

TEMPLE ESQ.

Temple University
James E. Beasley School of Law
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TEAM REPRESENTS U.S.
AT THE HAGUE**



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TEMPLE LAW TO REPRESENT U.S.

AT THE HAGUE MOOT COURT COMPETITION

*"Preparations for
The Hague began
just a few days after
our team's success
at regionals."*

—Alison Smeallie '19

As we go to press, **DANIELLE DEROHANNESIAN '18**, **HWUI LEE '18**, and **ALISON SMEALLIE '19** are preparing to travel to The Hague, Netherlands. Over a period of five days, they will conduct oral arguments and present briefs about human trafficking in the shrimp industry in the country of Northeros. The country, like the victims—and all allegations in the case—are fictional. The setting of the final round, however, will be an actual courtroom of the International Criminal Court (ICC), and actual ICC judges will adjudicate the fictional case.

The Temple Law squad is one of two teams representing the U.S. in the international round of the International Criminal Court Moot Court Competition. The other U.S. team is fielded by Johns Hopkins University School of Advanced International Studies. The teams won the honor of representing the U.S. in March, when students from 15 U.S., Canadian, and Guatemalan universities convened at the annual regional competition, held at the Elisabeth Haub School of Law at Pace University in White Plains, NY.

While Temple ICC Moot Court teams have advanced to the semi-final round three times in the past five years, DerOhannesian, Lee, and Smeallie are the first Temple squad to advance to the international round. Teams are judged on their written briefs as well as performances in the oral arguments.

Graduating law student Lee, who was recognized as the third best prosecutor in the regional competition, says, "I could never have imagined that I would be afforded an opportunity to go to an international law competition at The Hague. . . . Participating in the competition was one of my best law school experiences, not only for the sheer amount of international criminal law I learned, but for the closer relationship I came to have with our coaches and my two teammates."

DerOhannesian agrees about the value of participating in the team. "Although law school prepared us well for many aspects of participating in this competition, domestic law is different from international law in significant ways," she explains. "International criminal law, in particular, covers unique crimes, such as genocide, and has its own distinct policy debates. It was critical to our success to share our individual experiences in international law with the team and to learn from the wealth of knowledge and experience of the other professors and students helping us."

Helping to prepare the team for the regional victory were the team's researchers Marielle MacMinn '19 and Megan Marriner '19, international law professors Jeffrey Dunoff and Margaret M. deGuzman, Professor Richard Greenstein, and Temple Law alumni Anu Thomas '17, Lilah Thompson '17, and Justin Capek '17. Greenstein will accompany the students to The Hague.

The ICC Moot Court Competition

The International Criminal Court, which has the jurisdiction to prosecute individuals for the international crimes of genocide, crimes against humanity, and war crimes, first began functioning in 2002. As a relatively young institution, it is still exploring its limits and potential reach. The first verdict was handed down in 2012, when Congolese warlord Thomas Lubanga Dyilo was found guilty of recruiting child soldiers.

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Temple Law team members (from left) Danielle DerOhannesian '18, Alison Smeallie '19, and Hwui Lee '18 won the regional competition at the Elisabeth Haub School of Law at Pace University.



ICC Moot Court Competition

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In 2004, before the ICC had even issued its first arrest warrants, two law professors at Pace's law school, Matthew Brotmann and Gayl Westerman, began the ICC Moot Court Competition as an in-class experiment. The next year, they expanded it to include an invited list of schools. In 2006, the competition was opened up to universities from around the world and eventually moved the final round to The Hague.

Today, the competition brings together more than 100 teams of aspiring international lawyers, representing 46 countries—from Afghanistan to Zambia—around the world. Larger countries field more than one team; for instance, while the U.S. has two teams, China and India are represented by four teams each. While the rounds of the competition extend over a five-day period, participants also engage in an extensive educational and social program, giving students of diverse backgrounds and cultures a unique opportunity to meet and mingle, and challenge their skills as future international lawyers.

The Temple Law team

A shared passion for international law brought Danielle DerOhannesian, Hwui Lee, and Alison Smeallie together when the three successfully tried out for the ICC Moot Court team in Spring 2017. Now this threesome looks back at literally hundreds of hours spent together, strategizing, practicing, and reading one another's briefs. Those long hours were rewarded in March when the team was among those qualifying for the international round of the competition at The Hague.

There was very little down time after the victory at Pace. "Preparations for The Hague began just a few days after our team's success at regionals," recalls Smeallie. "We felt it was important to quickly regroup and begin ironing out logistics, as well as discuss our takeaways from the regional competition. We did give ourselves a few weeks to relax before we began mooting again."

Like many high-achieving law students who make multi-tasking an art form, the three teammates became skilled at juggling their moot court participation with already crammed schedules.

DerOhannesian, who graduated in May, has worked closely with international law professor Jaya Ramji-Nogales, with whom she co-authored *Constructing Invisibility: International Criminal Law and Gendered Harms* (forthcoming 2018). In the summer of 2016, she interned at the U.S. Mission to the European Union in Brussels. DerOhannesian is a native of Albany, NY, and she earned her undergraduate degree in political science with a minor in Arabic and anthropology from McGill University in Montreal, Quebec. She has accepted a position at the Philadelphia District Attorney's office starting in the fall.

Lee, who was the captain of the team after a year as a researcher, also graduated this year. He made the most of opportunities to get hands-on experience while in law school. He has interned for Judge Mitchell S. Goldberg of the Eastern District of Pennsylvania for the past year, and participated in a clinical program for the Philadelphia Defenders Association and Temple Law's ShellerCenter for Social Justice. Lee, a Philadelphia native and graduate of Central High, earned his undergraduate degree in political science and philosophy at the University of Pittsburgh. After passing the bar in California, he plans to work in Los Angeles at the commercial and entertainment litigation firm of Browne George Ross.



"International criminal law, in particular, covers unique crimes, such as genocide, and has its own distinct policy debates."

—Danielle DerOhannesian '18

The setting of the final round will be an actual courtroom of the International Criminal Court (ICC), and actual ICC judges will adjudicate the fictional case.

2018 ICC Moot Court Competition Problem *Prosecutor v. McGregor Klegane of Northeros*

This fictional case is intended to enable students to familiarize themselves with the law and practice of the ICC:

The case of *Prosecutor v. McGregor Klegane of Northeros* addresses whether the crime of human trafficking can be tried as a distinct crime against humanity and raises the question of whether a corporate officer can be tried for failing to exercise proper control over a subsidiary which was implicated in acts of human trafficking committed by its suppliers.

Smeallie, a rising third-year law student, has a busy year coming up before she graduates in 2019. Last summer, she was a Law & Public Policy Scholar in Washington D.C., and this summer she will intern for the New Jersey Office of the Public Defender in Camden. After serving as staff editor for the *Temple International and Comparative Law Journal* (TICLJ), she is now the editor-in-chief. Smeallie was born in Middletown, NJ and went to the University of Delaware, where she studied history, political science, and legal studies.

With both her teammates graduating, Smeallie takes the helm as captain and senior member of the ICC Moot Court Team. "Having Hwui and Danielle as teammates this year has been one of the best aspects of my time at Temple Law," she says. "Although I will miss them deeply as they move on to begin their careers as attorneys, I am confident that they will continue to support our team as alumni."

Meanwhile, stay tuned for news of this dynamic trio's outcome at The Hague.

‘Time To Reboot: The DMCA, Version 2.0?’

ISPs can help prevent infringement, says professor Don Harris.

APRIL 9, 2018 A persistent question in copyright law is whether Internet Service Providers (ISPs) should be liable for the infringing acts of their subscribers. Congress enacted the Digital Millennium Copyright Act (DMCA) in 1998 as a means to both protect copyright owners’ rights in the digital environment and to provide safe harbors to shield ISPs from liability, thus allowing for the growth and development of the then-nascent Internet.

Twenty years later, Professor Donald Harris says that the DMCA framework should be revisited: “The Internet has grown far beyond anything we could have imagined.” Harris favors a revised system that encourages ISPs to shoulder part of the enforcement burden by taking reasonable efforts to prevent infringement. In the 2018 Friel-Scanlan Lecture, “Time to Reboot: The DMCA, Version 2.0?” Harris explained his reasoning.

“In 1998, ISPs could be thought of as babies, and we needed to protect them so they could grow,” says Harris, an expert in international intellectual property. “Well now they’re grown.” ISPs like Facebook and YouTube have emerged and are doing pretty well, Harris says, it’s the copyright holders who are facing overwhelming challenges. Harris says the level of infringements has grown exponentially: “We are talking about staggering levels of infringements, millions and million and millions of instances of infringements.”

“Right now, people compare the notice and takedown procedures [for content infringement] to drinking from a fire hose. It just keeps on coming. It’s like whack-a-mole,” says Harris. “There’s no incentive for ISPs to innovate with filtering or monitoring systems, and for the most part they haven’t.”

Harris’ solution: He wants to add a layer onto the DMCA that will motivate ISPs to monitor and filter content to protect from copyright infringement rather than reacting to it. “My proposal is a duty-based system. What I’m arguing is we don’t do away with the DMCA, we layer on top of it that ISPs have the duty to monitor content and filter out before the infringement happens.”



With the added duty, ISPs could also get safe harbor protection if they work to prevent copyright infringement. Harris compares the duty of ISPs to prevent copyright infringement by their subscribers to that of employers to prevent sexual harassment by their employees. Just as institutions can be protected from secondary liability for sexual harassment by putting in place education and grievance procedures, ISPs could qualify for safe harbor protection by implementing systems to prevent copyright infringement.

