGARET DEGUZMAN WITH BEN FERENCZ, THE SURVIVING PROSECUTOR FROM THE NUREMBERG TRIALS.



PRINCE ZEID OF JORDAN CHAIRED THE ICC CONFERENCE IN UGANDA.



**VISITING SOUTH KOREANS**

**Twelve law students from South Korea studied at Temple this summer. Above: Dean JoAnne A. Epps addressed students at a welcoming reception in Shusterman Hall. Right: the group visited Washington, DC. While there, they met with Frank Razzano of Pepper Hamilton.**

## S. KOREA PROGRAM EXPANDS TEMPLE'S ROLE IN ASIA

*Summer program brings Korean students to Temple.*

**JUNE 2010** Under the auspices of a recently launched collaboration between Temple Law School and a Korean law school, twelve South Korean law students spent four weeks at Temple Law, gaining intensive exposure to the American legal system and the language in which it is practiced in a program developed by Temple law alum Peter Kim.

When Peter Kim '78 came to Temple Law to earn his J.D., he was one of the first international students to do so. As in much of the world, a law degree in South Korea was only offered at the undergraduate level, but today the system has been modified to offer a US-based graduate level J.D. degree. These advanced degrees are now offered at 25 South Korean law schools. This structural change inspired Kim to return to Temple Law with a proposal to collaborate on educating future Korean attorneys.

After many years of a successful legal career, Kim is now the Dean of Dong-A Law School in Busan, South Korea. Recognizing Temple Law's strength in international legal education—including a highly successful LL.M. program in China—Kim approached his *alma mater* about a collaboration. Dean JoAnne A. Epps agreed to establish a summer program for Dong-A students that would precede—and prepare them for—the courses they would take towards an LL.M. at Temple. The program is also open to students from South Korea's other law schools.

The inaugural program—Temple-Dong-A Summer Program (TDAS)—was launched this summer, and the twelve South Korean students traveled to Philadelphia for a four-week introduction to the American legal system taught by attorney Marc Durant of Durant & Durant. Robin Nilon, Assistant Professor of Law and Director of the Writing Center for International Students at Temple, taught the students legal English and communication skills. Students had the opportunity to observe a criminal trial, tour Washington DC, and prepare an oral argument, which they presented before federal judges Timothy Rice '82 and Paul Diamond. "These students were extraordinarily engaged, motivated and appreciative," says Durant. "They were a delight to work with and I look forward enthusiastically to participating in this program again."

The collaboration with Dean Kim and Dong-A is "an exciting opportunity to participate in the transformation of the South Korean legal education system," says Assistant Dean for International Programs Louis Thompson. "It allows Temple Law to add another academically enriching opportunity to our already diverse portfolio of transnational programs and exchanges."



**CHINA PROGRAM  
T. Melindah Bush,  
Co-director**

## THRIVING CHINA PROGRAM HAS NEW CO-DIRECTOR

**AUGUST 2010** Professor T. Melindah Bush has been named co-director of Temple's 11-year old LL.M. degree program at Tsinghua University in Beijing, China. Bush will co-direct the LL.M. program with Professor Mo Zhang, an expert in Chinese and comparative law.

"The Chinese attorneys and judges who enroll in the LL.M. program have had an extraordinary teacher in Melindah Bush," says Co-Director Mo Zhang. "In addition to legal expertise and classroom skills, she brings a deep understanding of Chinese culture to her position. I very much look forward to our collaboration."

Bush has been teaching in the program since 2005, and since 2006 she has also directed and taught in another Temple Law initiative—a judicial education program operated jointly by Temple Law School and the National Judges' College in Beijing. Today, in addition to her administrative responsibilities, Bush continues to teach courses in U.S. tort law, evidence, case briefing, civil procedure and constitutional law.

Bush has lived in China since 2004, when her husband was offered a job with O'Melveny & Myers LLP in Beijing. Bush was eager to accompany him. She saw the move as an opportunity to explore the growing number of rule of law programs in China. But she also leapt at the chance to expose her two sons to the language and culture of China as young children. Bush—who is half-Malay—credits her early exposure to Asian culture with creating her world perspective.

She had spent much of her childhood in Malaysia where her father, a surgeon, worked for many years. After the family relocated to the U.S., regular trips to visit family in Malaysia included side trips to Japan and Korea. It seemed inevitable to Bush that she would return to Asia someday as an adult. Her first opportunity came when she was an undergraduate political science student at University of California, Los Angeles. As a participant in the Peace Studies Exchange Program at Meiji Gakuin (University), she conducted primary research on the role of minority interest groups in Japanese politics.

Later, as a law student at Harvard, Bush's interest in Asia led her to help organize an annual Asia Business

Conference. She also served as president of the Harvard Asia Law Society, senior editor of the *Harvard Journal of Law and Public Policy*, and editor of the *Harvard Asia Quarterly*. Immediately after law school, Bush clerked for Judge Richard F. Suhrheinrich of the U.S. Court of Appeals' Sixth Circuit. Prior to joining the Temple Law faculty, Bush was an associate in the litigation department of Kaye Scholer in Washington, DC.

The LL.M. degree-granting program has been educating Chinese attorneys and judges for the past decade. The 15-month program, which includes a summer semester in Philadelphia, has awarded 347 LL.M. degrees. In addition, Temple Law's ambitious "rule of law" program includes innovative training seminars for the Chinese judiciary and legal educators, and has been instrumental in supporting curriculum development in Chinese law schools.

Louis Thompson, Assistant Dean for Graduate and International Programs, watched 46 students graduate from the LL.M. program as part of the tenth Anniversary celebration of Temple Law's presence in China. "Witnessing the ninth graduating class march across the stage was an inspiring testament to the longevity of our program and a tribute to the vision of former Dean Reinstein and the commitment of Dean Epps to our mission in China. Seeing members from each of those classes at the banquet that followed was gratifying measure of what our program has meant to its participants."

