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## Golden Gate Lawyer, Fall/Winter 2012

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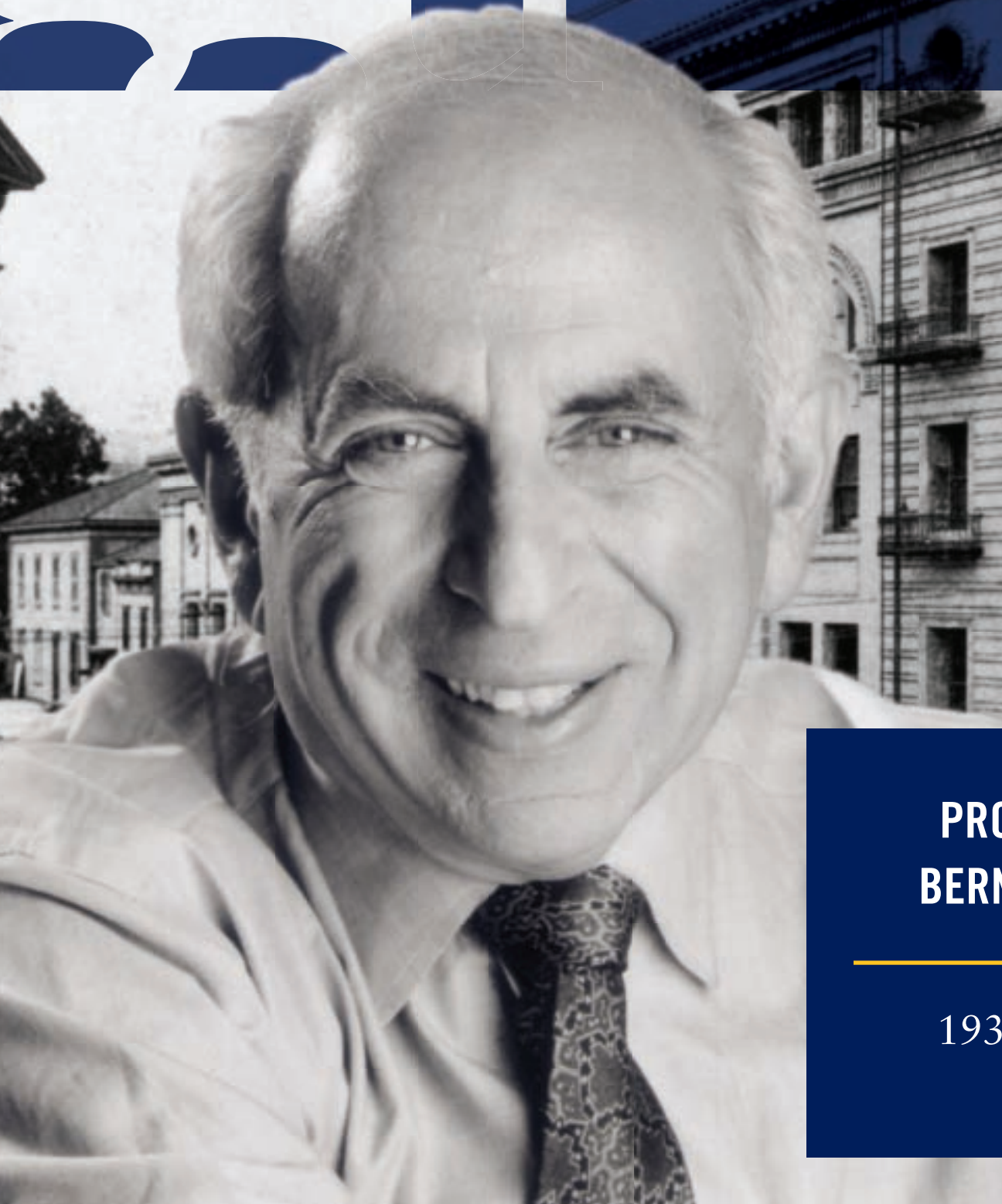
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# Golden Gate Law

**GOLDEN GATE LAWYER**

THE MAGAZINE OF GOLDEN GATE UNIVERSITY SCHOOL OF LAW

*Fall / Winter 2012*



**PROFESSOR  
BERNIE SEGAL**

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1930 - 2011

# the millennium society



## michael daw

Michael Daw has been the director of Golden Gate University's Law Library since 2006, and part of the Millennium Society since 2009.

“When I was a tax lawyer nearly 30 years ago, I spent many pleasant hours researching at the GGU Law Library when my office collection was not enough. I feel privileged to work in my favorite library and to help GGU enhance the education of working adults who wish to advance their careers.”

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/// Tanya Falleiro  
2011 Ms. JD Fellow



/// Bernie Segal  
Remembering and Celebrating  
a Law Legend



/// Chief Justice Tani Cantil-Sakauye  
Third Annual Ronald M.  
George Distinguished Lecture

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## THIRD ANNUAL RONALD M. GEORGE DISTINGUISHED LECTURE





This fall, I am especially proud of our law school's unique, practice-rich programs—Honors Lawyering, our new summer “litigation boot camp” for rising 2Ls, our award-winning Clinics and our Centers focused on Litigation, Urban Environmental Law and Intellectual Property Law. In the pages that follow, you will read a story authored by student Garrett Wheeler about the important work our Center on Urban Environmental Law is doing at Alameda Point, providing the groundwork for restoring a former naval airbase to a thriving greenspace. You will read a profile of GGU Law student and Ms. JD Fellow Tanya Falleiro, who is making the most of her education with the help of incredible legal maven mentors. And, you will read a story by GGU Law graduate Nikki Dinh about how GGU Law's Loan Repayment Assistance Program is providing support to launch her career in public interest law. These stories and so many others illustrate the unique, successful convergence of our talented students, externship opportunities, and strong relationships with the legal community.

Of course, our dedicated faculty mentors are at the center of such opportunities. In August and formally at a September celebration, we bid farewell to one of our law school's very best: legendary lawyer, mentor and Professor Bernie Segal (1930-2011), the inspirational leader of GGU Law's Litigation Program for nearly 40 years. This issue is dedicated to Bernie, a nonpareil mentor, professor, litigator, colleague, friend, father, and true gentleman. In the pages that follow, you will read a very personal tribute from Bernie's colleague and friend, Professor Susan Rutberg, and highlights from the September event celebrating his remarkable life in law and teaching.