“Circumstances have changed,” concludes Harris. “These are not your mom and dad’s ISPs and Internet. We are restoring the balance that Congress originally intended. We now have the capability to filter and monitor. ISPs can take these reasonable measures and if they do, they would get the benefit of the safe harbor protection. If they don’t, they don’t get the shield, they don’t get the affirmative defense.”

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AND TAKEDOWN
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TOM LIN RECEIVES LINDBACK AWARD FOR DISTINGUISHED TEACHING

A BUSINESS LAW
PROFESSOR AND SCHOLAR
EARNS ACCOLADES.

Dean Gregory N. Mandel presents Lindback Award to Professor Tom Lin.

"I came to law school with the intention of working in the public sector, and thus, had very little interest in corporate law. After three months with Professor Lin I found myself fascinated . . . It is always appreciated when a professor can explain the nuances of securities law through examples of Carson Wentz and Beyoncé. Corporations with Professor Lin is truly something I will not forget."

— ELIZABETH CASEY '18

APRIL 9, 2018 It is not often that classes on corporations and securities regulation serve as transformative experiences for law students. But, according to his students and colleagues who have sat in his classroom, Professor Tom Lin's classes are not ordinary classes.

"Professor Lin is an excellent teacher," wrote a panel of his peers. "Tom is well-known in the law school for his impeccable mastery of subject matter, prodigious preparation, and encyclopedic knowledge," remarked law school dean Gregory N. Mandel in presenting the award. "His students respond deeply to his classes, many seeking us out to tell us how he 'opened new worlds to them,' 'inspired them,' or 'changed their lives.'" These comments were offered in support of Professor Lin's nomination for the Lindback Award for Distinguished Teaching, conferred by Temple University and presented by Dean Mandel.

Lin's students recommend his courses to their friends, praising him both for his classroom teaching, described as "innovative, fresh, and exciting," and for his commitment to mentorship. His courses frequently have waiting lists of students seeking enrollment.

THE LINDBACK AWARD PREVIOUS RECIPIENTS



2016

MEHRA



2015

MONROE



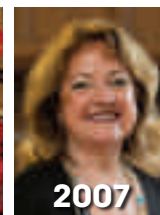
2010

GREEN



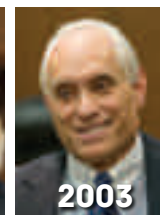
2008

DEJARNATT



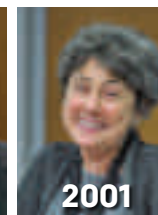
2007

ABREU



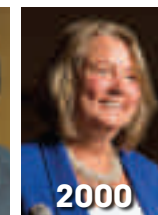
2003

SONENSHEIN



2001

MYERS



2000

LITTLE



1996

SHELLENBERGER

Tom Lin is law faculty's 18th honoree.

APRIL 9, 2018 The prestigious Lindback Award for Distinguished Teaching, funded by the Christian R. and Mary F. Lindback Foundation, bestows grants in support of excellence to teachers at certain colleges and universities, primarily in the Greater Delaware Valley area. Temple University annually hosts a ceremony at which no more than six teachers university-wide are honored with the award. Awardees receive a \$4,000 stipend.

"To call (Lin) supportive is an understatement," wrote one student in connection with his nomination. "I talked with him before every major career and law school decision, and when I thought I was dreaming big, he encouraged me to dream bigger. I cannot imagine a professor who is more talented and committed to the success of his students than Professor Lin."

Tom C.W. Lin: A Short Biography

Prior to entering academia, Professor Lin practiced law at the New York State Office of the Attorney General and Davis Polk & Wardwell in New York City. He holds a B.A., *magna cum laude* and Phi Beta Kappa, from New York University, and a J.D. from the University of Pennsylvania Law School, where he was an Arthur Littleton Fellow.

Lin's research and teaching expertise are in the areas of corporations, securities regulation, financial technology, financial regulation, and compliance. Lin's research has been published and cited by numerous leading law journals, and featured in *The Wall Street Journal*, *The Washington Post*, *Bloomberg News*, and *The Financial Times*, among other media outlets. His research has also been internationally recognized by regulators including the U.S. Securities and Exchange Commission, the U.S. Commodity Futures Trading Commission, and the Ontario Securities Commission.

At Temple, Lin regularly teaches courses in corporations, securities regulation, and advanced financial regulation: corporate scandals and crises. He also teaches specialized courses in American mergers and acquisition law and American corporate legal practice to leading attorneys from China as part of a training program in the U.S. at Temple Law School. In 2016, after just three years of teaching at Temple Law, Lin was selected by the graduating class for the George P. Williams Award for Excellence in Teaching.

"My goal was to expand my exposure to tax litigation and clerk on the U.S. Tax Court—a daunting goal for a non-LL.M. student. Professor Lin offered a step-by-step approach on how best to position myself during this process."

—GEORGIOS I. TSOFLIAS '16, judicial clerk for Hon. Cary D. Pugh of the U.S. Tax Court

"At the end of each class, it is difficult to miss the inspired looks on everyone's faces every time he challenges us to think outside the box, question the status quo, break stereotypes, and above all, exceed our own expectations."

—SHAYNE RASAY '19

"Tom teaches highly technical business law classes that do not tend to grip the imaginations of a broad swath of students. Yet his classes are among the most popular here at the law school."

—LAURA E. LITTLE, Charles Klein Professor of Law and Government

"Few other classes that I took in law school were as intellectually challenging and rewarding as those I took with Professor Lin. . . . I have no doubt my intense interest in issues of corporate governance and securities law developed as a direct result."

—GRANT D. GOODHART '15, associate in mergers and acquisitions at Kessler Topaz Meltzer & Check

"Having sat in his classes . . . I want to single out Tom's teaching of securities regulations, one of the most demanding and almost surely duller classes in the law school curriculum. Students flock to the class and frequently report it is the best course they have taken in law school."

—HARWELL WELLS, I. Herman Stern Professor of Law



In 2018, Temple Law's Professor Tom Lin became the eighteenth member of the law faculty to do so since the award was founded in 1961. Prior Lindback Award recipients include the following: Salil K. Mehra, 2016; Andrea Monroe, 2015; R. Craig Green, 2010; Susan L. DeJarnatt, 2008; Alice G. Abreu, 2007; David Sonenshein, 2003; Eleanor Myers, 2001; Laura E. Little, 2000; James A. Shellenberger, 1996; Joey Passon, 1991; Charles Rogovin, 1990; Peter Sevareid, 1989; Frank McClellan, 1986; James Strazzella, 1983; Robert J. Bartow, 1981; Herbert Myers, 1978; and Joseph Marshall, 1973.

NEW FACES AT TEMPLE LAW

Marian G. Braccia '06

**Director of the LL.M. in
Trial Advocacy Program**



The new director of Temple Law's LL.M. in Trial Advocacy Program, Marian Braccia, has worked in the Philadelphia district attorney's office since graduating from Temple Law. Braccia, who has also been given a faculty appointment as a practice professor, brings particular expertise in courtroom technology, e-discovery issues, and trial skills.

Braccia has extensive litigation experience, having worked in the Philadelphia DA's office from 2006 to 2018 under DAs Abraham, Williams, Hodge, and Krasner. As an assistant district attorney, she was a trial attorney in major trials and the family violence and sexual assault unit. In 2012 she was appointed to a supervisory position in the charging unit.

In 2014, Braccia launched Philadelphia's domestic violence diversion program, assuming a caseload in excess of 200 dockets, monitoring participants' treatment progress, and reporting on program statistics to the DOJ's Office on Violence Against Women. In August 2017, she took on the added responsibilities as director of information technology for the DA's office.

Braccia is well known at Temple Law. She has been an adjunct in Temple Law's trial advocacy program since 2011, teaching Introduction to Trial Advocacy and an experiential course in criminal prosecution. She has also coached Temple's award-winning National Trial Team.

Colleen A. Trembl

Senior Director of Marketing and Communications

Colleen Trembl is Temple University Law School's first ever director of marketing and communications. The position was created by Dean Gregory N. Mandel in 2017 to consolidate, strengthen, and focus the expanding range of activities conducted across the law school to attract qualified students, engage alumni and donor support, and publicize the ongoing accomplishments of Temple Law's faculty and students.

Trembl's academic and professional background makes her uniquely qualified for the position. She topped off an undergraduate degree in advertising and communications from Penn State and a master's degree in journalism from Temple with a law degree from Duquesne University School of Law. After law school, she worked as a litigation associate at the Pittsburgh firm of Tucker Arensberg, before returning to the marketing and communications career she had successfully built prior to law school.

Trembl's background in marketing and communications includes top leadership positions in healthcare and legal marketing. Prior to returning to Philadelphia, Trembl was chief marketing officer at the law firm of Burns White in Pittsburgh.

Mai Le

Associate Director of Academic and Professional Success

In December 2017, Mai Le joined the office of Student Services, where she provides support for academic success programs, external experiential programs, and professional success programs. This translates to working with students throughout their law school experience—and beyond. Armed with a law degree from Drexel University and a master's in social work from the University of Pennsylvania, Le brings to this task a valuable combination of experience in the legal field and as a supervisor and trainer of students in law and social work.



*New Temple Law administrators
(from left): Colleen Trembl, Mai Le,
and Brittne Walden '14.*

For three years prior to joining Temple's staff, Le directed the forensic social work department at the New York County Defender Services. As head of that department, she supervised all aspects of cases from arraignment to disposition in New York county criminal court and its supreme court, and trained and supervised graduate social work students, all while maintaining an extensive caseload. From 2011 to 2013, Le supervised the legal and ethical affairs of five large division of developmental disabilities offices for Newark's Department of Human Services. Prior to that, immediately after graduating from law school in 2009, she worked as a forensic social worker at the New York County Defender Services.