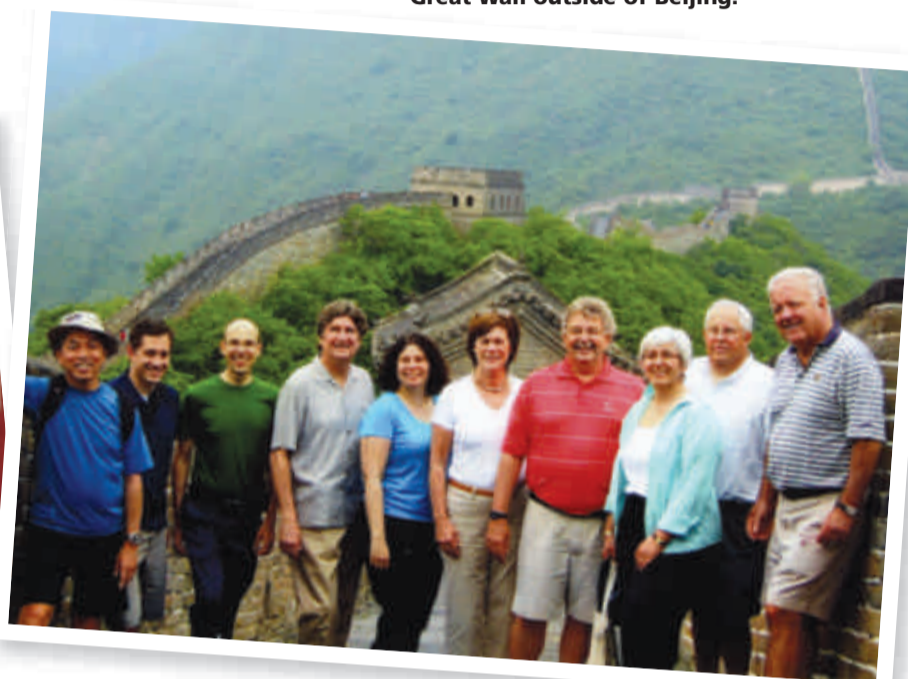
To date, over 900 participants have benefited from Temple's various legal education programs in China. Lawyers coming out of these programs have supplemented their Chinese legal education with an understanding of American legal reasoning, ranging from trial techniques and rules of evidence to civil procedure and judicial independence.

"The China program is one of the law school's greatest achievements, and has helped place us at the forefront of global legal education," says Dean JoAnne A. Epps. "Melindah Bush has been a valuable part of this program and we know her vision and expertise will continue to take the program in new and exciting directions."



**CRIMINAL TRIAL WORKSHOP**  
**Professor Edward Ohlbaum delivers a closing argument at the Criminal Trial Workshop in China. Dean JoAnne A. Epps also participated in the workshop.**

**ASIAN DELEGATION**  
**Temple delegation visited the Great Wall outside of Beijing.**



**TIBETAN WEDDING**  
**Gongbao Zhandou, LL.M. '08 (left) and Dawa Yongji, LL.M. '09 exchange rings at a wedding ceremony at Tsinghua campus in Yushu, China.**

## CHINESE LL.Ms HOST WEDDING FOR HEROIC TIBETAN CLASSMATES

**JUNE 26, 2010** Alumni of Temple Law's LL.M. program for Chinese attorneys have formed strong bonds. The strength of those bonds was dramatically demonstrated when alumni joined together to organize and pay for the wedding of fellow graduates Gongbao Zhandou, LL.M. '08 and Dawa Yongji, LL.M. '09.

Gongbao and Dawa were both students in Temple Law's LL.M. degree program for Chinese attorneys. Both of the Tibetan attorneys hailed from the western Chinese city of Yushu, Qinghai Province and their families rejoiced when they announced they would marry in April, 2010.

But three days before their wedding—on April 14—when a 7.1 magnitude earthquake instantly ravaged the historic city, Gongbao and Dawa's future home was destroyed. The two cancelled their wedding and immediately threw themselves into earthquake relief work. Xinhua News Agency credited them with rescuing ten people from the wreckage. They went on to help gather statistical data, and disburse relief funds, and provide free legal services to victims of the disaster.

When the dust settled, Gongbao and Dawa's former classmates threw them a gala Tibetan wedding at the Tsinghua campus in Yushu. More than 100 friends and family members took part in the ceremony, with alumni coming from Jiangsu Province, Tianjin, Australia, and France to Beijing to participate in the celebration. Concerned alums and faculty also collected funds for the relief effort, which were delivered to the newly-married couple to disperse.

## TEMPLE HOSTS CRIMINAL TRIAL WORKSHOP IN CHINA

**JULY 2010** Dean JoAnne A. Epps and Professor Edward Ohlbaum led a team of educators who traveled to Xining—a region of China with little international exposure to Western legal systems—to conduct a workshop on fair criminal trials. Demonstrations were aimed at stimulating thought on how Chinese criminal procedure can be revised. The faculty also included U.S. Magistrate Judge L. Felipe Restrepo and Adjunct Professor Carrie Cinquanto.

The workshop was organized by Temple Law School in collaboration with the State Administration of Foreign Experts Affairs, Qinghai University for Nationalities, and the Judicial College for Qinghai province. The group of 46 participants included judges, prosecutors, law professors, and government officials. Sixteen of the participants were ethnic minorities, including nine Tibetans.

"I was gratified to see how the participants grasped concepts of U.S. law," reports Louis Thomson, Assistant Dean for Graduate and International programs, who also attended the conference, "particularly how they responded to the value of cross examination, witness testimony, and jury trials."

## DELEGATION TOURS ASIA

**JUNE 2010** Dean JoAnne A. Epps traveled to Asia with a Temple University delegation that included President Ann Weaver Hart, members of the board of trustees, and Senior Vice Provost for International Affairs Hai-Lung Dai. The university has more than 110 exchange programs in cities around the world that aim to enrich the educational experiences of domestic and international students, encourage the exchange of ideas and bolster collaborative research.

In Beijing, where Temple Law's LL.M. program is located, President Hart met with Tsinghua University Vice President Xie Weihe to extend the universities' education partnership for another five years. The program, begun in 1999, was the first international law degree-granting program approved by both the Chinese Ministry of Education and the American Bar Association.

The Temple delegation also met with the Vice Minister of Education Chen Xi to discuss opportunities to increase collaboration between Temple and other Chinese institutions.

In both Japan and China, the Dean encountered a strong network of proud Temple alums. "It was extremely gratifying to learn firsthand how our alumni are using their Temple Law School education in the workplace and are continuing to network among themselves and develop their practice areas," says Dean Epps.