Rich learning also took place this fall through conferences at the law school. In October, the Third Annual Chief Justice Ronald M. George Distinguished Lecture featured Chief Justice Tani Cantil-Sakauye as Lecturer and a panel of justices of color from across the country. Each spoke urgently and eloquently to the necessary and beneficial relationship between judicial diversity and adequate funding for the courts. The event was attended by more than 400 attorneys, judges, law students and members of the public, and served as a testament to our community's commitment to diversity in the judiciary. In addition to conferences this fall in the areas of Intellectual Property and Environmental Law, our Bankruptcy Law Conference featured experts in prominent recent business bankruptcy/asset forfeiture cases (Madoff, Dreier, Rothstein, Petters, Revco and Adelphia). Aspiring women judges benefited from an intimate book-signing and conversation with the Hon. Nancy Gertner (Ret.) about her new book *In Defense of Women: Memoirs of an Unrepentant Advocate*. And, as part of our Environmental Law Symposium in November, students enjoyed a keynote address by our own Professor Cliff Rechtschaffen, who is currently serving as interim Director of California's Department of Conservation.

Many exciting events, programs and opportunities are afoot at the law school. I encourage each and every one of you, our unique, accomplished alumni, to become involved. This spring, I hope you will save the date for two special events. Our first-ever Dean Judith McKelvey Women's Reunion will be held April 20-21, 2012. The same weekend, on April 21, we will host our official 2012 Reunion for the classes of 2007, 2002, 1997, 1992, 1987, 1982, 1977, 1972, 1967, 1962, 1957 and earlier. We invite all alumni, near and far, to join us for what is sure to be a spectacular weekend.



*Duaila S. Ramey*



## THE DEAN JUDITH MCKELVEY

# Women's Reunion

APRIL 20 - 21, 2012

**PLANS** are proceeding apace for the inaugural GGU Law Dean Judith McKelvey Women's Reunion, scheduled for April 20-21, 2012. The Omni Hotel, in downtown San Francisco, has rooms reserved for Reunion attendees, and it is not too soon to book your room, by contacting the Omni, at 1-800-788-OMNI.

Many of our distinguished alumnae are daily are joining the Committee of 100, co-chaired by Marjorie Randolph (JD 77), Karen Kadushin (JD 77), Nancy O'Malley (JD 83), and Ariel Ungerleider (JD 10), and the Honorary Judges Committee, chaired by the Hon. Lee Baxter (JD 74, LLD 08).

Both Committees most enthusiastically welcome new members. To become involved, contact Ashling McAnaney at 415-442-6661 or [womensreunion@ggu.edu](mailto:womensreunion@ggu.edu).

To keep current with the latest reunion news, visit <http://alumni.ggu.edu/womensreunion>.

Reunion attendees and their guests are also invited to join, for an additional cost, the Annual Class Reunion Reception and Dinner being held Saturday evening, April 21. ///

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- Hon. Laurie S. Brady (JD 88), Presiding Judge, Contra Costa Superior Court, Martinez, CA
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- Hon. Adele S. Grunberg (JD 78), Administrative Judge, CA Unemployment Insurance Appeals, Oakland, CA
- Hon. Tamara Hall (JD 97), Judge, Los Angeles Superior Court, Los Angeles, CA
- Hon. Lela M. Harris (LLM 98), Administrative Law Judge, City & County of San Francisco, CA
- Hon. Linda L. Hurst (LLM 81), Judge, San Luis Obispo County Superior Court, San Luis Obispo, CA
- Hon. Cynthia M. Lee (JD 74), Judge, San Francisco Superior Court, San Francisco, CA
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- Hon. Janet Sauners (JD 76), Administrative Judge, State Unemployment Insurance Appeals, Sacramento, CA
- Hon. Sandra Snyder (JD 76), Chief Magistrate Judge, Eastern District of California, Fresno, CA

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\*To join either Committee, please contact Ashling McAnaney at 415-442-6661 or [womensreunion@ggu.edu](mailto:womensreunion@ggu.edu)



## SPOTLIGHT: TANYA FALLEIRO - MS. JD

Third-year GGU Law student Tanya Falleiro has won a prestigious Ms. JD Fellowship, which enables a one-on-one career mentorship with one of the nation's most accomplished female attorneys: Joanne Garvey of Sheppard Mullin Richter & Hampton, LLP, who—among myriad other accomplishments—founded California Women Lawyers.

"I'm really fortunate to be paired with Joanne Garvey," says Falleiro, who met the trail-blazing Garvey (Boalt 1961), a past president of the Bar Association of San Francisco and past chair of Continuing Education of the Bar, for the first time in early August. "I know I will continue to learn from and be inspired by her achievements."

Falleiro was one of 12 third-year students selected from over 300 applicants from law schools across the US; fellow winners represent Harvard, Yale, NYU, Columbia, Georgetown, and Berkeley Law. To promote professional development for future female attorneys, the fellowship offers financial support, invitations to ABA and Ms. JD events, and—most valuable—a mentor selected from Margaret Brent Award winners and commissioners from the ABA's Commission on Women in the Profession.

Falleiro, 25, will add Garvey to the roster of other mentors from whom she's been fortunate to benefit. Nicole Harris, PG&E's Corporate Counsel, mentored Falleiro during her 15-week apprenticeship there during the Fall of 2010.

"I had a fantastic time and I learned so much from that experience," says Falleiro. "Shortly after my first week, I was asked to represent the company in a wrongful termination hearing in Chico." Although Falleiro was initially nervous, she thought it was a great way to start her career. "I'd just taken Evidence over the summer through our Honors Lawyering Program, so it was wonderful that I had the opportunity to use my recently learned skills." She solidly defended the company, and ended up getting a very favorable win. When the arbitrator commended her skills and asked whether she was from Berkeley Law or Stanford, Falleiro informed him, "I am a law student at Golden Gate University."

At PG&E, Falleiro also had the opportunity to second-chair a labor arbitration, and work on a mediation, but mentoring proved as important as work experience. "I got exposed to a lot of great people both inside and outside the company. Nicole Harris helped me get involved with the Bar Association of San Francisco, and other networks. In addition, she taught me how to develop a network by introducing me to a variety of people with whom I

**TANYA FALLEIRO'S ADVICE** to aspiring women lawyers? "Never be afraid to put yourself out there. Don't let your fears of rejection and inexperience hold you back. Join professional associations and reach out to people you'd like to know. Have confidence and faith in your abilities."

maintain close contact today. I also received a lot of guidance from Tanya Willacy and ended up working with her husband, Louis Willacy, at Tagged Inc. during the summer of 2011.”