Brittne Walden '14

Associate Director of Student Services

Britt Walden joins the office of Student Services from the Philadelphia district attorney's office, where she worked as an assistant district attorney beginning in 2014. Walden has remained involved with Temple Law since graduation. As a former member of the championship national trial team, she continues to coach the trial team as an adjunct professor.

In the office of Student Services, Walden works under Assistant Dean of Students Jennifer Bretschneider. As associate director, Walden oversees and supports Temple Law's 32 student organizations, strengthens wellness programming, and provides academic advising and counseling.

The Temple Law students whom Walden now counsels will benefit from her wide-ranging experiences—as a student, an adjunct professor, and a lawyer. While in law school, Walden was a summer associate at Archer & Greiner and interned in the law department of the City of Philadelphia and with Philadelphia Legal Assistance. She was also a staff member on the *Political and Civil Rights Law Review* and volunteered with the Homeless Advocacy Program. Walden's scholarship placed her on the Dean's Honors List and she earned many more honors and scholarships, including the Conwell Law Scholarship, Archer & Greiner Diversity Scholarship, Garfinkle & Corbman Trial Advocacy Scholarship, and Barrister's Award.

Peggy Browning fellow Chris Lin '19 has 'impressive record of public service'

Christopher Lin '19 has been chosen for a prestigious Peggy Browning Fellowship to work with the Sheet Metal Workers Union this summer. The Peggy Browning Fund provides support to law students to work with labor-related organizations. Lin was selected for the highly competitive, national fellowship from a pool of 400



applicants. During his ten weeks as a Peggy Browning Fellow, he will provide various forms of legal aid to sheet metal workers in the local union serving Pennsylvania, Delaware, and New Jersey.

Lin is president of the Temple Law Democrats and vice president of the American Constitution Society. He is also a Rubin-Presser Social Justice fellow, a Weisman fellow, and a Beasley scholar. As a Law and Public Policy Scholar, Lin spent the summer of 2017 as a law clerk with the Democratic staff of the Senate committee on Homeland Security and Government Affairs, subcommittee on federal spending oversight and emergency management. There, his scholarship focused on the impact of civil liberties, technology, and homeland security on local communities. Outside of law school, Lin is campaigning for Democratic committeeperson in Philadelphia's 8th Ward and is the

minority outreach coordinator for the Pennsylvania Young Democrats.

"Chris came to the law school with a passion for and an impressive record of public service," says Temple Law director of public interest programs Lisa Hurlbutt. "From his leadership roles in student organizations to his participation in the Justice Lab clinical at the Sheller Center for Social Justice to his political activism outside of the law school, Chris has made a real impact on campus and beyond in his first two years at Temple."

International law professor Rafael Porrata-Doria inducted into *Academia Puertorriqueña de Jurisprudencia y Legislación*



MAY 1, 2018 Temple professor of law Rafael Porrata-Doria was recently installed as a member of the *Academia Puertorriqueña de Jurisprudencia y Legislación* (Puerto Rican Academy of Jurisprudence and Legislation). The organization was founded in 1985 to promote research that contributes to law reform and progress in Puerto Rico. Porrata-Doria is one of only seven scholars outside of Puerto Rico to be recognized by the academy.

Porrata-Doria is a Yale Law alumnus and has been teaching at Temple Law since 1983. Having been admitted to both the Pennsylvania and Puerto Rico bars in the same year, he has substantial experience with both American and Latin American legal systems. Many of his publications focus on the civil and economic development of both regions.

‘The 2017 Tax Cuts: How Polarized Politics Produced Precarious Policy’

MARCH 28, 2018 Students of tax at Temple Law learned the nuances of the 2017 tax legislation from the author of their textbook, when Columbia Law professor Michael Graetz presented the 2018 Frank & Rose Fogel Lecture. “He is one of the most respected and prolific tax scholars in the country,” said Professor Alice Abreu, in introducing Graetz. “If you’ve studied tax law with me or Professor Knauer, you may already feel like you know him, because both of us have used his casebook in our basic tax course for decades.”

A renowned expert on domestic and international tax law, Graetz is the co-author of many influential books, including *Death by a Thousand Cuts: The Fight over Taxing Inherited Wealth*, *The Burger Court and the Rise of the Judicial Right*, and *Follow the Money: Essays on International Taxation*. Before joining the faculty at Columbia, he taught at Yale Law School. He served as the deputy assistant secretary for tax policy in the U.S. Department of the Treasury under George H.W. Bush.

Graetz began his lecture by describing what he called the “highly unusual process” by which the 2017 tax legislation was adopted. It began when President Trump released a one and a half-page document in April 2017. Seven months later, in December, a five hundred-page document outlining all of the changes to the Internal Revenue Code was produced. As legislators and experts scrambled to make sense of the December document—with last-minute edits scribbled into the margins to secure the necessary votes and comply with the reconciliation requirements—it was signed into law in a matter of weeks.

Graetz compared the process resulting in the 2017 Act to the Tax Reform Act of 1986, which was also sweeping in its scope of reform. Under President Reagan, the Treasury



Columbia Law School professor Michael Graetz is co-author of the tax casebook assigned in many basic tax courses.

Department had released six hundred pages of tax reform suggestions in 1984. In May 1985, Reagan released a five hundred-page document with his proposed tax changes. Congress then deliberated for 53 weeks before the act was approved, with support from members of both political parties. The 2017 act, in contrast, was the first modern tax legislation to be passed without hearings or public participation as it was being crafted and without a single democratic vote.

Graetz recounted how 45 of 48 Republican senators sent Senate majority leader Mitch McConnell a document with their 3 principles for tax reform, 2 of which were that it not benefit the wealthiest individuals and not increase the deficit. “Senator McConnell rejected those constraints in a Kentucky minute,” said Graetz, who fears that the bill which passed presents grave risks. “Our growing national debt increases the risk of inflation and another economic crisis. Over time, it may affect the quality of life of the American people. Given the size of the debt and the cost of fulfilling the promises that have been made to the boomer generation, and the seemingly endless war on terror, we simply cannot afford the 2017 tax cuts,” said Graetz. “Since California enacted Proposition 13, antipathy towards taxes has been the glue that holds Republicans together. Even though our tax rates are low by historical standards, revenue-producing tax reform under the current GOP leadership is impossible.”

“The political courage necessary to increase tax revenue has evaporated...”

“Many have compared the 2017 legislation to the tax reform act of 1986, calling it the most important tax revision in a generation,” concluded Graetz. “But unfortunately given our ongoing deficits and the size of

our debt, the 2017 revision resembles the 1981 or 2001 legislation far more than the 1986 tax reform. We have never in modern times faced such a dangerous imbalance between the levels of federal spending and the levels of income.” The national debt, currently at 75% of GDP, is barreling towards \$20 billion. The 2017 act is expected to increase this debt to 97% of GDP by 2028.

“But let me not close on a note of bad news,” Graetz said, offering a story that began while he was serving in Washington. The budget legislation that was enacted in 1990 and 1993, along with the economic growth that was unleashed by the information technology revolution of the late 1990s, completely eliminated the projected budget deficits by the year 2000 and was producing a federal surplus for the first time since 1969.

“Indeed,” said Graetz wryly, “the budget surpluses being projected then by the Congressional Budget Office were so large that in March 2001, the chairman of the federal reserve, Alan Greenspan told Congress that the federal government would soon pay off all of its national debt and would have to begin investing its surplus revenues in stocks, a prospect which he abhorred. The good news is that that problem has been solved.”

NEWS FROM TEMPLE LAW'S CENTER FOR COMPLIANCE AND ETHICS

Center welcomes Ernst & Young
as founding sponsor.

APRIL 2018 Temple University Beasley School of Law announced that Ernst & Young (EY) has become a founding sponsor of Temple Law's Center for Compliance and Ethics. Temple launched the center in 2015 with a mission to improve the understanding of the practice of compliance and ethics across disciplines through innovative educational programming, public-private dialogues and research and scholarship.

The multi-year agreement with EY provides significant support to the center's mission to develop innovative student and professional education programs, foster academic research and thought leadership, and advance public-private sector dialogues on challenging ethics and compliance issues. EY is a multinational professional services firm which ranks as one of the largest professional services firms in the world and is one of the "big four" accounting firms.

"EY's commitment to building a better and more ethical working world makes them an ideal partner for Temple Law School, and in particular for the Center for Compliance and Ethics," says Dean Gregory N. Mandel. "As more of our students and faculty become engaged with the rapidly growing field of compliance and ethics, I expect that EY's influence and global leadership will be of significant benefit to Temple Law."

Professor Jon Smollen, who leads the Center for Compliance and Ethics, notes that with EY's support the center will be well-positioned to host and engage leaders throughout the profession in continued dialogue. "As the compliance profession continues to evolve in response to changes in the political, economic, and regulatory climate, EY has been a consistent champion for innovation and ethical leadership. EY's support and leadership with the center will greatly advance our mission, in particular our ability to facilitate scholarship and a robust exchange of ideas among regulators, corporate leadership, and academics."

"Temple Law's vision for the Center for Compliance and Ethics, and for the compliance profession in general, places them on the leading edge in terms of where compliance is headed," says Kathleen Meriwether, Americas leader of EY's life sciences fraud investigation and dispute services practice. "We believe that together, Temple Law and EY can make a significant impact on the future of compliance and ethical leadership. We also hope to engage our industry clients in the activities of the center. Their participation will provide additional real-world perspective to the academic study as well as offer access to the latest cutting edge research and ideas."