# Faculty ON THE Record

## ARE IMMIGRANTS GOOD FOR THE ECONOMY?

The Pennsylvania House approved a crackdown on illegal immigrants through two bills that would require contractors to verify citizenship. "I think it's a mistake as a matter of policy," said **PROFESSOR PETER SPIRO**. "I think that immigrants are good for state economies and anything that pulls out the welcome mat from immigrants turns out being bad for state economies. This is sort of a more mild version of the Arizona phenomenon (that is) looking to undertake enforcement at the state level." —*Fox 29, June 8, 2010*

A judge recently blocked key parts of Arizona's tough new immigration law hours before it was to take effect. Now, a YouTube video shows a man—who is not an Immigration official—approaching foreign workers at a local construction site and asking if they are here legally. Is this the tip of the iceberg of the behavior we can expect? "The issue of immigration in these hard times is always going to have traction, because people know there are 11 to 12 million illegal persons in the United States who aren't supposed to be here who are working jobs that American workers would like to have for themselves," said **PROFESSOR JAN TING**. —*Fox 29, July 29, 2010*



## ABREU ENDORSES SUPREME COURT JUSTICE KAGAN

A Temple Law professor was pleased as punch to see Elena Kagan in Supreme Court confirmation hearings because of time they spent together at Harvard. **PROFESSOR ALICE ABREU** spent two semesters in the hallowed Harvard halls, spring '04 and '06. The first was as Kagan was finding her stride as Dean and later to see how well she'd grown into the job. Leading the Harvard Law faculty, Abreu says, is like herding cats, a trait that might come in very handy with the Supremes. It's safe to say Professor Abreu is a fan: "I think I was privileged to have visited at Harvard the two semesters that I did. I think it confirms my sense of the President's judgment that he had the good judgment to select her. I can't think of anything, of any word that wouldn't make me sound like a teenager." Abreu says Kagan's ability to build consensus without sheer force of will should benefit the court. —*KYW Radio, June 29, 2010*

## RAMJI-NOGALES WEIGHS IN ON ARIZONA LAW



**PROFESSOR JAYA RAMJI-NOGALES** appeared on WURD's "Mid-Day Cafe" to discuss the Arizona immigration law, the preliminary injunction against it, and the implications of both on citizens and undocumented workers throughout the country. In the program, she critiqued the Arizona bill as overly broad, and explained that there are numerous criminal and immigration laws already in existence that can be used to address violence and gang activity at the border. She laid out the position of the federal government, which views the law as a threat to its careful balance of

priorities in the immigration realm, and expressed concern over the significant harm to individuals and families that would result from implementation of the law. —*WURD AM, August 3, 2010*

## ENVIRONMENTAL LAW PROF: "NO CHANCE" OF POLICY REWRITE

**ENVIRONMENTAL LAW PROFESSOR AMY SINDEN** is one of the academics and activists who say there is "no chance" that President Obama will rework the executive policies carried over from his predecessor that tell agencies how to write regulations and outline a White House oversight role. Obama had raised expectations for major changes in his first weeks in office, when he requested recommendations for new executive orders on issues such as scientific integrity, public disclosure and regulatory review, touting them as part of a plan to make his administration "the most open and transparent in history." —*New York Times, July 14, 2010*

## PROF SEES OPPORTUNITY IN JUVENILE RULING

The U.S. Supreme Court recently ruled that juveniles cannot be sentenced to life without parole for any charge other than homicide, citing the country's 'evolving standards of decency' and the Eighth Amendment's ban on cruel and unusual punishment. This has prompted post-conviction relief petitions on behalf of prisoners who were sentenced as juveniles. "The challenge we're raising isn't letting them all out on the streets," says **PROFESSOR SARA JACOBSON**. "We are just asking for the possibility of parole and redemption, that what an inmate has done in prison for years and years should count. That you've been good, and understand what you've done." —*Philadelphia Inquirer, July 18, 2010*

## FACEBOOK "LIKE A NATION-STATE" SAYS POST



After becoming Britain's prime minister, David Cameron wanted a few tips from somebody who could tell him how it felt to be responsible for, and accountable to, many millions of people. He turned to Mark Zuckerberg, the founder and boss of Facebook. Was this just a political leader seeking help from the private sector—or was it more like diplomacy, a comparison of notes between the masters of two great nations? Many web-watchers do detect country-like features in Facebook. "[It] is a device that allows people to get together and control their own destiny, much like a nation-state," says **PROFESSOR DAVID POST**. —*The Economist, July 21, 2010*

## CARTER SAYS AGGRESSIVE POLICING CREATES DISTRUST

An increasingly tense relationship between residents and a handful of police contributed to chaos that erupted on Franklin Street on June 19. The incident has prompted questions about whether policies like stop-and-frisk do more harm to neighborhood relations than they're worth.

**PROFESSOR WILLIAM CARTER** said that accusations of "overly aggressive policing of minority communities" are usually discussed in terms of civil rights or racial issues. "It's simply bad policing to police a community in a way that the community feels that it's constantly under suspicion," he said. "If the community distrusts you, then the everyday situations, like [on Franklin Street], can spiral out of control." —*Philadelphia Daily News, August 3, 2010*



## KAIRYS WEIGHS IN ON PRIVACY ISSUE

Bruce Jackson suffered years of neglect and starvation at the hand of his adoptive mother. An unusual order to seal his court records has placed the 25-year-old in such a protective cocoon that almost nothing can be known about his care under state guardianship, monitored by the same department that failed him in the first place. Several advocates for the disabled said they were deeply troubled by the lack of transparency, even in the absence of allegations of mistreatment. **PROFESSOR DAVID KAIRYS**, a constitutional law expert, said the question of whether the state was providing "all the services that this young man needs and deserves doesn't seem to be a legitimate area of privacy." —*Philadelphia Inquirer, August 1, 2010*

## FALL 2010 ENTERING CLASS

### DID YOU KNOW?

- This year's entering class was selected from a record pool of over 4,700 applicants.
- While students hail from 136 colleges and universities, Penn State, University of Pennsylvania and Temple are the top three feeder schools.
- Among the 74% of the class who worked prior to law school are an intelligence analyst, biomedical engineer, victim advocate, documentary filmmaker, newspaper reporter, TV producer, architect, antiquarian book dealer and a state budget analyst. Others have served in Americorps, Peace Corps, Marine Corps, Teach for America, and mission work in the U.S. and abroad. Some have volunteered as fire fighters or coaches.
- Members of the entering class were born in Italy, India, Vietnam, Trinidad, South Africa, South Korea, Philippines, Ukraine, France, Switzerland and Japan. The majority of the class is fluent in another language; many speak several languages, including one student who listed seven.
- More than 10% of the class have earned advanced degrees, including four PhDs, five MBAs, and 23 other graduate and master's degrees.
- The entering class excels in more than academics, and includes a Division One distance swimmer, a national freestyle wrestling champion, a second degree black belt in Tae Kwon Do, and college football captains. The arts are well represented as well, by a capella singers, actors, musicians, a playwright and a stand-up comedian.
- Temple's evening program—taught by the full-time faculty—continues to offer a convenient option for many working students. The sciences dominate this year's evening division, with two research scientists, two nurses, two chemists, one molecular lab technologist, one pharmacist, and one software engineer.
- A growing number of students cite the array of international programs as one of the reasons they chose Temple. Based on current trends, at least 20% of the entering class will participate in some type of international study or internship. J.D. students at Temple have the opportunity to study alongside LL.M. candidates from over 21 countries worldwide.