After her PG&E externship, Falleiro worked at the U.S. Bankruptcy Court in Oakland for Honorable Roger Efremsky. Professor Karen Gebbia’s Bankruptcy class helped considerably: “She’s a fantastic professor, and my class on business reorganization really helped me put all the puzzle pieces together and lay the foundation for the new materials I was exposed to at the court.” Falleiro will be earning a specialization certificate in business law, but ultimately hopes to get into health care law practice in San Francisco.

This past summer Falleiro worked at Tagged Inc., a high-profile, high-tech firm in San Francisco with the young, hip atmosphere of a company whose founders are under 30. “It’s a very fun, relaxed work environment, and very different than any other legal environment that I’ve ever worked in.”

Her day-to-day activities included conducting legal compliance reviews of site features, assisting with corporate management obligations, stock management, and research, much of which touched on topics pertaining to cloud storage and privacy for which there is—as yet—no case law. She appreciates the experience “because a lot of law firms are going to have to deal with similar issues, given the popularity of social media.”

Though she enjoyed her summer at Tagged—her first summer without classes since starting GGU in Fall of 2009—Falleiro was ready to go back to school. Perhaps that’s because Falleiro doesn’t take school for granted; she is “very grateful for all of the educational and career opportunities I’ve received.” Her parents have always emphasized the value of education: “I always admire the fact that my parents found success despite difficult situations. I look up to them for being brave, honest, and hardworking. They’re a true inspiration.”

Falleiro actually began her undergraduate education at U.C. Berkeley as an environmental studies major. During her freshman year, she realized she wanted to attend law school and practice law; she majored in Legal Studies, and took political science classes, graduating in 2008.

College allowed her to explore not only possible careers, but her culture and ethnicity as well. Though of both Indian and



/// Ms. JD Fellow Tanya Falleiro with mentor Joanne Garvey of Sheppard Mullin Richter & Hampton LLP.

Portuguese heritage, she began to identify with the Indian part of her heritage only as she attended Cal, where the South Asian community inspired her to study Hindi and attend Holi and Diwali celebrations.

Now the first in her family to attend law school—“a great honor”—Falleiro sees herself as a trailblazer and role model to her own family members, providing guidance on SATs and college to her younger brother. She now mentors Mahira Siddiqui, a first-year student at GGU, taking her along to networking events, and meeting with her often “to ensure that she’s still hanging in there.” Inspired by attending the Ms. JD conference last spring, along with the kindness she felt from third-year students during her first year of law school, this “pay-it-forward” mentality confirms Falleiro’s excitement about implementing a mentor program in the Women’s Law Association at GGU. “Rather than using others like a ladder, and stepping on them to get higher up, I believe it is far better to hold the ladder for someone else.” She also looks forward to playing a role in the first-ever, spring 2012 Women’s Reunion (see page 5 for event detail). “I feel honored to be a part of a law school community in which the contributions and history of women in law is so valued and alive, and I am excited to meet GGU Law’s women trailblazers this spring at the Women’s Reunion.”

“I’ve always been a hard worker, but being here at GGU Law has made me work harder than ever. It’s changed me a lot—and it’s been a blessing.” ///

The application process for the third annual 2012 Ms. JD Fellowship will begin in Spring 2012. Inquiries may be directed to [Fellowship@ms-jd.org](mailto:Fellowship@ms-jd.org)



# LOAN REPAYMENT ASSISTANCE PROGRAM FACILITATES PUBLIC INTEREST CAREERS

by Nikki Dinh (JD 10)

As a staff attorney at Asian Pacific Islander Legal Outreach (APILO) and the inaugural Public Interest Fellow for the Vietnamese American Bar Association of Northern California (VABANC), I often wonder at how fortunate I am to be living the career of my dreams. I am indebted to my family for supporting my commitment to public interest. I am grateful to GGU Law faculty for the training I received to be an effective advocate and attorney. But I also have to thank GGU Law's Loan Repayment Assistance Program, a program that made it possible for me to afford my dream.

The journey that brought me to where I am today began with my parents, boat-people refugees of the Vietnam War. Educated in Vietnam, they fled their home in the darkness of night when the new communist political powers took over. Risking capture by communist beach patrollers or pirates or being lost at sea, my family sought a new beginning in America, arriving with literally only the clothes on their backs. Like many other educated immigrants, my parents swallowed their pride to give me a chance at the American Dream. They worked long hours and juggled several jobs as newspaper delivery persons, sweatshop workers, toilet cleaners, and assembly line workers in order to be responsible parents. They sacrificed so much, and did it all to give me the chance for something better.

Unfortunately, there was much to disappoint in the community where I was raised. I was surrounded by immigrant families like mine: poor and possessing limited English. These limitations meant that our community was often victimized. For example, my family members were robbed at gunpoint, a man was shot and killed in the middle of my street, and I was pulled over at gunpoint by the police. Because the police did not speak Vietnamese, I and others my age translated for our newcomer parents, who we watched struggle with fear and anxiety. At that time, our community had few places to turn.

I quickly realized that law was the real language of power. Law created order and saved lives, but often only for those who spoke English. If families were unable to understand English, they could not understand the law's power and might find themselves bankrupt, torn apart, deported halfway around the world, or even sentenced to death. Despite the opportunities

the United States offered, many immigrant families here remained vulnerable to this country's laws.

I went to law school to empower the immigrant communities from which I came. Before law school, I had never even had a conversation with an attorney. When I started school, I was easily intimidated by meeting an attorney, let alone arguing in court. Yet, by my second year, some of the best trial professors in the world—including Professors Susan Rutberg and Bernie Segal—taught me how to use my voice to speak up for my clients. They gave me the tools I had been searching for and the confidence I needed to be an attorney.

I graduated from GGU Law in May 2010. In early 2011, I received the inaugural VABANC Public Interest Fellowship. This generous grant gave me the opportunity to work at a host site, APILO, a nonprofit legal firm based in San Francisco and Oakland. At APILO, I help provide direct representation and holistic legal services to underserved clients. APILO serves low-income families, survivors of domestic violence, victims of human trafficking, elders, people with disabilities and monolingual immigrants. These historically marginalized and underserved populations encompass families like mine for whom APILO stands as a defender of the American Dream. Through my work, I have changed the lives of my clients and their families. I have helped many people benefit from our legal system and obtain the justice they deserve. I cannot explain how grateful I am to go to work each day.