Hui Chen presents 'Corrupt Crime in the Age of Trump'

Compliance expert left DOJ
over ethical concerns.

MARCH 9, 2018 In 2015, Hui Chen went to Washington to assume the newly created position of compliance expert in the Department of Justice fraud section. Her role illustrated a very important step by the DOJ to better define its own evaluation criteria for effective compliance programs. In a talk sponsored by Temple Law's Center for Compliance and Ethics, Chen described her dilemma following the 2016 election. The ethical and compliance related inconsistencies of the new administration began to trouble her.

When former FBI Director James Comey was fired in May 2017, Chen knew it was time to walk away. "I thought that if a company had come in [to the DOJ] and told a story that was essentially 'the head of our investigation was fired because he was looking into the CEO's friend' and the CEO told him to drop it and he didn't, that would give me serious concerns about their compliance program. Yet, that's what I saw happening... and I was very troubled by that."

What constitutes compliance, says Chen, does not always constitute ethical conduct. "Compliance, by definition, is doing what the law requires. Think about what that means if you are living under apartheid, or in 1930's Germany," said Chen. "If you're ethical, if you have your own ethical compass, then you might choose not to comply."

Since leaving the DOJ, Chen is working as an independent compliance consultant, speaking, and writing.

Other notable speakers hosted by the Center for Compliance and Ethics include U.S. attorney general Eric Holder, Leonard McCarthy of the World Bank, and U.S. attorney Zane Memeger. The center also hosted a symposium in 2017, "The Caremark Decision at 21: Corporate Compliance Comes of Age."

Children's Rights Litigation in the Age of Trump: 'THE FIERCE URGENCY OF NOW'

Marsha Levick '76 recounts losses and gains in advocating for kids.

MARCH 20, 2018 Marsha Levick, presenter of this year's Edward J. Ross Memorial Lecture in Litigation, has been called "a true champion for children in America" by Equal Justice Initiative director Bryan Stevenson.

In introducing the Ross Lecture, Temple Law director of advocacy programs Jules Epstein said, "She has been advancing justice for the most vulnerable since graduating from law school." Actually, Levick started while she was still in law school. The Juvenile Law Center, America's first non-profit, public interest law firm for children, was founded in 1975 by Levick, along with Temple alumni Robert G. Schwartz, Philip Margolis, and Judith Chomsky. Today Levick is the Juvenile Law Center's deputy director and chief counsel, overseeing the center's litigation and appellate docket.

To give the attendees at the Edward J. Ross Memorial Lecture an idea of the impact of Levick's tireless work over the past four and a half decades, Epstein offered "Marsha by the numbers": "Tens of thousands of children [in the foster care or criminal justice systems] across the country are better off because of her; 2,500 children in the 'Kids for Cash' scandal benefited from her care; 2,100 people sentenced to life without parole have been given a second chance—500 of them in Pennsylvania, 100 of whom are now free."

'The fierce urgency of now'

For the title of the 2018 Ross Lecture, Levick drew from Martin Luther King Jr.'s "I Have a Dream" speech. In that 1963 speech, Dr. King famously said, "We are now faced with the fact that tomorrow is today. We are confronted with the fierce urgency of now. In this unfolding conundrum of life and history, there is such a thing as being too late. This is no time for apathy or complacency. This is a time for vigorous and positive action." Levick says those words drive her commitment, now more than ever.

At the Juvenile Law Center, Levick has litigated groundbreaking cases before the U.S. Supreme Court as well as federal and state courts nationwide. Levick's colleague Robert Schwartz has said, "her understanding of how judges think makes her the most effective appellate advocate I have ever seen."



Levick spearheaded the Juvenile Law Center's work in the Luzerne County, PA "Kids for Cash" judges' scandal, which was the subject of a book and documentary film. She was part of the core legal team in other notable cases, such as *Roper v. Simmons*, *Graham v. Florida*, and *Miller v. Alabama*, all U.S. Supreme Court cases striking severe adult sentences for juveniles in the criminal justice system, and *J.D.B. v. North*

Carolina, which required consideration of a suspect's youth in the Miranda custody determination. Levick also served as co-counsel in *Montgomery v. Louisiana*, where the U.S. Supreme Court held that *Miller* should be applied retroactively across the country.

Despite her many successes on behalf of juveniles in the criminal justice system, Levick is not resting on her laurels. A year and a half into the Trump administration, Levick laments rollbacks and losses under the current administration, specifically ones she feels most profoundly affect people of color and families: the Muslim ban, bans on transgender people in the military, the appointment of a person to lead the Department of Education who knows nothing about and is hostile to public education.

When it comes to the criminal justice system, Levick says, "Attorney General Jeff Session is telling us that we are experiencing an unprecedented crime wave—a made up story. Trump is telling us how to deal with the opioid crisis, with ads targeted at kids, harsher penalties including death penalty for dealers. . . . We can't incarcerate ourselves out of a social problem, but that is what the current administration is recommending."

However, she continued, "In the children's rights arena it's a good news-bad news story. We are running as fast as we can, because we are terrified that someone is going to turn off the switch."

Levick provided historical context for today's climate. In the early 1990s, the criminal justice system, which had been softening its attitudes towards juvenile sentencing in the 80s, saw an upheaval. A dramatic rise in violent crime starting in urban areas and poor communities—a combination of the crack epidemic and easy access to guns—led to a highly punitive transformation of the system. Levick said the idea of "adult time for adult crime" became a mantra that was adopted by every state, making it easier to prosecute kids as adults. Kids were subjected to the same penalties as adults, whose penalties were simultaneously becoming harsher. *continued on next page*

Science-based research ‘reinforced what we all know: as kids we make really poor judgments.’

In 1996, relief came when the MacArthur Foundation started funding research to back up what many in the juvenile justice system had long intuited: adolescent brains are different. “The findings, which included neuroscience, reinforced what we all know,” said Levick. “As kids, we make really poor judgments.” Research detailing the differences in a developing brain—immature judgment, susceptibility to peer pressure, need to belong to a group—gave advocates of juvenile justice reform a scientific language to describe how kids are different. Importantly, the research also showed that adolescence is transient. These discoveries, Levick contends, demanded a constitutional response, and to a great extent advocates have succeeded.

“I’ve had colleagues in civil rights say ‘you guys are winning’ because in the last 13 years, we’ve won five cases in the Supreme Court on behalf of children in this country—every one groundbreaking, and rooted in science.”

**“We preach
to a court
of one:
Anthony
Kennedy.”**

Recent developments Levick finds encouraging include the growth of scientific research showing that an individual’s brain continues to develop in important ways past the teenaged years and into the mid-20s. In response, in February the ABA adopted a resolution to urge that states with the death penalty not impose it on individuals between 18-21, and a recent decision in Kentucky that prevents that state from sentencing anyone under 21 to death. Levick is also heartened by the election of defense attorney Larry Krasner to the position of Philadelphia district attorney.

“Our wins are fragile, and our opportunities to win more are fragile. But we are here [in Pennsylvania]. Redistricting was upheld, the supreme court has shown a willingness to fill the breach, to step in, to articulate the rights of their citizens that may be temporarily lost in our federal courts. Pennsylvania’s supreme court has leapt forward by demonstrating a commitment to the rights of juveniles by articulating again their position against mandatory life without parole.”

When it comes to the big picture, Levick does not let down her guard. “We preach to a court of one: Anthony Kennedy. He won’t be around forever, and we’re not optimistic about who his replacement will be.”

“We’re running as fast as we can because we don’t know how long the wind will be at our backs,” said Levick. “We owe our kids more, we owe our families and communities of color more. We owe them opportunities to grow, to be mature, to be productive members of their communities, to learn, to be safe, to be well. We can’t treat kids like they are miniature adults. We have to think about how we bring kids back home from the criminal justice system. How do we give schools the ability to manage misconduct in schools without sending them into the criminal justice system?”

“You can’t let your guard down ever,” said Levick. “You can’t blink once.”

**Akhil Reed Amar delivers 2018
Hon. Clifford Scott Green Lecture**

Yale Law professor says the Constitution was the ‘big bang in human history.’



APRIL 2, 2018 Constitutional law professor Akhil Reed Amar always carries copies of the Constitution in his pocket. His reverence for the document is such that the Sterling Professor of Law and Political Science at Yale University wants to keep copies ready to give away, saying “people died for these words, so we should have these words close to our hearts.”

In April, Amar visited Temple Law to present the Hon. Clifford Scott Green Lecture, “The Constitution Today,” based on his most recent book. When the book, *The Constitution Today: Timeless Lessons for the Issues of Our Era*, was published in September 2016, *Time*

named it one of the top ten nonfiction books of the year. Amar takes pride in writing for “ordinary people,” the same people who ratified the Constitution. The ratification of the Constitution was “the big bang in human history,” said Amar. “Never before had ordinary people voted on how they would be governed.”

In his Green Lecture, Amar explored how, for the first time in a generation—and for one of the few times in modern history—all four major federal institutions of power were in play in the last election. When the two national conventions met in 2016, Democrats had a real chance to win control of the House, Senate, Presidency, and Supreme Court. Instead, the Republicans swept the field and now control all four institutions, even though Donald Trump lost the (legally irrelevant) popular vote.

Amar discussed the constitutional significance of the 2016 election—and how it echoed the 1864 election of Abraham Lincoln. He challenged common wisdom on a wide range of current controversies, from the electoral college (everything you’ve ever been taught is wrong) to gerrymandering (it’s only responsible for about 20% of underrepresentation—most is caused by “wasted votes”).