### THIS YEAR'S ENTERING J.D. CLASS

**Class size: 326**

**Median LSAT: 161**

**Median GPA: 3.44**

**Average age: 25**

**States and foreign countries represented: 31**

**Undergraduate schools and colleges represented: 136**

**Minority students: 27%**

**Students with at least one year of work experience: 74%**



## LAW SCHOOL WELCOMES NEW STUDENTS

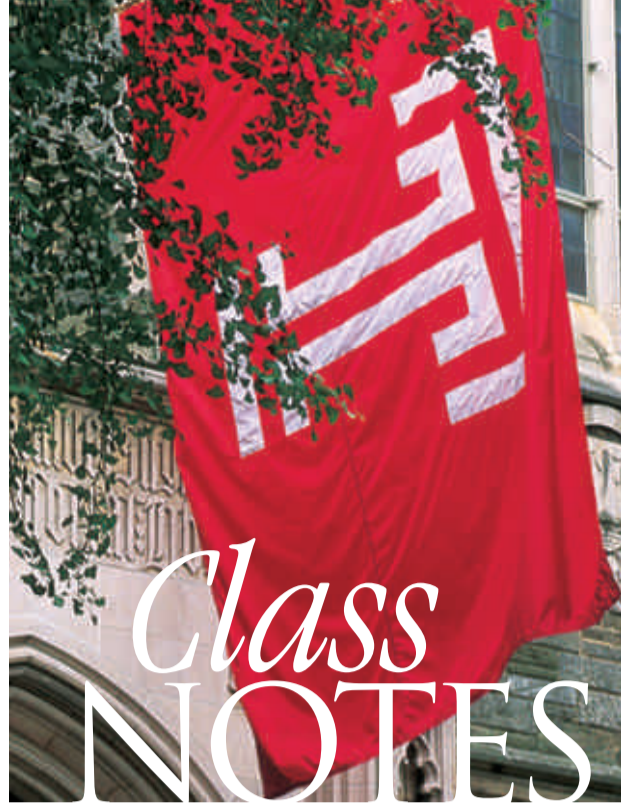
**AUGUST 19, 2010** New students were joined by faculty, administrators and member of the law school community for a festive welcome party. The reception was held at the Constitution Center in the historic Old City neighborhood of Philadelphia.

DEAN JOANNE A. EPPS



DEAN OF STUDENTS  
MARYLOUISE  
ESTEN





# Class NOTES

## 1960s

**GEORGE W. SHANKS '69** is the Virginia State Bar's new president-elect. Shanks was a special assistant to U.S. Sen. Harry F. Byrd Jr. from 1972 to 1977 before starting the firm of Miller, Earle and Shanks in Luray, VA. He is the county attorney and commissioner of accounts for Page County. Shanks also created the award-winning Law-Related Education Project of the Page County Bar Association, in which attorneys visit classrooms to talk about the law, and students visit the U.S. Supreme Court.

## 1970s

**STEPHEN H. FRISHBERG '71, LL.M. '96**, of Deeb, Petrakis, Blum & Murphy has been elected the first vice president of the Golden Slipper Club and Charities of Philadelphia. He also spoke on federal estate and gift tax considerations for the estate planner at a Pennsylvania Bar



Institute seminar in August, 2010. Frishberg has also served as president of the board of managers of Temple's Fox School of Business.

**KATHRYN KOLBERT '77** is the director of the Athena Center for Leadership Studies at Barnard College and Columbia University. The Athena Center runs lecture series, mentorship programs, film festivals and is launching a Leadership Lab to teach women the practical elements of leadership. Kolbert was formerly president of People for the American Way. Prior to that, she held a position at the Annenberg Public Policy Center at the University of Pennsylvania, where she launched NPR's *Justice Talking* radio program.



**DIANE ROTHBERG PEVAR '78**, Chair of the Department of Business and Legal Studies at Manor College in Jenkintown, PA, was chosen Outstanding Teacher for 2010 by the college's student body. Pevar is a past president of the American Association for Paralegal Education.



## 1980s

**JOSEPH H. BLUM '82**, a partner at Deeb, Petrakis, Blum & Murphy, has been named to the board of directors of the National Kidney Foundation serving the Delaware Valley. In Blum's legal practice, he focuses on complicated commercial and tort matters in both state and federal courts, and assists clients in their response to government investigations and subpoenas. A former police officer, Blum is a member of the American Bar Association's litigation pretrial practice and discovery committee and the Philadelphia Bar Association's technology committee.



**KEVAN F. HIRSCH '82**, a principal of Kaplin Stewart in Blue Bell, PA, has been appointed vice chair of the Lawyers' Assistance Committee of the Pennsylvania Bar Association for a one-year term. Hirsch is a member of Kaplin Stewart's construction law, commercial litigation and employment groups.



**MARK L. GOLDSTONE '84** was described as "head attorney for the country's liberal activists" in a June 2010 feature article in *Congressional Quarterly*. Goldstone, who has a private practice in Washington, DC, is well-known for defending political activists. Most recently, Goldstone and another attorney represented 23 protesters arrested while demonstrating against the ongoing detentions in Guantanamo Bay. Following law school graduation, Goldstone worked on Walter Mondale's unsuccessful presidential bid against Ronald Reagan, and next worked briefly on Capitol Hill. Goldstone then left politics to take a job as a public defender before opening his current practice.

**CARLTON L. JOHNSON '84** has been appointed to serve a second consecutive one-year term on the minority bar committee of the Pennsylvania Bar Association. A partner in the Philadelphia office of Archer & Greiner, Johnson is co-chair of the firm's civil rights and government relations practice groups.



**SANDRA R. CRAIG '86** was appointed a workers' compensation judge for the Pennsylvania department of labor and industry in Philadelphia in December, 2009.

Ballard Spahr recently named **LOUIS L. CHODOFF '88** a partner in the firm. He is a member of the litigation department and labor and employment group in the Voorhees, NJ office. Chodoff is also co-chair of the workplace harassment committee of the American Bar Association's Labor and Employment Law Section, and provides training for clients in harassment prevention and union avoidance.