Many people apply to law school for the same reasons I did—to create change and pursue social justice. However, for most of those aspiring public interest lawyers, the increasingly high cost of a law degree and paltry public interest salaries make that goal challenging or unattainable. Studies demonstrate that a disproportionate number of the students with debt levels above the median are like me—newcomers or first-generation Americans of color.

Public service salaries have not kept pace with the rising tide of law school debt. At APILO, I am paid the same



amount as any staff attorney with similar experience and receive the same benefits, including health insurance. This translates to roughly \$40,000 per year without pension or retirement benefits.

I also have law school loans of \$150,000. To avoid default, I need to devote at least 15% of my salary to these loans. Because I am unable to afford payments on the principal, my loans continue to balloon. Although I am honored to serve as the first VABANC Public Interest Fellow, the truth is that I might have turned down this opportunity without help to afford it.

Thankfully, GGU Law supports graduates who elect to pursue public interest and government careers through the Loan Repayment Assistance Program (LRAP). LRAP contributes to loan repayment for JD graduates who - like me - are employed in low-paying legal aid positions. This year I was fortunate to receive help with my debt payments through LRAP, and this has allowed me to make ends meet while working for APILO and living in the Bay Area.

Although GGU Law's LRAP program has been able to help me and many others, it relies solely on contributions from student fees and a modest endowment. The program denies funding to qualified applicants because there is too little money to go around. (The average per-person award is about \$2500/year) Alumni contributions are absolutely necessary to grow the program and maintain our reputation as a law school firmly committed to graduates pursuing public interest careers. I am proof that your support makes these dreams possible. ///

**Roger Bernhardt**  
Professor



***IP Legal Ethics in the Everyday Practice of Law: An Empirical Perspective on Patent Litigators***

Professor Roger Bernhardt is a, if not the, leading authority in real property law in California. He is the author of numerous books on Mortgage and Property Law, including *Real Property in a Nutshell* and *The Black Letter Law of Real Property*, two widely used student texts. He edits and authors monthly columns for the highly regarded *Real Property Law Reporter* (Continuing Education of the Bar) and is published regularly in other journals as well. ///

Among his 2011 publications are:

- Real Property Law Reporter* (CEB)
- “The Undertain Requirement for Recording Deeds of Trust”
- “More on Mortgage Transfer Mysteries”
- “Being Professionally Responsible in Property Transactions”
- “Challenges to California Foreclosures Based on MERS Transfers”
- “Mixed Messages on Mortgage Foreclosures”
- “ ‘I Coulda Been a Contender’: Lost Profits after a Contract Breach”
- “New CCP §580e: Deficiency Protection for Certain Short Sales”
- Twenty shorter “editor’s takes” in CEB on 2011 decisions in California

*Other Publications*

- “Priorities of Mortgagees and Insurance Carriers,” *ABA Probate & Property Journal*
- “Rents and Proceeds,” *American College of Mortgage Attorneys Abstract*
- “Illusory Contracts,” *American College of Mortgage Attorneys Abstract*

**Bob Calhoun**  
Professor



***Confrontation Clause Again Before High Court***

The piece addresses a case currently pending before the U.S. Supreme Court (*Williams v. Illinois*) and the Court’s continuing effort to define the term “testimonial hearsay” for purposes of the Sixth Amendment confrontation clause. The Court has previously held that forensic lab reports are testimonial hearsay and inadmissible against the accused in a criminal case unless the declarant is unavailable and the defendant had an opportunity to cross-examine the declarant. The lower courts in the *Williams* case distinguished these cases by finding that use of such a forensic lab report by an expert is not inadmissible testimonial hearsay if it is merely offered as part of the basis of the expert’s opinion. The

lower court relied on the traditional distinction between hearsay that only goes to the basis of the expert’s opinion and actual hearsay that is offered for the truth of the matter asserted. Professor Calhoun argues that the Supreme Court should reject such a distinction when it comes to the requirements of the Sixth Amendment because such a report can only form an adequate basis for the expert’s opinion if it is, in fact, true. ///

*The Recorder*, September 2, 2011  
Available at [digitalcommons.law.ggu.edu/pubs/439](http://digitalcommons.law.ggu.edu/pubs/439)

**Chester Chuang**  
Associate Professor  
Co-Editor, IP Law Book Review



***Offensive Venue: The Curious Use of Declaratory Judgment to Forum Shop in Patent Litigation***

Forum shopping is widespread in patent litigation because there are clear differences in outcomes among the various federal districts. An accused patent infringer that is sued in a particularly disadvantageous forum can file a motion to transfer to a more convenient forum, but the general consensus is that such motions are difficult to win. Accordingly, accused infringers often file declaratory judgment actions to forum shop. Such actions allow accused infringers to preemptively sue the patent owner in the accused infringer’s preferred forum, and are considered by many to be the best way for accused infringers to play the forum shopping game. Indeed, accused infringers file substantial numbers of declaratory judgment actions every year. This article presents new evidence confirming that declaratory judgment actions are often filed to forum shop. But the data also demonstrate that declaratory judgment actions are 2.4 times more likely to be transferred than non-declaratory judgment cases. This suggests that declaratory judgment plaintiffs are often unable to hold onto their chosen forum. Indiscriminate use of declaratory judgment actions to forum shop thus increases unpredictability and wasteful litigation, thereby impeding innovation. The new data presented herein about forum shopping by patent litigants give a richer context to the debate over forum shopping in general and serve as a basis for further investigation into its effects on judicial norms and efficiency. ///

*80 George Washington Law Review*—(2012)  
Available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1722885](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1722885)