Amar first began teaching at Yale in 1985, at the astonishingly young age of 26. He did so after graduating from Yale College *summa cum laude* in 1980 and from Yale Law School in 1984, and clerking for judge (now justice) Stephen Breyer. His work has won awards from both the American Bar Association and the Federalist Society, and he has been favorably cited by supreme court justices across the ideological spectrum in more than 30 cases. He has regularly testified before Congress at the invitation of both parties; and in various comprehensive surveys of judicial citations and/or scholarly citations, he invariably ranks among America’s five most-cited legal scholars under the age of sixty. In February 2017 he received the American Bar Foundation’s Outstanding Scholar Award.

ACCESS TO GUNS IN PHILADELPHIA

Temple Law Democrats, BLSA host panel on gun violence.

FEBRUARY 28, 2018

In the wake of the Parkland shooting, the Temple Law Democrats and the Black Law Students Association hosted a panel to discuss gun violence and the critical issue of balancing gun rights and public safety in Philadelphia. Panelists

were Temple Law graduate Marla Davis Bellamy '02, who directs the advocacy group, Philadelphia CeaseFire, Temple Law professor and civil rights lawyer David Kairys, and State Representative Jason Dawkins.

Professor Kairys, who has long worked on legal strategies to prevent gun violence, kicked off the discussion by emphasizing the increasing accessibility and legality of guns in Philadelphia. He notes that in spite of gun regulation such as the Brady Act, it seems "easier to obtain a handgun than a textbook."

Representative Dawkins also addressed gun accessibility in Philadelphia, noting that in conversations of gun violence it often goes unaddressed that homicide rates are higher in



Marla Davis
Bellamy '02

impoverished communities where agencies are underfunded. Dawkins asserted that gun violence is ingrained in their lifestyle and so to tackle it policymakers must tackle other social issues, such as drug prevalence, bullying and gentrification.

Philadelphia CeaseFire director Bellamy described gun possession and violence as a "learned behavior." CeaseFire's strategy is to hire returning citizens as 'credible messengers.' The messengers mentor young people from cities with a high crime rate and steer them away from a lifestyle riddled with gun violence. With a gun homicide rate higher than that of New York City, Philadelphia is a prime city for this program. As former chief of staff for the Philadelphia Department of Health, Bellamy believes gun violence translates into a major public health concern and one for which resources are not easily accessible.

The panelists concurred on specific action points, including contacting legislators in order to keep the issue prioritized, and—not surprisingly—electing officials to office who will initiate and back measures to decrease gun violence.

BLSA HOSTS PRESIDENT OF NAT'L BAR ASSOCIATION

APRIL 4, 2018 In observation of the fiftieth anniversary of the death of Dr. Martin Luther King Jr., Temple's Black Law Students' Association hosted a conversation on the life and legacy of Dr. King, race relations, and what it means to be a black lawyer in America. Leading the discussion was Juan Thomas, founder of The Thomas Law Group in Aurora, Illinois.

Since 2016, Thomas has served as president of the National Bar Association, the nation's oldest and largest national association of predominantly African-American legal professionals. It has 84 affiliate chapters throughout the United States, Canada, the United Kingdom, Africa, and the Caribbean.

Thomas is both a seasoned attorney and a committed member of his community. He serves as general counsel of the 100 Black Men of Chicago, and is the minister of the Men's Ministry at St. John AME Church in Aurora. He has served as chair of the Aurora Township Democratic Central Committee. When he was elected to serve as the Aurora Township Clerk, he was the first African-American to hold elected office in Aurora, the second largest city in Illinois.



Juan Thomas

SEC CHAIR DISCUSSES EVOLVING MARKETS AT TEMPLE ADDRESS

MAY 2, 2018 Jay Clayton, chair of the federal Securities and Exchange Commission, discussed "The Evolving Markets for Retail Investment Services and Forward-Looking Regulation" during a presentation at Temple University. The event, held at the Temple Performing Arts Center, was jointly sponsored by the deans of the Beasley School of Law and Fox School of Business.

Since becoming chair of the SEC in May 2017, Clayton has focused on two key areas:



Jay Clayton

making domestic capital markets more accessible to businesses and investors alike, while ensuring the U.S. continues to be the world's leader in terms of effective disclosure and other investor protections; and examining and

addressing equity and fixed-income market structure issues with an emphasis on fairness, efficiency, and resiliency, and recognizing that markets are ever-changing. He is also outspoken on securities law issues related to distributed ledger technology, cryptocurrencies, and initial coin offerings.

Prior to joining the commission, Clayton was a partner at the New York-based firm of Sullivan & Cromwell, where he was a member of the firm's management committee and co-head of the firm's corporate practice. Prior to joining Sullivan & Cromwell, Clayton served as a law clerk for the Honorable Marvin Katz of the U.S. District Court for the Eastern District of Pennsylvania. He has authored publications on securities law, cybersecurity, and other regulatory issues, and from 2009 to 2017, he was an adjunct professor at the University of Pennsylvania Law School.

PHILADELPHIA EAGLE MALCOLM JENKINS HONORED BY TEMPLE SPORTS LAW PROGRAM



From left: Sports analyst Ed Rendell, Dean Gregory N. Mandel, Philadelphia Eagle Malcolm Jenkins, sports law professor Ken Jacobsen, and Ray Dombrowski '79.

APRIL 18, 2018 Philadelphia Eagle Malcolm Jenkins, accepted the Love for the City Award for his work with the Players Coalition. Jenkins, a safety for the 2018 Super Bowl championship team, raised a fist during the national anthem sung before games to draw attention to racial injustice in 2016 and is a co-founder of the coalition.

The award was presented at a celebration entitled "What the Super Bowl Victory Means to Philadelphia," hosted by the Beasley School of Law. Speakers at the event, held at Davio's Steakhouse, included former Pennsylvania Governor and current Comcast SportsNet analyst Ed Rendell.

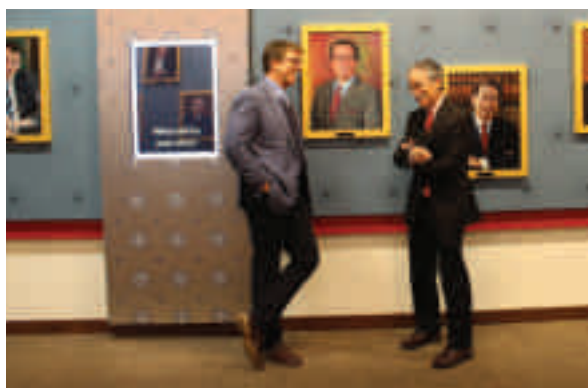
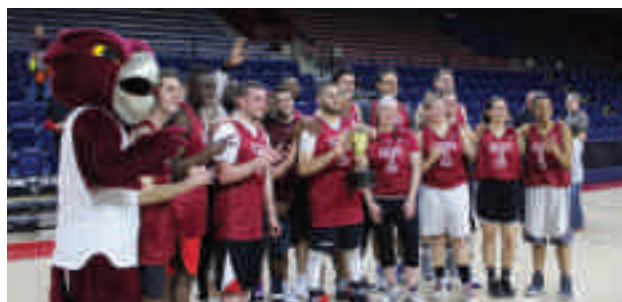
TEMPLE (LAW) OWLS WIN THIRD CONSECUTIVE CHAMPIONSHIP

APRIL 6, 2018 Temple Law maintained possession of the coveted Deans' Cup at an annual basketball tournament now in its sixth year. What began as a good-natured matchup between faculty and students from Villanova and Temple law schools has expanded to include Penn and Drexel. This year's championship round between Temple and Villanova was played at the historic Palestra at the University of Pennsylvania. Dean Gregory N. Mandel and Professor Kristen Murray represented the faculty on the court.

Proceeds from the event are divided among the schools' respective public interest organizations: Temple's SPIN, Penn's Equal Justice Foundation, Villanova's Walter Lucas Public Interest Fellowship Program, and Drexel's Public Interest Experience.



Dean Gregory N. Mandel with Hooter



Mark Lanier with Director of Advocacy Programs, Jules Epstein

DEAN'S FORUM FEATURES NATIONALLY RENOWNED TRIAL ATTORNEY

Personal injury trial attorney Mark Lanier visited Temple Law for a dean's forum and to conduct a master class. Lanier was recently inducted into the Trial Lawyer Hall of Fame of the National Trial Lawyers Association, showcased in Temple Law's Klein Hall.

Since founding The Lanier Law Firm in 1990, Lanier has earned recognition as one of the top trial attorneys in the country, with firm offices in Houston, New York, and Los Angeles supporting his work for clients across the country.

Lanier's courtroom experience includes significant successes. In 2016 he earned a \$1 billion combined jury verdict in a products liability case over defective hip implants against defendant DePuy Orthopaedics Inc., a subsidiary of health care giant Johnson & Johnson. Earlier in 2016, he secured a multi-million dollar verdict in the same federal court in the initial bellwether trial against DePuy and Johnson & Johnson over the metal-on-metal hip implants. This verdict was recognized by the *National Law Journal* as the recipient of the Outstanding Medical Device Award for 2016 and as one of the Top 50 Verdicts of the Year. Lanier scored another verdict in 2014 against Takeda Pharmaceutical Co. Ltd. and Eli Lilly & Co. over the diabetes drug Actos.

Lanier earned a J.D. in 1984 from Texas Tech University School of Law, where he remains active by serving on the law school's foundation board. He was named the Texas Tech University School of Law Distinguished Alumnus for 2015.

BLSA AWARDS



Pepper Hamilton partner Kassem Lucas '00 accepted the 2018 Cecil B. Moore Award from BLSA at the annual award ceremony.