**ANDREW S. ABRAMSON '89**, of Abramson Employment Law, has been named president of the Kelly Anne Dolan Memorial Fund of Ambler, PA. The fund is a non-medical resource center that provides advocacy, education, information, and financial assistance for the uninsured needs of families caring for terminally, critically, and chronically ill, severely disabled, or seriously injured children.



In May 2010, divorce and family law attorney **LORI K. SHEMTOB '87** addressed family and marital therapists at the annual meeting of the Family Institute of Philadelphia. Shemtob is a fellow of the American Academy of Matrimonial Lawyers, and is certified by the AAML as an arbitrator. Shemtob's practice is based in Blue Bell, PA.



In August 2010, Stetson Law Professor **ELLEN S. PODGOR LL.M. '89**, was awarded the Robert C. Heeney Memorial Award, the highest honor of the National Association of Criminal Defense Lawyers. Podgor is the LeRoy Highbaugh Sr. Research Chair and Professor of Law at Stetson, where she teaches courses in white collar crime, criminal law and international criminal law. She also co-chairs the advisory board of *The Champion*, a magazine addressing concerns of criminal defense lawyers, and she authors the *White Collar Crime Prof Blog*.



**ANITA CARR SHAPIRO '89** is vice president at the Practising Law Institute overseeing the content and delivery of over 300 continuing legal education programs. She will be a speaker at the Annual Meeting of the Association of Continuing Legal Education in New York City on July 27th covering the topic "Opening Night or Closing Night? How to Successfully Budget a Program." She is an active member with the American Bar Association Business Law Section and a member of the National Association of Women Lawyers.

## GRADUATING CLASS OF 2010

**MAY 20, 2010** 295 J.D.s and 100 LL.M.s received diplomas at Temple Law's 110th commencement. The featured speaker was Carolyn Lamm, President of the American Bar Association. Stephen T. Descano was elected by his classmates in the evening division to speak at commencement, and the speaker for the day division was Michael P. Zabel.



STEPHEN T. DESCANO '10



MICHAEL P. ZABEL '10

## 1990s

**FRANK MURPHY '92**, a partner at Deeb, Petrakis, Blum & Murphy, has been named to the Temple University College of Engineering Alumni Association's board of directors. Prior to law school, Murphy earned a degree in Mechanical Engineering Technology from Temple University. He currently practices in the areas of construction law and commercial litigation, and also has an active municipal law practice.



**GICINE P. BRIGNOLA '94** is the new executive director of the Pennsylvania Board of Law Examiners. Brignola began her duties the first week of September, 2010, working out of the Pennsylvania Judicial Center in Harrisburg. Brignola was the assistant dean for career services at the Dickinson School of Law in Carlisle since 2000.

Reed Smith LLP recently announced that **PAUL J. JASKOT '95**, a partner in its Philadelphia office, will be practice group leader of the firm's U.S. corporate and securities group. Jaskot, who has been deputy practice group leader of the group since 2007, practices in the areas of mergers and acquisitions, securities, corporate governance, general corporate and financing matters. He also currently chairs NPower Pennsylvania, a nonprofit corporation that assists other nonprofits in the effective use of technology.



**PAUL F. JENKINS '95** was recently named partner of Ballard Spahr. He is resident in the firm's Voorhees, NJ office, and a member of the litigation department, insurance group, and product liability and mass tort group. Jenkins coordinates Ballard Spahr's involvement in the Rutgers Children's SSI Pro Bono Program, and is a founding member of the GoodLooking Foundation, benefiting children with autism.



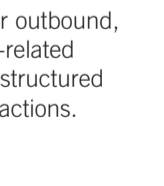
**SHANESE I. JOHNSON '95**, of Shanese I. Johnson & Associates, is the 2010 chair of the Philadelphia Bar Association family law section.



**GARY MEZZY '96**, formerly a partner in the Jenkintown, PA firm of Rakikin and Mezzy, recently formed The Family Law Office of Gary Mezzy, in Willow Grove, PA.



**AJAY RAJU '96**, managing partner and vice chair of the business and finance department of the Philadelphia office of Reed Smith, was recently profiled in the Indian magazine *Lex Witness* as one of the "Top 50" shaping the legal landscape in India. The magazine described Raju as "the 'go-to' strategic adviser for multinational companies seeking inbound or outbound, complex and commercially significant India-related transactions." Raju focuses his practice on structured finance and real estate capital market transactions.



## 2000s

**JOSEPH A. MALFITANO '00** has been named deputy general counsel of The Hilco Organization, which he joined in 2007 after practicing in the bankruptcy and corporate restructuring section at Young Conaway Stargatt & Taylor for more than seven years. Hilco is based in Northbrook, IL.



**DARA LOVITZ '03** wrote *Muzzling A Movement: The Effects of Anti-Terrorism Law, Money, and Politics on Animal Activism* (Lantern Books), which examines the unconstitutional silencing of the animal activist movement. Lovitz teaches courses on animal law as an adjunct professor at Temple University Beasley School of Law and the Earle Mack School of Law at Drexel University.



**ALLYSON DAVIS '04**, Assistant City Solicitor representing the Philadelphia International and Northeast Airports, is beginning work towards a Masters of Government Administration at the Fels Institute of Government at the University of Pennsylvania.

In July 2010, **CHRISTIAN C. MATTIOLI '06** joined Deeb, Petrakis, Blum & Murphy as an associate in the firm's commercial litigation group. Prior to his legal career, Mattioli was a communications professional for companies such as the EFK Group, Habitat for Humanity International and Mass Consultants and Services in Kuwait.

Dechert associate **JEROME MADDOX '07** has been with the firm's Philadelphia office since graduation, practicing in the areas of antitrust, securities litigation, and mass torts and product liability, often working with economists and

statisticians on issues of damages and causation. Before law school, Maddox held tenure track positions in the political science departments of Stanford University and the University of Pennsylvania. He is a former member of the editorial board for *State Politics and Policy Quarterly*, a peer-reviewed journal, and has served as a reviewer for numerous other political science journals. He is also a member of the academic advisory council for Project Forward Leap, an academic enrichment program for middle-school students.

Family law and litigation attorney **JENNIFER J. RILEY '09** joined the law firm of Rubin, Glickman, Steinberg and Gifford in 2009. Riley volunteers for the American Bar Association's military *pro bono* project. She also coaches Mount Saint Joseph Academy's high school mock trial team, which was the winning team in Montgomery County, PA, and represented the county in the statewide competition.