**Laura Cisneros**  
Associate Professor

***The Constitutional Interpretation/  
Construction Debate: A Useful Fiction***

The interpretation-construction distinction emerged as a language frame used by the New Originalists to debate constitutional practice. The terms describe two stages of activity. Broadly stated, interpretation is the discovery of the linguistic meaning of the legal text while construction gives legal meaning to the legal text. This article describes the interpretation-construction distinction as a fiction. However, even if understood as a fiction, the distinction is nevertheless relevant because it can be used to bridge the expanse between originalist and nonoriginalist theories of constitutional interpretation. Put another way, the fiction is useful. What the interpretation-construction distinction provides is a new language system in which to continue a more meaningful debate between originalism and nonoriginalism. The new argumentative space that the distinction provides seems to yield positive results in terms of constitutional understanding. This is likely because the distinction forces those on both sides of the debate to adopt a new – and largely shared – vocabulary. This article concludes that the appeal of the distinction is its ability to move constitutional commentary away from ideological entrenchment to a more meaningful discussion about both the process and substance of constitutional adjudication. ///

27 *Constitutional Commentary* 71 (2010)  
Available at [digitalcommons.law.ggu.edu/pubs/452](http://digitalcommons.law.ggu.edu/pubs/452)

**Helen Kang**  
Associate Professor  
Director of the Environmental  
Law and Justice Clinic

***The Importance of U.S. Law and  
Teaching Methods to Korean  
Undergraduate Students***

Most countries educate lawyers in undergraduate institutions. But there is a trend afoot internationally, including in South Korea, to create postgraduate law programs; and some of these programs teach U.S. law, with the teaching done sometimes in English. To remain relevant and competitive, undergraduate law programs should consider clinical programs and teaching methods that ready students for the global legal market. Indeed, there is already a trend toward creation of legal



clinics in undergraduate programs. Those without clinics therefore must consider creating clinical programs and, at the very least, incorporating teaching methods, such as those used in clinics, to ready students for the legal market. ///

26 *Soongsil Law Review* 239 (2011)

***Fighting for Environmental Justice Takes Long-Lasting  
Coalitions***

Collaboration between grassroots groups, environmental groups, city politicians, and GGU law professors and students resulted in closure of two dirty power plants in the City of San Francisco. The collaboration also prevented other projects from using fossil fuel. This success is attributable to the community's ability to gather critical health information and educate the city politicians on the unjust health impacts of the plants on the City's African Americans. Long-term stability of the community's advocates, including our clinic, also contributed to the success as the struggle lasted more than a decade. Moreover, the community had to build coalitions with regional clean air and water groups to ensure closure. ///

45 *Clearinghouse Review* 158 (July-Aug. 2011), a journal published by the Sargent Shriver National Center on Poverty Law  
Available at [digitalcommons.law.ggu.edu/pubs/445/](http://digitalcommons.law.ggu.edu/pubs/445/)

**Neha Sampat, Dean of Student  
Services**  
**Esmé V. Grant, Former Disability  
Services Coordinator**

***The Aspiring Attorney with ADHD:  
Bar Accommodations or a Bar to  
Practice?***

The legal profession is one of the least diverse professions in the country. Although generally committed to increasing diversity within their membership, many state bars have exacerbated this problem through inappropriate and unsupported evaluations of requests for bar exam disability accommodations. Many state bars require applicants requesting accommodations for Attention-Deficit/Hyperactivity Disorder (ADHD) to provide documented history of the disorder from childhood. However, the medically-recognized diagnostic criteria do not require childhood history and, on the contrary, recognize that many people are not diagnosed until adulthood. Applicants who are older, from racial or ethnic minority backgrounds, female, from socio-economically under-privileged backgrounds, and from rural origins are less likely to have been diagnosed with ADHD in childhood





and, thus, the state bars' strict application of the childhood history requirement creates barriers to entry into the legal profession for applicants from protected classes already underrepresented in the legal profession. Moreover, these practices ultimately expose state bars to liability under recent amendments to the Americans with Disabilities Act as well as federal and state anti-discrimination laws. This Article provides novel evidence of this injustice and sets forth specific, groundbreaking recommendations for state bars, law schools, and the ABA to end this discriminatory practice. ///

*8 Hastings Race and Poverty Law Journal—(2012)*

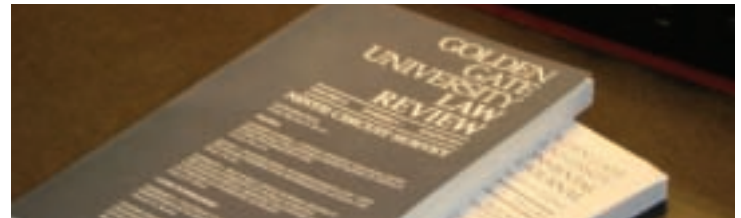
**Kimberly Stanley**  
Professor  
Faculty Chair, Director of LLM in  
Taxation Program



### ***Transfer of Property for Services***

An employee, independent contractor, or any person who receives property in connection with the performance of services must include in gross income the fair market value of the property, less any amount paid for the property, at the time of the transfer. This rule does not apply if the property is subject to restrictions affecting the employee's right to transfer it, or if the property is subject to a substantial risk of forfeiture which would require the employee to return the property back to the employer. In such circumstances, the employee is not taxed on the value of the property until these restrictions lapse and the property is substantially vested in the employee. Alternatively, the employee may choose to include in income the value of transferred property that is not substantially vested by making an election under IRC § 83(b). If the employee does so, the employee is treated as having received compensation income in an amount equal to the value of the transferred property as if it were not restricted or subject to substantial risk of forfeiture. ///

*Lexis Tax Advisor - Federal Topical, Chapter 1B:2D*



**Rachel Van Cleave**  
Professor  
Associate Dean of Academic  
Affairs



### ***Engaging the Legal Academy in Disaster Response***

This co-authored article documents how Professor Van Cleave modified the traditional seminar course format to allow students to write research memoranda for advocates in the Gulf South. Her portion of this article also explores how a seminar on disaster-related issues provides a rich and dynamic context for learning about social justice and the role of lawyers as advocated by the Carnegie Report. ///

*10 Seattle Journal for Social Justice—(2012)*

### ***Curriculum Reform in Response to Carnegie and Best Practices: Experiential Learning at Golden Gate University School of Law***

Professor Van Cleave explains how the GGU Law faculty reformed the law school's curriculum relying on studies of GGU Law students as well as other studies about student learning and legal education, such as the Carnegie Report. Specifically, this book chapter emphasizes the importance of considering studies and other information when making decisions about law school curriculum. The chapter details the first-year Lawyering Elective developed by the law school faculty, a course that introduces students to lawyering skills that are not typically taught in the first year. The students have a range of 8-12 electives to choose from, such as Asylum Law, Bankruptcy, White Collar Crime and Youth Law. These substantive areas are the vehicles through which students, in classes of about 24, learn about and practice skills such as client interviewing and counseling as well as negotiation. Students also learn about and write a broad range of legal documents. For example, students write client letters, negotiation briefs, settlement agreements and opening statements. These reforms implement the findings that show experiential learning reinforces and improves doctrinal learning. ///