Kassem L. Lucas '00 honored by BLSA

Pepper Hamilton partner is 'champion of social justice'

APRIL 19, 2018 Each year, Temple Law's Black Law Students Association selects an accomplished Temple Law graduate to receive the Cecil B. Moore Award at the organization's annual award ceremony. The 2018 award, presented at a ceremony hosted by Archer and Greiner Law, went to Pepper Hamilton partner Kassem L. Lucas '00.

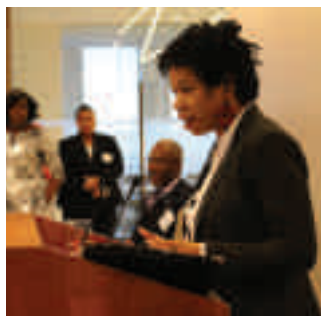
The award is given to an African American graduate of Temple Law, who was a member of BLSA during law school and who is a "champion of social justice." The awardee is also someone who is passionate about diversity and inclusion in the legal profession and who has contributed to equal access to justice for the black community and the community at large. Lucas was recognized for his support of and mentorship to

Temple BLSA members, his accomplishments at Pepper Hamilton and in the legal profession, and his commitment to diversity and inclusion. He started his legal career at Pepper Hamilton and became partner in 2010, practicing primarily in the reinsurance arbitration and insurance insolvency areas. In 2011, he was named the firm's partner in charge of diversity. He also designed and teaches a class at Penn Law entitled Diversity in the Legal Profession.

Recipient of a Recognition and Distinguished Service Award, **EBONY WORTHAM** (center) of the Philadelphia district attorney's office, with BLSA corresponding secretary **PRECIOUS EDEM '19** (left) and BLSA president **ADETOLA AJAYI '19**.



Community Legal Services' **RASHEEDAH PHILLIPS '08** received the 2018 Haddon, McClellan, Richardson Award, given to a former BLSA member who has displayed excellence both within the legal profession and in the black community through volunteer and *pro bono* services.



Fox Rothschild Diversity Co-Chair **PRINCE A. THOMAS '76** (center) received the Professional Mentor of the Year Award from BLSA at the annual award ceremony. With him are **CAROLYN NICHOLS '85** and **REGINALD STREATER '18**.

Archer and Greiner partner **CARLTON L. JOHNSON '84** (left) received a Recognition and Distinguished Service Award for "unrelenting service to and support of Temple BLSA and the Philadelphia legal community at large." With him are (center) **ADRIAN JOHNSON '20** and Anthony Johnson.



Pennsylvania State Representative **DONNA BULLOCK '03** was awarded the JoAnne Epps Award, named to honor Temple Law's former dean.



CLASS NOTES

1970s



Berks County lawyer **TERRY D. WEILER '73**, a partner in the Wyomissing, PA firm of Huckabee, Weiler & Levengood, recently began a second one-year term as treasurer of the Pennsylvania Bar Association. From 2013 to 2016, Weiler was one of 12 zone governors on the PBA Board of Governors.

THEODORE SIMON '74 of the Law Offices of Theodore Simon was the dinner chair for the 60th Anniversary of the National Association of Criminal Defense Lawyers. Simon is a Philadelphia criminal defense lawyer and past president of the NACDL.



GARY L. BORGER '76, of the South Jersey family law firm of BorgerMatez, was a panelist on matrimonial law at the 2017 New Jersey Association for Justice's Meadowlands Seminar on Matrimonial Law. Borger presented "The Intersection of Tort and Family Law."

In March, **MARK F. SELTZER '76** was named an honorary member of the American Society of Addiction Medicine for his "dedication, service and contributions" to the society. As the founding partner of the Philadelphia firm, Seltzer & Associates, Seltzer has represented sick and injured professionals in their private disability claims for more than twenty years, specifically focusing on doctors suffering from addiction.



Hon. Barbara Jones '73 is special master in Michael Cohen case

HON. BARBARA JONES '73 was appointed special master to sift through materials seized from President Trump's lawyer, Michael Cohen, in a series of FBI raids in early April. Jones is charged with determining whether documents or communications seized from Cohen are protected by attorney-client privilege, which would bar them from being used by prosecutors. Jones, a former federal judge and a partner at Bracewell in New York City, was selected for the task by Judge Kimba Wood of the U.S. District Court for the Southern District of New York.

Jones was named to the federal court by President Bill Clinton in 1995 and spent 16 years on the bench presiding over a wide array of cases, many of which involved questions of privilege. Prior to serving on the bench, Jones was chief assistant to Robert M. Morgenthau, then-district attorney of New York County. Previously, she was an assistant U.S. attorney in the southern district of New York, where she headed the organized crime strike force unit. After stepping down as judge in 2013, Jones entered private practice for the first time, joining the firm Zuckerman Spaeder. In the spring of 2016, she moved to become a partner at Bracewell, focusing on white collar issues.

Superior Court Judge Anne Lazarus '76 honored by PBA's Women in the Profession

Superior Court judge is this year's Anne X. Alpern Award winner.



MAY 9, 2018 JUDGE ANNE LAZARUS J.D. '76, LL.M. '86, of the Superior Court of Pennsylvania received the Pennsylvania Bar Association Commission on Women in the Profession's annual Anne X. Alpern Award. The awards ceremony honoring Lazarus was held during the commission's 25th annual conference, "Empowering Women," in Hershey, PA.

The Alpern Award is presented annually to a female lawyer or judge who demonstrates excellence in the legal profession and who makes a significant professional impact on women in the law. Established in 1994, the award was named for Anne X. Alpern, Pennsylvania's attorney general in 1959 and the first woman state attorney general in the nation.

Lazarus, who was elected to serve on the Pennsylvania Superior Court in 2009, was honored for "her commitment to protecting individual rights, improving the administration of justice, promoting judicial ethics, and supporting the advancement of women in the profession." Prior to joining the bench, she was an attorney in private practice, legal counsel to the Philadelphia Court of Common Pleas, Orphans Court Division, and an adjunct professor at Temple and Widener law schools.

Recognized as a leader in legal ethics, Lazarus was a member of the Pennsylvania State Conference of Trial Judges ethics committee, the body approved by the Supreme Court of Pennsylvania to render advisory opinions regarding ethical concerns involving judges and judicial candidates subject to the Pennsylvania Code of Judicial Conduct. She served as its chair from 2005 to 2009. Lazarus also chaired an *ad hoc* committee created by former Chief Justice Ronald Castille that set the foundation for the revised code adopted by the Pennsylvania Supreme Court in 2014. Additionally, Lazarus was appointed to the Pennsylvania Judicial Conduct Board in 2011 and served as its chair from 2013 to 2015. Outside of the courtroom, Lazarus mentors women and young attorneys, offering guidance and practical work experience through her participation in judicial externship programs and fellowship programs.

Duane Morris partner **BEATRICE O'DONNELL '78** was recently named a fellow of the American College of Trial Lawyers. O'Donnell, whose practice focuses on health effects litigation, has tried to verdict more than 90 major civil jury trials and has served in the leadership of the American Bar Association's section of litigation.

1980s

PATRICIA MCDERMOTT '82 has retired from her position as senior legislation counsel with the joint committee on taxation for the U.S. Congress. McDermott was with the committee for 14 years. She also worked for the IRS Office of Chief Counsel in Washington, DC for 20 years.



POLLY N. PHILLIPI '84 has been named a partner in the litigation services department of Schnader Harrison Segal & Lewis. She is resident in both the Cherry Hill, NJ and Philadelphia offices.

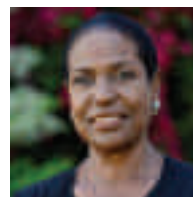
PAUL KURUK, INTERNATIONAL LL.M. '85, has been appointed facilitator of the intergovernmental committee of the World Intellectual Property Organization (WIPO), a self-funded agency of the United Nations with representatives from 191 countries headquartered in Geneva, Switzerland. Kuruk has been involved in the IGC since 2001 as a delegate and adviser to the African group of countries. A professor at Samford University's Cumberland School of Law, Kuruk's teaching and research interests include commercial transactions, international business transactions, human rights, and trade. He earned an undergraduate and law degree in Ghana, an LL.M. from Temple, and an S.J.D. degree from Stanford University Law School, where he was a Fulbright Scholar.

Barbara Potts '79 and Andrea Gosfield '08 combine forces, form firm

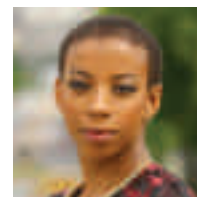
BARBARA POTTS '79 and **ANDREA GOSFIELD '08** recently launched Gosfield Potts to serve clients in Pennsylvania and New York. Partners Gosfield and Potts bring over 47 years of combined experience to their transactional and compliance practice. Both attorneys have experience working in the public and private sectors.

Potts has held the positions of partner in the financial services and real estate department of a top-tier law firm, outside general counsel for a municipal waste hauling company, real estate section chief for the FDIC in Atlanta, GA, and first deputy city solicitor in the law department of the city of Philadelphia. In 2010, she was appointed to the position of deputy regional counsel for Region III of HUD.

Gosfield's prior positions include serving as assistant regional counsel for the Social Security Administration, corporate associate in a law firm on the AmLaw 100, and judicial law clerk to the Hon. Chief Judge Petrese B. Tucker of the U.S. District Court for the Eastern District of Pennsylvania.