**KEVIN HARDEN '10** has been awarded a diversity scholarship by the Young Lawyer's Division of the Philadelphia Bar Association in recognition of his excellence in academic achievement, community service, and commitment to the Philadelphia area. Harden, who was nominated by the Philadelphia Barristers, joined the Philadelphia District Attorney's Office in July 2010.

## CHARLES W. BOWSER '57

*"Towering political figure" in Philadelphia 1931~2010*

**AUGUST 12, 2010** Charles W. Bowser, 79, an untiring advocate of racial fairness and an influential civic leader who twice campaigned to be mayor of Philadelphia, died from complications from Alzheimers' disease. While he was never elected to the office of mayor, he was considered the first to truly mobilize African-American voters in Philadelphia, paving the way for the successful campaigns of W. Wilson Goode and John F. Street.

Bowser grew up in North Philadelphia. He attended—and was a football star—at Central High School. He completed an undergraduate degree at Temple, and before entering Temple Law, served two years in the Army in the Korean War.

From the mid-1960s on, Bowser is credited with mentoring almost every major black elected official who has emerged in the Philadelphia region in the last 25 years. Bowser's campaigns taught the fundamentals of politics to young black leaders who succeeded him. Goode worked for the Bowser campaigns. Street was a volunteer, as were State Rep. Dwight Evans, now chairman of the state House Appropriations Committee, and U.S. Rep. Chaka Fattah, along with members of City Council and holders of other elected offices.

In 1965, he was named director of the Philadelphia Anti-Poverty Action Committee. In 1967, he became deputy to Mayor James H. J. Tate. He was named director of the Urban Coalition in 1968. Mayor Goode appointed him to the commission that investigated the MOVE

bombing. The commission issued a scathing report on the incident, and Bowser went on to write a book about the bombing. Though Bowser was best known for his political activity, his colleagues described him as a sharp litigator, who represented clients ranging from corporate giants such as Peco Energy to individual citizens. Bowser retired from his law practice in 2004.

### IN MEMORIAM

<b>William D. Harris</b>	<b>Class of 1948</b>
<b>George Porter Armour</b>	<b>Class of 1949</b>
<b>Ambrose J. Hinnegan</b>	<b>Class of 1949</b>
<b>Roland G.C. Young</b>	<b>Class of 1949</b>
<b>Norman A. Peil Jr.</b>	<b>Class of 1951</b>
<b>Bernard Sacks</b>	<b>Class of 1952</b>
<b>Paul J. Carey</b>	<b>Class of 1953</b>
<b>Stanley H. Zeyher</b>	<b>Class of 1958</b>
<b>Helen Stern Cutner</b>	<b>Class of 1967</b>
<b>Hon. Joseph Dych</b>	<b>Class of 1976</b>
<b>Joseph X. Ming</b>	<b>Class of 1978</b>
<b>Florence Schreiber Powers</b>	<b>Class of 1979</b>
<b>Howard S. Robin</b>	<b>Class of 1980</b>
<b>William David Marvin</b>	<b>Class of 1981</b>
<b>Scott Marshall Pollack</b>	<b>Class of 1981</b>
<b>Pedro Lloyd Boone</b>	<b>Class of 1984</b>
<b>Neal A. Phillips</b>	<b>Class of 1984</b>
<b>Marcia Greave Samero</b>	<b>Class of 1986</b>
<b>William Barber</b>	<b>Class of 1988</b>
<b>Joseph DiGiuseppe</b>	<b>Class of 1990</b>
<b>Diane Smith</b>	<b>Class of 1992</b>

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1719 North Broad Street  
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Email: [janet.goldwater@temple.edu](mailto:janet.goldwater@temple.edu)

## SUMMER RESEARCH IN CAMBODIA IS “A DREAM COME TRUE”



*Inspired by an int'l law professor, Aimee Haynes traveled to Cambodia to research crimes committed by the Khmer Rouge.*

When law student Aimee Haynes '12 was deciding where to attend law school, she knew what she was looking for. “I chose Temple University Law School over a number of other schools for one reason: the international law department,” Haynes wrote in an article chronicling her summer internship at the Documentation Center of Cambodia (DC-Cam), conducting research for the tribunal exploring crimes of the Khmer Rouge.

“At the first presentation [at law school] about international summer jobs, I was in the front row,” remembers Haynes. “A few people talked about their experiences in Rome or South Africa, but the only one that had me riveted was a presentation about working on issues related to the Khmer Rouge Tribunals in Cambodia. From then on, I was on a job hunt mission: to get hired by the Documentation Center of Cambodia (DC-Cam).”

Haynes' article, “My Summer in Cambodia: A Dream Come True,” was published in *At Issue*, a magazine published by the Young Lawyers' Division of the Pennsylvania Bar Association. Haynes wrote the article while she was in Cambodia on an internship inspired by

international law expert Professor Jaya Ramji-Nogales. Ramji-Nogales has been a legal adviser to DC-Cam for the past 15 years and is co-editor of a book entitled, “Bringing the Khmer Rouge to Justice: Prosecuting Mass Violence Before the Cambodian Courts,” published in 2005.

During the summer of 2010, Haynes elected to research procedural issues surrounding detention and evidence. Haynes, who had taught in Asia before entering law school, was excited to find that DC-Cam is focused on more than just legal issues: they also engage in educational outreach that they hope can prevent history from repeating itself.

“The other DC-Cam project I joined was one in which we trained provincial teachers to use a textbook ... to teach

students the history of Cambodia, with a focus on the period when the Khmer Rouge was in power. The mission is to teach children in Cambodia the past so they can understand the reasons for the present poverty in the country, as well as to prevent atrocities such as those committed by the Khmer Rouge in the future. The project was amazing, because the teaching paradigm was very different from traditional styles of teaching in Asia that often focus on rote memorization. Instead, the teaching style encourages student participation, exploration and independent thinking.

Ramji-Nogales says she was impressed with Haynes from the start because of her enthusiasm about the position and her prior experience teaching in Asia. “When I first went to Cambodia in 1997,” says Ramji-Nogales, “I was stunned to learn that the history of the Khmer Rouge regime was not taught in schools, and that young Cambodians knew very little about this tragic era. It is wonderful to see Aimee involved in a project that teaches Cambodian youth about their nation's history, and will hopefully help to prevent such atrocities from recurring.”

“For me,” Haynes writes at the conclusion of her article, “as a former teacher and a believer in creating lifelong thinkers, seeing pedagogical changes taking place before my eyes was something I could have never imagined when applying for a job doing legal research.”