Book chapter in *Reforming Legal Education* to be published in January 2012



## FACULTY PRESENTATIONS

Associate Professor Paul Kibel presented “WTO Recourse for California Farm Irrigation Subsidies: Undermarket Water Pricing as Foregone Revenue” at the World Water Congress held in September 2011 in Recife, Brazil. The World Water Congress was organized by the International Water Resources Association and the International Association for Water Law. Professor Kibel’s paper focused on the application of World Trade Organization rules to the Bureau of Reclamation’s Central Valley Project in California. ///

Associate Professor Laura Cisneros presented “Concurrence and Rivalry: The Competing Constitutional Visions of Robert Jackson and Felix Frankfurter in *Youngstown Sheet*” as part of Seattle University Law School’s Faculty Workshop Series in September 2011 and at the Second Annual Constitutional Law Colloquium at Loyola University Chicago in October 2011. In August 2011, she also participated on a panel, sponsored by the Individual Rights and Responsibilities Section at the ABA Annual Meeting in Toronto, entitled “Reconciling the First Amendment and Anti-discrimination Policies: The Implications of *Christian Legal Society v. Martinez*.” ///

Associate Professor Benedetta Faedi-Duramy presented “From Gender-Based Violence to Women’s Violence in Haiti” at the Law and Society Annual Meeting, San Francisco in June 2011 and at the American Society of International Law Research Forum at UCLA in November 2011. In October 2011, she presented “Women and Poisons during the 17th century in France” at the Symposium on Women’s Legal History: A Global Perspective, held at Chicago-Kent College of Law. ///

Associate Professor William Gallagher presented “The IP Law Disputing Process in Law’s Shadow” at the 11th Annual Intellectual Property Scholars Conference in August 2011 at DePaul University School of Law. ///

Professor Helen Hartnell recently presented two conference papers related to her book in progress. The first paper, “Legal Elites and Civil Justice Integration at Amsterdam and Tampere,” was presented at the *Workshop on Preferences in the European Union* during the Joint Sessions of the European Consortium on Political Research in St. Gallen, Switzerland. The second paper, “Legal Elites in Transnational Settings,” was presented at the Congress of German-Speaking Sociological Scholars, which was devoted to the theme “The Struggle for Law: Actors and Interests in Interdisciplinary Legal Research” and held at the Law Faculty of the University of Vienna, Austria. Professor Hartnell has also been actively involved in the work of the Law and Society Institute at Berlin’s Humboldt University, where she organized and moderated a colloquium with Professor Anne Griffiths of the University of Edinburgh on “Anthropological Perspectives on Legal Pluralism and Governance.” ///

Dean of Students Neha Sampat co-presented at the Assisting Law Students with Disabilities in the 21st Century Conference in March 2011 at American University Washington College of Law. Dean Sampat and former GGU Law Disability Services Coordinator Esmé Grant presented original research on bar exam accommodations for law school graduates with Attention-Deficit/Hyperactivity Disorder (ADHD), including how some state bar agency practices lead to the denial of ADHD accommodations and disproportionately disadvantage applicants from backgrounds underrepresented in the profession, including racial minorities. ///

Professor Marci Seville presented on “U.S. Law of Inequality in the Workplace” at the University of the Basque Country in San Sebastian and Bilbao, Spain in June 2011 and participated in faculty roundtables on teaching methodology. Also in June 2011, she presented at the “Women Rethinking Equality” AALS conference in Washington, DC. Her topic, “Rethinking Workplace Inequalities for Domestic Workers,” was a discussion of the local, national and international efforts to improve the working conditions of domestic workers and of doing legislative advocacy in a clinical setting. In September 2011, she presented “Recent Developments under the Family and Medical Leave Act” at the Labor Arbitration Institute. At the May 2011 San Francisco Domestic Worker Tribunal in San Francisco, Professor Seville gave a presentation on the historic exclusion of domestic workers from federal and California labor rights. ///

The Women’s Employment Rights Clinic (WERC) co-sponsored a conference at the law school in June 2011, “Bay Area Immigrant Workers Rights Training,” addressing immigrant workers’ rights, including Social Security no-match letters, and the E-Verify system. The conference was co-sponsored by the Asian Law Caucus and the National Immigration Law Center, among others. Graduate Law Fellow Rocio Avila participated in conference planning and led a panel discussion on legal and community strategies to respond to ICE mandated employer audits. In September 2011, Graduate Law Fellow Rocio Avila participated in Labor Rights Week at the Mexican Consulate in San Francisco, where she gave a “Know Your Rights” presentation to over 60 workers, and in October 2011, Avila spoke on the panel “Change through Conflict: Strategies for Impact Litigation” at the National Lawyers Guild 43rd Annual Progressive Lawyering Day, held at Golden Gate University School of Law. ///



# Bernard L. Segal *A Remembrance*



by Professor Susan Rutberg, Director of Experiential Learning

Professor Bernard L. Segal, one of the world's great trial lawyers from the old school of silver-tongued orators, and a much beloved law professor, passed away on August 12, 2011. Bernie, as he was known by everyone he ever met, was my teacher, mentor, colleague, and friend for nearly four decades. Although he faced increasingly difficult health problems in recent years, his death was unexpected, and I didn't get to see him before the end. I'm writing this because I didn't have the chance to say goodbye.

I first met Bernie in 1972, my first year of law school, when he was new to teaching. Bernie had come to Golden Gate from the East Coast after an illustrious career as a criminal defense attorney. He represented civil rights workers in the South and, as a public defender in Philadelphia, indigent people charged with crimes in the North. Golden Gate Law School was an exciting place to be in the early 70s. Most of our professors were more than just terrific teachers; they were also engaged community members. But Bernie Segal, long-haired, pipe smoking, and charismatic, was the coolest of the cool. From the very first day of Bernie's Criminal Law class, his pitch-perfect storytelling had us entranced. Entranced, but not submissive.