Potts



Gosfield

In February, **ROBERT J. SHANAHAN JR. '85** was honored by Volunteer Guardianship One on One for his commitment as an active volunteer in Hunterdon County, NJ. Over the past 24 years, Shanahan has served as a Boy Scout leader, a Cub Scouts den leader, and a scoutmaster. In addition, for the past eleven years, Shanahan has helped Hunterdon County's seniors through involvement in Volunteer Guardianship. Shanahan is a senior partner at Shanahan & Voigt, concentrating in elder law, estate planning, and probate, and is the past president of the Hunterdon County Bar Association.

ARLENE F. KLINEDINST '86 was recently elected chair of the Virginia Bar Association's labor relations and employment law section. Klinedinst is chair of the labor and employment department at the Norfolk, VA firm of Vandeventer Black.



NELSON LEVIN '87 became a named partner in the Philadelphia firm now known as van der Veen, O'Neill, Hartshorn, and Levin. The Philadelphia personal injury,

criminal defense, and commercial litigation law firm was founded by **MICHAEL T. VAN DER VEEN, LL.M. IN TRIAL ADVOCACY '95**. Levin joined the firm in 2017.

In January, **ROBIN D. ZAREMSKI '87** was named director of the Visual and Performing Arts Center at Millersville University in Lancaster County, PA. She has been interim director for the past year.



BENJAMIN E. LEACE '88 is the 2018 recipient of the Arthur Seidel Distinguished IP Services Award presented by the Pennsylvania Bar Institute. Leace practices at the intellectual property firm of RatnerPrestia, where he is a member of the management team. He also is the current president of the Benjamin Franklin American Inn of Court and past president of the Philadelphia Intellectual Property Law Association.

JOHN F. MCKENNA '88 received the Pennsylvania Bar Foundation 2018 Louis J. Goffman Award at the Pennsylvania Bar Association annual meeting held in May. McKenna was honored for outstanding *pro bono* service,

particularly his individual service to the poor and disadvantaged residents of West Chester. McKenna heads the trust and estate litigation group at MacElree & Harvey, and is resident in the firm's West Chester, PA office.



KATHLEEN M. THOMAS '89 has joined High Swartz in the firm's municipal law practice. Thomas is an expert in the area of Pennsylvania Act 511 taxation, and serves as special Act 511 tax counsel to the Townships of Lower Merion and Abington. She also is the Act 511 hearing officer to multiple municipalities in Montgomery and Delaware Counties.

1990s

JOSEPH WOLK '93 has been named executive vice president and chief financial officer at Johnson & Johnson. Wolk, currently the vice president of investor relations, will assume the post in July.



THOMAS RUTLEDGE '95 recently finished a three-year term as chairman of the board of the Consumer Attorneys of San Diego. Rutledge is a solo practitioner, specializing in wage and hour class actions. He has received court approved certification in class action cases against Dish Network, 7-Eleven, and Black & Decker.



CHRISTINA FLEURY '97 has joined the Wizelman Elder Law Office in Wyalusing, PA. Prior to joining Wizelman, Fleury had her own law practice in Troy, PA.

ROBERTA TROMBETTA '97 is the founder and CEO of C.B. Community School in Roxborough, PA, a 70-student private school with a mission to educate children in the foster care system. Prior to founding this school, Trombetta was CEO of Arise Academy, a charter school for foster children which closed in 2015. She has also served as managing director at the Pennsylvania Department of Public Welfare and chief of operations at the Pennsylvania Court of Common Pleas, Family Court Division.

**SEND US
YOUR
NEWS!**

TEMPLE ESQ. welcomes news and photos of our alumni/ae. Please include: Full name, class, degree, and a way to reach you if we need to confirm information.

- Email: janet.goldwater@temple.edu
- Send to: Janet Goldwater, Temple Esq., Temple University Beasley School of Law, 1719 North Broad Street, Philadelphia, PA 19122



Kat Copeland '92 is new Delaware County District Attorney

New DA leaves U.S. Attorney's Office to fill a vacancy.

JANUARY 19, 2018 Assistant U.S. Attorney **KATAYOUN M. "KAT" COPELAND '92** was sworn in as Delaware County (PA) District Attorney, filling a vacancy created when John J. Whelan was elected to the Delaware County Court of Common Pleas. Copeland was appointed by the county board of judges over 19 other candidates.

District Attorney Copeland returns to Delaware County following a six-year stint as a member of the U.S. attorney's office for the Eastern District of Pennsylvania in the narcotics and organized crime section. She previously worked for 19 years in the office she now heads.

Her tenure in the DA's office began in 1992 as an assistant district attorney, during which time she was assigned to the office's trial division, as well as its drug task force. In 2000, she became chief of drug enforcement overseeing the investigation and prosecution of these cases countywide and the office's newly established criminal-terrorism unit. In 2004, Copeland rose to the position of deputy district attorney.

In addition to her prosecutorial duties, Copeland was instrumental in establishing Delaware County's first drug treatment court and its veteran's treatment court. She continues a commitment to restorative and re-entry issues through efforts to initiate a federal drug treatment court program.

Copeland, a registered Republican, is a longtime Radnor resident who attended Bryn Mawr before enrolling at Temple Law. She has announced that she plans to run for election when her term ends in 2019.



GLBT award goes to Lawrence S. Felzer '94

MAY 10, 2018 The Pennsylvania Bar Association gay, lesbian, bisexual and transgender rights committee presented the 2018 David M. Rosenblum GLBT Public Policy Award to **LAWRENCE S. FELZER '94**. Felzer is senior director of finance and operations at SeniorLAW Center in Philadelphia and past president of the executive board of Temple Law Alumni Association.

Felzer received the award in recognition of his "forceful and effective advocacy for full equality, justice, and dignity for all—for marriage and racial equality, for transgender equality, for increased representation of members of the LGBT community and racial minorities in the legal profession, to name just a few examples of his many contributions." An active member of the legal community, Felzer is a member of the PBA House of Delegates and chair of its civil and equal rights committee, and is the former chair and current board member of Gay and Lesbian Lawyers of Philadelphia.

Felzer's work advocating for members of the LGBT community began at AIDS Law Project of Pennsylvania, where he became associate director managing agency finances and operations. After the sudden passing of his friend, Sean Halpin, he founded a memorial scholarship in Halpin's name for local LGBTQ law students. He moderates panels at Lavender Law, an annual LGBT conference and career fair, on what it means to be a racial minority and gay in the legal profession, and on the importance of the Black Lives Matter movement. He also organized the first Gay Community Night at the Phillies ballpark in 2003 and continues to organize the event.

Outside of the legal community, Felzer is secretary of the board of directors of the Dr. Magnus Hirschfeld Fund, an organization that helped to fund Philadelphia's first LGBT-friendly subsidized housing. He has been a regular volunteer at AIDS Fund's monthly Gay Bingo fundraiser for more than 20 years and has served as team captain for its annual AIDS Walk Philly event. He also served on the steering committee and was a faculty member for WillPower, a local community project to educate and encourage LGBT individuals to prepare planning documents.

Felzer has been honored by many organizations—including Temple Law—for his untiring activism: In 2013 he received the Temple Law Alumni Association Diversity Leadership Award and in 2008 he received the Temple Law Alumni Association Service Award.

2000s



The Federal Reserve Bank of Philadelphia recently announced the promotion of **KORI ANN CONNELLY '00** to vice president and deputy general counsel. Connelly joined the Bank in 2011 as assistant vice president and counsel. Prior to working at the bank, she was a partner with the Philadelphia firm of Swartz Campbell, where she worked in employment and labor law and insurance coverage for more than 10 years.



BLAKE SANDO, J.D. '02, LL.M. '03, has been elected chairman of the board of directors for the University of Miami Center for Autism and Related Disabilities. He is a litigator at the Miami law firm of Cole, Scott & Kissane, where he practices professional malpractice defense and civil litigation. Blake and his wife, **JENNIFER SANDO '03**, a former Miami-Dade state attorney, live in Coral Gables with their three children.

In April, the Delaware office of Greenberg Traurig added **BENJAMIN SCHLADWEILER '04** as a shareholder in its intellectual property and technology practice. Schladweiler joined the firm from Ross Aronstam & Moritz, where he was a partner.

Marcel Pratt '09 heads Philadelphia Law Department

New city solicitor is honored by law review.



MAY 8, 2018 Philadelphia's newly confirmed city solicitor, **MARCEL S.**

PRATT '09, was honored by *Temple Law Review* at their annual alumni reception. Pratt was confirmed as Philadelphia's chief legal officer on April 19, 2018. As head of the city's law department, which comprises over 200 lawyers and 100 staff, Pratt manages the legal counsel to the mayor, city council, and all the city's departments, agencies, and commissions.

Circumstances conspired to draw Pratt into public service. He graduated from law school in the turmoil of the recession of 2009. The Philadelphia firm of Ballard

Spahr, which had offered him a position, instead paid him a stipend to work in the civil rights unit of the city law department. The next year, they called him in to work at the firm, where he remained as a commercial litigator until 2016. He returned to work for the city as chair of the litigation group shortly after Mayor Jim Kenney took office in 2016.

In March, when previous city solicitor Sozi Tulante stepped down to teach at Penn Law, Pratt accepted the position of interim city solicitor. Pratt's goals for the department include increasing training for staff attorneys, upgrading technology, and marketing the allure of the city's law department to recruit lawyers. He said he also plans to file more "affirmative litigation" cases.

During his tenure as city solicitor, Tulante had ramped up the practice known as "affirmative litigation"—filing lawsuits in which the city advocates for its residents against the federal government, big banks, and other entities. Now, as the city's top advocate, Pratt is pressing for Mayor Kenney's agenda: Philadelphia as a sanctuary city, the right to tax sweetened drinks to pay for universal pre-K; and making opioid manufacturers pay for addiction treatment.