## STUDENT PAPER ON LAW AND HISTORIC PRESERVATION GARNERS PRIZE

**MAY 2010**

Nathaniel Guest '10 has received the prestigious Burton Award from the Burton Foundation for his article “Putting History on a Stone Foundation: Toward Legal Rights for Historic Property,” published in the *Temple Political and Civil Rights Law Review*. This is the second consecutive year that a Temple Law student has been recognized by the Burton Foundation.



This year Guest, who will complete a graduate degree in historic preservation and planning at Cornell University in addition to the J.D. he completed in May, says that the honor took him by surprise. “I never imagined all those nights sitting in the law library, working on this article, that it would ever get this recognition. My name is on it, but I think it's really a testament to Temple and the opportunity and support it provides.” He credits Temple's faculty with serving as a resource in two ways—“both in terms of their own knowledge and by the people to which they were able to refer me.”

Professor Nancy J. Knauer, Guest's faculty adviser on the paper, says: “Nathaniel's article represents an excellent example of inter-disciplinary legal scholarship. He successfully combined his legal training with his interest in historic preservation to develop an innovative theory to protect our historic places.”

The Burton Awards are given each year to honor the best legal writing by law firm partners and law students in the previous year. Student articles are submitted by the deans of each law school in the nation, and the top fifteen papers are selected for recognition. The Burton Foundation is a non-profit academic organization affiliated with the Library of Congress. It was founded by William J. Burton, a partner at the international firm of D'Amato & Lynch and author of the authoritative legal reference, *Burton's Legal Thesaurus*.

— Rebecca Schatschneider

## JUDGE ANSWERS LAW STUDENT'S CALL

*Doug Moak '11 assists Justice McCaffery's judicial reform.*

Doug Moak '11 was interning for Judge Linda Carpenter in the Philadelphia Court of Common Pleas when he noticed that crowded dockets were derailing efforts to curb witness intimidation. He suspected that a mechanism for fast-tracking cases involving an intimidated witness might help.

A search of best practices for preventing witness intimidation led him to a Rhode Island statute that reinforced his idea. Calls to the Rhode Island prosecutor's office and the Philadelphia Police Commissioner's office suggested that a fast-track approach could, in fact, be useful here. But how would a law student be able to get the word to someone in a position to make that happen?

The answer came when an article in the *Philadelphia Inquirer* announced that Pennsylvania Supreme Court Justice Seamus McCaffery '89 was spearheading a comprehensive reform of the First Judicial District. Moak placed a call to Justice McCaffery's chambers, and soon enough found himself explaining his idea to the Justice, who in turn passed the ideas on to his advisory board.

As a result of Moak's initiative, he has become “deeply involved in helping various board members with research and other matters,” according to Lise Rapaport, Justice McCaffery's wife and chief judicial assistant. Today, he continues to research and write memoranda for several

panel subcommittees on the possibility of reinstating the indicting grand jury in Pennsylvania, the admissibility of hearsay in preliminary hearings, and the circumstances under which a fugitive defendant can be tried in absentia.

Moak, who completed a full-time internship with the Inspector General's office in summer 2010, says the experience with Justice McCaffery has only reinforced his intention to stay involved in judicial process and reform. In the eyes of Justice McCaffery, “Doug is quite a credit to Temple Law School.”

Now in his last year of law school, Moak is working at the Philadelphia District Attorney's Office through the clinical program. “As far as future plans after graduation, I'm still trying to figure it out,” says Moak. “But I know I want to stay involved in the Philadelphia criminal justice system, and I am hoping to either clerk for a judge or become a prosecutor.”

**DOUG MOAK '11 WITH MEMBERS OF THE PANEL WORKING ON JUDICIAL REFORM.**



## THE END OF CITIZENSHIP?

*Professor Peter Spiro to present annual Friel/Scanlan Lecture*

In his 2008 book, *Beyond Citizenship: American Identity After Globalization*, Professor Peter J. Spiro used citizenship status as an optic on American identity. Before one asks what it means to be American, Spiro argued, one must consider who is American. The ways in which citizenship law divides those who are American from those who aren't tells us a lot about the content of the American national character.

*Beyond Citizenship* described how citizenship law once reflected and shaped the American national character. Spiro explored the histories of birthright citizenship, naturalization, dual citizenship, and how those legal regimes helped reinforce an otherwise fragile national identity. But on a shifting global landscape, claimed Spiro, citizenship status has become increasingly divorced from any sense of actual community on the ground.

In the upcoming Friel/Scanlan Lecture—provocatively titled “The End of Citizenship”—Spiro will revisit the themes of his book, which was published by Oxford University Press in 2008. Spiro's recent work has explored how international law is coming to bear on citizenship practices, making it more difficult for states autonomously to define the boundaries of community.

Spiro joined the Temple Law faculty in 2006 as the inaugural holder of the Charles R. Weiner Professorship, prior to which he was Rusk Professor of Law at the University of Georgia. He is a former law clerk to Justice David H. Souter of the U.S. Supreme Court, U.S. State Department lawyer, and member of the staff of the National Security Council.



### FRIEL/SCANLAN LECTURE

**Monday, October 25, 2010 at 11:45 am  
Shusterman Hall, Main Campus**

A 2007 survey ranked Spiro in the top 15 among international law scholars on the basis of academic citation frequency. He has contributed commentary to such publications as *Foreign Affairs*, *The Wall Street Journal*, and the *New Republic*, and is a frequent commentator on international and immigration law issues. Spiro holds a B.A. from Harvard College and a J.D. from the University of Virginia School of Law.

### THE ANNUAL FRIEL/SCANLAN LECTURE

The annual Friel/Scanlan Lecture is presented by the recipient of the Friel/Scanlan Faculty Scholarship Fund. This unique award is one of the first in the nation to provide grants to law faculty engaged in the research and preparation of books, articles and other scholarly works.

Francis A. Scanlan, in whose honor the lecture is named, died in 2009. Scanlan was one of the nation's top maritime and admiralty lawyers, and a founding partner in Scanlan & Scanlan. From 1975 to 2002, he was an adjunct professor at Temple Law School and a lecturer in admiralty and maritime law at the law school's programs in Athens and Rome.

## CONWELL COMMUNITY CORPS

continued from page 12

fund a three-year experiment, subsequently dubbed the Conwell Community Corps.

Each spring for the last two years, ten recent law school graduates were selected to join the ranks of the Conwell Community Corps. The Corps awards these students with fellowships to work full-time for six months in one of ten organizations in the region.

“The ten additional fellowships now available through the Conwell Community Corps can be life-changing for students seeking to build on the interests and skills they developed in law school,” says Dean of Career Planning Melissa Lennon. “But—just as importantly—it is a huge boon to the public interest community, which is chronically in need of additional legal staff.”