Our class was one of the first to have a significant percentage of women students. And we women were not easy on Bernie. We wore the feminist uniform of the day, our denim overalls, and we were determined not to be shy in class. In fact, we were positively unruly: speaking up in outrage to challenge all the many instances of sexism and racism we saw in the cases we were assigned. Poor Bernie: we were so upset about one of the first cases in the book, involving a Latina teenager who concealed her pregnancy out of shame and delivered a baby alone in the bathroom, that we wouldn't let him move on to any other discussion for three weeks!

# 1930 - 2011

Like so many of my generation, I decided to go to law school to learn the skills and gain the credentials needed to change the world. Yes, we were more than a little naïve. Our mistake was thinking that achieving justice for all oppressed people was just a matter of time. How long? Martin Luther King Jr. famously asked. How long?? We figured five years tops after our dedicated cadre of radical lawyers passed the Bar, and then justice would rain down like water upon the land. Yes, we were incredibly foolish and more than a little self-righteous. But Bernie, to his great credit, never made us feel foolish or embarrassed. (Although he did strongly urge that we give up the overalls.) In class, he didn't just humor us; he encouraged us to express ourselves, and without patronizing, he showed us the holes in our arguments. And then he taught us how to sew them up.

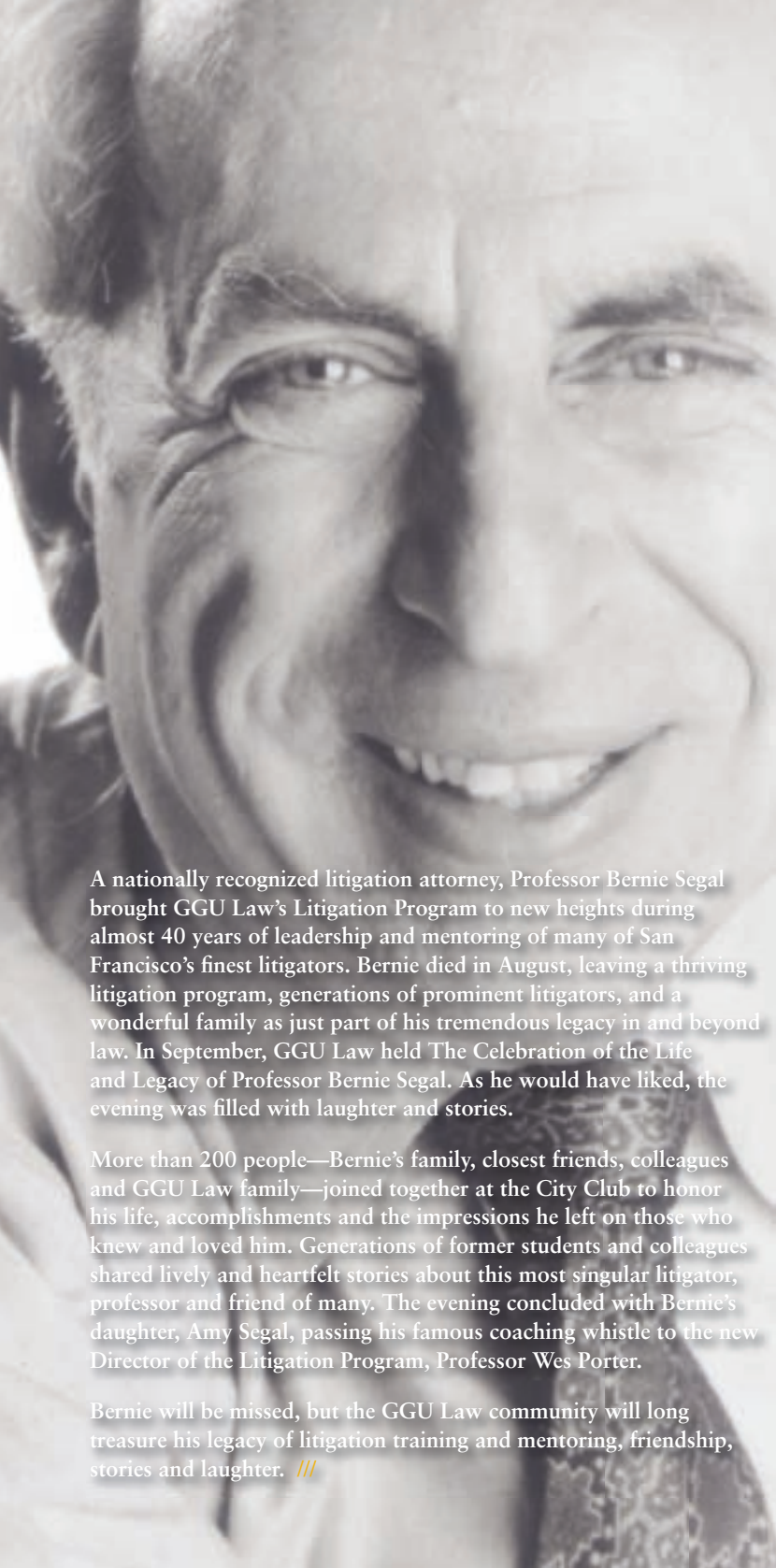
In our second year at Golden Gate, Bernie started the first ever practical litigation class. He gave Golden Gate students an opportunity that no other local law school could boast: a chance to learn the art of trial advocacy from a Master. When we were nervous about standing up and examining a witness in front of our classmates, Bernie gave us courage. He made us believe in ourselves. When we worried that we couldn't be as smooth or verbally adept as our teacher, he would say: "Go home. Look in the mirror and tell yourself: this is what a trial lawyer looks like!"

Perhaps the most important lesson I learned from Bernie was that passion is a necessary, but not a sufficient condition for lawyerly effectiveness. Without preparation, preparation, and more preparation, and above all else, a compelling story, passion alone just don't mean a thing.

I became a criminal trial lawyer because of Bernie. Long after graduation, whenever I called to consult about a case, he always made time to listen. He made me laugh when I got downhearted and celebrated my victories as his own. In the late 80s, Bernie invited me back to teach Trial Advocacy alongside him. Then in 1991, with Bernie's support, I joined the faculty. It has been a great privilege to be part of the Litigation Program with him these last twenty years. Bernie's innate kindness and good manners brought out the best in all his colleagues.