Pratt is a lifelong Philadelphian, who grew up in West Philadelphia and attended Monsignor Bonner High School in Drexel Hill. He earned his economics degree from the University of Pennsylvania before enrolling at Temple Law. While at Temple, he joined the *Temple Law Review*, which recently honored him at its annual alumni reception. Pratt describes getting the invitation to join the law review as a "transformative moment" in his legal education—a moment when his legal education became aligned with his personal ideals and sense of tradition.

He also credits his time on law review with shaping the habits of diligence and discipline that have contributed to his professional success. First, Pratt says, his law review work taught him the value of producing a "pristine piece of text." When students get to "run the show," he says, they understand more fully just how high the bar is set. It also taught him that time management and collegiality are important aspects of legal professionalism, and to choose simplicity over formality when he writes.

Pratt, remarked Dean Mandel at the reception, is an excellent example of the "breadth of talent and personality" that have enriched the *Temple Law Review* over the past 90 years. But even more than that, said the Dean, Pratt's extraordinary service to the city and the bar "has made Philadelphia stronger in the process."

Christina Hernandez '11 named to city leadership position

Mayor taps Temple Law grad for city's top legislative post.



FEBRUARY 2018 Philadelphia's mayor James Kenney announced the appointment of **CHRISTINA M. HERNANDEZ '11** to serve as the city's director of legislative affairs. As director, Hernandez manages the administration's legislative priorities and works to see their approval by City Council. She also

leads the evaluation and discussion of legislation among administrative departments, City Council staff and other stakeholders.

Hernandez, who previously was the assistant director of legislative affairs, joined the Mayor's Office in February 2016 after nearly five years as an assistant district attorney in Philadelphia. In January 2018, she received the Gloria Casarez award for her deep commitment to public service and display of leadership skills learned through the Leading for Change Fellowship program, a program of Drexel University's LeBow College of Business.



BRIAN M. ROBINSON '06 was promoted to partner in DLA Piper's Philadelphia office, where he is a member of the litigation and regulation practice.

BILL PICKETT, LL.M. IN TRIAL ADVOCACY '07, has been sworn in as president of the Washington State Bar Association. He previously was the association's president-elect and will serve a one-year term. At the Pickett Law firm in Yakima, he specializes in personal injury, wrongful death, medical malpractice, civil rights, and police misconduct cases.



FRAN O'NEILL JR., J.D./M.B.A. '07 was recently named partner in the Philadelphia firm of van der Veen, O'Neill, Hartshorn, and Levin. O'Neill joined the firm in 2016.



Dechert associate **JANET MARIE DOHERTY '08** is one of seven individuals recently named to the board of directors of Living Beyond Breast Cancer, a national education and support organization. In 2016, Doherty founded Preserving the Love, dedicated to helping cancer patients preserve their fertility.

JONATHAN GRODE '08, of Green and Spiegel was named a 2018 Distinguished Leader by *The Legal Intelligencer*. The winners will be honored at an awards dinner held June 21. Grode is the practice director for Green and Spiegel. He has worked continuously in the U.S. business immigration law field since 1999.

Hayden Nelson-Major '14 awarded fellowship to work at the ACLU PA

HAYDEN NELSON-MAJOR '14 has been awarded an Independence Foundation fellowship to work at the American Civil Liberties Union of Pennsylvania. Her project will focus on the use of cash bail in Southeastern Pennsylvania in an effort to decrease the unjust pretrial detention of poor Pennsylvanians.

Most recently, Nelson-Major clerked for the Honorable Mitchell Goldberg of the U.S. District Court for the Eastern District of Pennsylvania.

After graduating from Vassar College and prior to law school, Nelson-Major worked in Philadelphia at the National Clearinghouse for the Defense of Battered Women and the capital habeas unit of the Federal Community Defender Office.

As a law student, she cites as her formative experiences being a member of the Moot Court team and participating in clinicals at the Pennsylvania Innocence Project, the Defender Association of Philadelphia, and the office of the public defender in Camden, NJ.

"I found Temple's experiential learning opportunities to be invaluable tools for synthesizing doctrine learned in the classroom and developing practical skills," says Nelson-Major.



Equal Justice fellow Tracie Johnson '18 focuses on justice for youth

Recent graduate **TRACIE JOHNSON '18** has been awarded an Equal Justice America fellowship sponsored by Greenberg Traurig, to work on the Youth Justice Project at Community Legal Services (CLS) in Philadelphia. The Youth Justice Project, a collaboration between Philadelphia Legal Assistance and Community Legal Services, offers resources and legal services to improve outcomes for the region's most vulnerable youth. Johnson interned at CLS while in law school, helping young people petition to expunge their juvenile records, clear up court fines and costs, and obtain SSI benefits. As a two-year fellow, she plans to help young women of color create career pathways into high growth fields by fighting against the legal barriers to employment they continue to face due to past contact with the criminal justice system.

Johnson's interest in working on issues of juvenile justice was strengthened during a summer 2016 Equal Justice America fellowship at the Juvenile Law Center. That summer she conducted research and wrote a memo on the unconstitutionality of sentencing juvenile defendants to jail time for not being able to afford their court fines and fees. Johnson wrote about measures the Juvenile Law Center promoted to provide alternates to this "pipeline to prison" for indigent youth.

"We know that in the adult system it is unconstitutional to jail defendants for being poor and there have been safeguards set in place to protect against this," says Johnson. "However, we also know that psychological research regarding children's development used in important Supreme Court litigation won by the Juvenile Law Center (see *Roper*, *Graham*, *Miller*, and *Montgomery*) has proven that children are different and deserve greater protection. For this very reason, the Juvenile Law Center has helped pass Rule 151 in Pennsylvania, which presumes that juveniles are indigent and have a right to counsel. This is a progressive step in the right direction and the rest of the nation should follow suit."

"I loved my time at Juvenile Law Center," says Johnson, "It confirmed for me that public interest work is what I want to do with my law career. I am excited to continue exploring my interest in juvenile justice and child advocacy."



2010s

The Denver, CO firm of Messner Reeves recently promoted **RACHEL FARR '11** to partner. Farr is in the firm's corporate division.



The Norristown, PA firm of High Swartz announced that **STEPHEN M. ZAFFUTO '11** has joined the

firm's real estate practice. Prior to joining High Swartz, Zaffuto was an associate at Tucker Arensberg in Pittsburgh. He is also a cofounder of a custom menswear brand, ModaMatters, based in Philadelphia.

RACHEL KALDAHL '16 was named by U.S. House of Representatives ways and means committee chairman Kevin Brady to serve as oversight staff director for the committee. Kaldahl joined the committee as oversight counsel in the fall of 2016. Previously, she was counsel for the Senate homeland security and governmental affairs committee. With over a decade

of experience on Capitol Hill, she has also served in the personal offices of several House members, including Republican Rep. Pat Meehan of Pennsylvania.

BRENT KIRWAN '17 has joined Fox Rothschild as an associate in the firm's real estate department.

In April, **ASHLEY TROXELL '17** joined the Lehigh County district attorney's office as an assistant district attorney.

IN MEMORIAM

Benson Zion '53
Vincent A. Couchara '59
Richard D. Rothstein '70
Francis J. Pasquini '78
Howard M. Sachs '80
Sonya Richman '89

FORMER PHILADELPHIA CITY SOLICITOR IS 2018 COMMENCEMENT SPEAKER



MAY 17, 2018 Former Philadelphia city solicitor Sozi Pedro Tulante was the speaker at this year's commencement ceremony. Tulante stepped down as city solicitor to join the faculty of the University of Pennsylvania Law School in March after serving as head of Philadelphia's Law Department for two years. He was recently named a Finalist for *The Legal Intelligencer* 2018 Attorney of the Year in honor of his many career achievements.

During his tenure with the city, Professor Tulante expanded the number of attorneys who represent abused and neglected children in the department's child welfare unit, promoted diversity in hiring, and spearheaded the department's affirmative litigation practice, which filed major cases concerning discriminatory lending practices in the banking industry, as well as against the U.S. Department of Defense for failing to report information necessary for local law enforcement to keep guns from the hands of people who have military convictions or have been dishonorably discharged. He also successfully sued the Department of Justice to challenge its efforts to withhold critical federal funds based on Philadelphia's status as a sanctuary city.

Prior to becoming city solicitor, Professor Tulante spent five years as an assistant U.S. attorney at the U.S. Attorney's office in Philadelphia, where he worked on narcotics and white-collar criminal investigations and prosecutions. Before joining government service, he was a partner at Hangley Aronchick Segal Pudlin & Schiller, an associate at Goodwin Procter in Boston, and a law clerk for the late Honorable Reginald C. Lindsay of the U.S. District Court for the District of Massachusetts.

Professor Tulante was born in Zaire (now the Democratic Republic of Congo). In 1983, his family came to Philadelphia as political refugees, and he learned English in Philadelphia's public schools. In 1997, he received his A.B. *cum laude* from Harvard College, where he was the recipient of a John Harvard Scholarship. He graduated *cum laude* from Harvard Law School in 2001.

TEMPLE ATTRACTS INTERNATIONAL STUDENTS



MAY 2018 International students come from around the world to study law at Temple. Pictured are students working towards an LL.M. degree or participating in a semester-long program for visiting international students. The 16 students awarded LL.M.s at the 2018 graduation came from countries as diverse as Turkey, the Dominican Republic, Germany, Italy, China, India, Venezuela, and San Marino. One of the recent graduates is a second-generation Temple LL.M. graduate (his father is a 1983 Temple LL.M. graduate) and another graduate is a judge from the Dominican Republic.

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