The first graduates eligible for the Conwell Community Corps came from the graduating class of 2008. The highly competitive fellowships placed students in a range of nonprofit organizations that includes the ACLU of PA, Support Center for Child Advocates, Women's Law Project, SeniorLAW Center, PA Institutional Law Project, PA Health Law Project, Community Legal Services, Education Law Center, Homeless Advocacy Project, and Philadelphia VIP.

By launching the program in the summer of 2008, Temple Law found itself well ahead of the curve in creating a program that would support their graduates' transition

into the legal profession. The economic collapse of late fall 2008 served to reinforce the need for the Corps.

“Dean Epps turns out to have been prescient in founding the Corps,” says Lennon. “We were lucky to have the program well in place and already deemed a success when the job market took a huge hit. It really reinforced the need for the program—not just for our graduates but for the cash-strapped organizations that they're helping.”

As the Conwell Community Corps enters its third year of operation, Director of Public Interest Programs Maureen Olives reports the program is a huge success. “These talented young grads are getting incomparable substantive training, leading many of them to a renewed commitment to public service,” says Olives. “But the most exciting thing we have learned from this ‘experiment’ is just how talented our Community Corps participants are. All the feedback from the community—not just enthusiastic evaluations, but in the form of job offers—has confirmed this.”

In fact, many of the fellows have been hired as legal staff where they were placed, or have found employment that resulted directly from the work they did during their fellowships. Of the recent graduates who have completed their fellowships, more than half have successfully found employment in the public sector.



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*Contact us to be included in Temple's Law Legacy Society honor roll, published in the November issue of Esq.*

**Call 215.204.4754 or email [law.legacy@temple.edu](mailto:law.legacy@temple.edu). Thank you!**

## TEMPLE ESQ.

*Published by the Temple University Beasley School of Law for alumni and friends.*

JOANNE A. EPPS, DEAN

*Publications Director*  
Janet Goldwater

*Art Director*  
Gene Gilroy

*Photography*  
Joseph Labolito  
Kelly & Massa,  
Ryan Brandenburg  
Janet Goldwater

Send letters and comments to:  
Janet Goldwater, Temple Esq.  
Temple University  
James E. Beasley School of Law  
1719 N. Broad Street, Room 510  
Philadelphia, PA 19122  
Email: [janet.goldwater@temple.edu](mailto:janet.goldwater@temple.edu)  
Fax: (215) 204-1185

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# FUNDING WORK IN THE PUBLIC INTEREST

*Conwell Community Corps benefits recent grads, fills urgent need in community*



JULY 21, 2010 PAST AND PRESENT CONWELL COMMUNITY CORPS FELLOWS GATHERED FOR DINNER AT THE MISSION GRILL. PICTURED ARE (SEATED FROM LEFT) MICHAEL BOLDEN '09, REGINA TRAN '09, NEELIMA VANGURI '09, AND (STANDING FROM LEFT) PONG CHULIRASHANEKORN '09, WILLIAM RINGLAND '09, DIRECTOR OF PUBLIC INTEREST OFFICE MAUREEN OLIVES, MARY KATE BONNER '09, CHRISTOPHER JACKSON '09, DIRECTOR OF CAREER PLANNING MELISSA LENNON '96



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When JoAnne A. Epps was named dean of the law school in spring 2008, she was determined to expand the law school's ongoing commitment to the public interest institutions in the region. Public interest organizations are chronically understaffed, and demand for public interest jobs has traditionally far outstripped the opportunities available. One way for organizations like Community Legal Services to fund a staff large enough to respond to client demand is through public interest fellowships funded by

groups such as the Independence Foundation, the Skadden Foundation, and the Legal Aid Network.

Today's economic climate has only increased the demand for qualified legal fellows. In response, Dean Epps proposed an innovative plan for Temple to add its own public interest fellowships to the existing opportunities for graduating law students. Temple University President Ann Weaver Hart was inspired by the concept, and agreed to *continued on page 11*

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LAW SCHOOL AND ALUMNI NEWS

FALL 2010

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## CALENDAR OF EVENTS

**Tuesday, September 21, 2010**  
**INTERNATIONAL CRIMINAL COURT REVIEW**  
Barrack Hall 11:45 am

**Thursday, September 23, 2010**  
**TAA GOLF OUTING**  
Huntingdon Valley Country Club 8 am  
[www.mytlawconnection.com/2010tlaagolfclassic](http://www.mytlawconnection.com/2010tlaagolfclassic)

**Thursday, September 23, 2010**  
**WASHINGTON D.C. ALUMNI RECEPTION**  
1120 E. Capitol St. NE 6 pm  
[www.mytlawconnection.com/dc](http://www.mytlawconnection.com/dc)

**Tuesday, September 28, 2010**  
**LACKAWANNA/LUZERNE COUNTIES  
ALUMNI RECEPTION**  
The Woodlands Inn & Resort Ballroom 6 pm  
[www.mytlawconnection.com/lackawanna](http://www.mytlawconnection.com/lackawanna)

**Monday, October 4, 2010**  
**NYC ALUMNI RECEPTION**  
Madame Tussauds 6 pm  
[www.mytlawconnection.com/nyc](http://www.mytlawconnection.com/nyc)

**Tuesday, October 19, 2010**  
**SAMUEL POLSKY MOOT COURT COMPETITION**  
Duane Morris LLP Moot Court Room 4 pm

**Wednesday, October 20, 2010**  
**PA BAR ADMISSION CEREMONY**  
City Hall, Ceremonial Courtroom 653 4 pm  
[www.mytlawconnection.com/2010admissionsceremony](http://www.mytlawconnection.com/2010admissionsceremony)

**Monday, October 25, 2010**  
**FRIEL/SCANLAN LECTURE**  
"The End of Citizenship" presented by Prof. Peter Spiro  
Shusterman Hall 11:45 am

**Friday, November 19, 2010**  
**LAW REVIEW SYMPOSIUM**  
"Second Generation" Civil Rights Litigation (5 PACLE cr.)  
Shusterman Hall 9 am – 4 pm  
[www.mytlawconnection.com](http://www.mytlawconnection.com)

**Tuesday, March 1, 2011**  
**ARLIN & NEYSA ADAMS CON LAW LECTURE**  
presented by Professor Owen Fiss, Yale Law School  
Duane Morris LLP Moot Court Room 4 pm

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JAMES E. BEASLEY SCHOOL OF LAW  
1719 North Broad Street  
Philadelphia, PA 19122