Bernie was very knowledgeable on many subjects, including Yiddish-isms. The Yiddish word used to express the particular joy parents get from their children is "naches." And when you get "naches" you burst with pride, which in Yiddish is called "kvelling." Bernie often talked about his children, Amy, Beth, and Eric. He loved them wholeheartedly; he was enormously proud of them; and he was completely head over heels in love with his grandchildren. From them he got plenty of "naches" and did lots of "kvelling." But I think the secret to Bernie's happy life is that he got way more than his fair share of both. "Naches" in Bernie's case was not limited to blood relations. Four decades of law students, who see themselves, like I do, as one of Bernie's kids, brought him "naches" and made him "kvell." He loved his students; he loved his life, so much of which was spent here at the law school, and it gives me some comfort to imagine him now filled with "naches" and "kvelling" at the thought of all the people he touched so deeply. ///

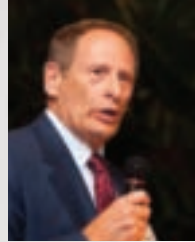




A nationally recognized litigation attorney, Professor Bernie Segal brought GGU Law's Litigation Program to new heights during almost 40 years of leadership and mentoring of many of San Francisco's finest litigators. Bernie died in August, leaving a thriving litigation program, generations of prominent litigators, and a wonderful family as just part of his tremendous legacy in and beyond law. In September, GGU Law held The Celebration of the Life and Legacy of Professor Bernie Segal. As he would have liked, the evening was filled with laughter and stories.

More than 200 people—Bernie's family, closest friends, colleagues and GGU Law family—joined together at the City Club to honor his life, accomplishments and the impressions he left on those who knew and loved him. Generations of former students and colleagues shared lively and heartfelt stories about this most singular litigator, professor and friend of many. The evening concluded with Bernie's daughter, Amy Segal, passing his famous coaching whistle to the new Director of the Litigation Program, Professor Wes Porter.

Bernie will be missed, but the GGU Law community will long treasure his legacy of litigation training and mentoring, friendship, stories and laughter. ///



*There were many Bernies. Business Bernie: Importing hardwoods from South America well before it became a trend. Broadway Bernie: We produced off-Broadway plays for two years. Bernie was most helpful in explaining to the landlord and police that the funny cigarettes they were smelling outside the theatre were just French, Galoises to be specific. Bernie the Attorney: We got in a car crash together on Van Ness. We were flipped upside down but safe. And he sued me. Big-Hearted Bernie: to everyone who met him. Bye Bye Bernie: He was so gracious and had so much dignity at the very end when he gathered his friends for one last meeting before he passed. ///*

**Stephen Goldstein, friend of Bernie**



*Bernie was truly a presence for marginalized people. My entering law school class was 43% women, 100% obstreperous. Bernie iterated that you needed more than passion. And he gave me the very good advice: "Get to know the bailiff and clerk and get to know their children and they'll do anything for you." His best advice, however, was to look in the mirror, say and believe, "This is what a trial lawyer looks like." I lost my dad at 16 and at 24 I got a new one. ///*

**Professor Susan Rutberg (JD 75)**



Baxter spoke about the Baxter Fellowship, selection for which was led by Bernie. The Fellowship allows students to become mentors after graduation, helping to train the next generation of mock trial teams. ///

**Hon. Lee Baxter (Ret.) (JD 74)**

*Bernie's best advice may have been, "Get to court early and take the water of the opposing counsel away. Also, test the chairs. Make sure opposing counsel's is the squeaky one, or perhaps missing screws." ///*

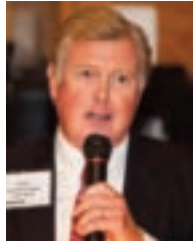
**William M. Audet (JD 84)**





Bernie had a twinkle in his eye, which could indicate either anger or mischief. Very importantly, he was a true believer in the justice system and knew that you have to have that passion to get justice, to do the hard work that is required. He still inspires me as a trial lawyer. ///

Robert Cartwright (JD 82)



If the key to immortality is living a life worth remembering then Bernie has done very well. I asked him about defending bad guys and he told the story about going to a game and asking someone who was the underdog. "That's where we sat." ///

Shahrad Milanfar (JD 98)



Law school is like studying aerodynamics but never getting in a plane. But Bernie put you in the plane and let you crash. One of Bernie's other great gifts was connecting people for a lifetime. Look at us, the hippie and the marine. ///

Dan Dell'Osso (JD 84) and Robert Waggener (JD 84)

Bernie was known for his civility and decency. His eyes and smile invited you in and his character filled the university. ///

Anthony Iatarola (JD 85)



From Bernie I learned what it was to really be human. He was like a Zen Master walking down the hall, stopping to give each student who approached him his full attention. He knew every single person by name, from the janitors to the students and made us each feel special. The truth was we were all important to

Bernie. Bernie never used his age and experience to tell me he knew more than I did about what we should teach. Instead, he'd listen and say, "Huh, let's give it a try." Bernie was not a father figure to me. I could tell him anything and he would hold my secrets. He was like the best girlfriend I ever had. ///

Harriet Schiffer Scott, Adjunct faculty member



I can trace where I am today back to Bernie saying, "You need to be on my mock trial team. That voice!" I also recall Bernie telling me what to wear, to be early. That whatever the answer is, give it, because your credibility is all you have in that courtroom. And, "Never ask the jury a question. Don't ask them, 'Who do you think killed Jackie?' Just tell them 'Johnny killed Jackie.' Simply, directly and with confidence." After my own father, Bernie is probably the closest thing to a father figure in my life. Bernie has been and will continue to be an enormous influence in my life and my career. ///

Heidi Timken (JD 91)

I was Bernie's student in Pennsylvania. Everyone had a special relationship with him. He could have special relationships with thousands of people. He would always be greeted in restaurants and have long conversations. A friend wrote to me, who had only met Bernie at a party 15 years ago, "What a noble and generous spirit." ///

David Phillips, former student

Bernie can't be replaced. No one person could replace him. We have a team, a combination of people coming together, to fill the void. We had several dynamics — we had the prosecutor and defense attorney dynamic, but, more importantly, we had the mentor-mentee dynamic. Bernie allowed me to shadow him, even in his last years, because he was still teaching. He was teaching me, "This is how we treat our students, particularly our litigation students, at GGU. He was showing me why GGU is special and I'll never forget that lesson. ///

Professor Wes Porter



### Chief Justices of Color

Over 400 attorneys, judges, and law students packed the PG&E Auditorium in San Francisco on Tuesday, October 18 to hear California Chief Justice Tani Cantil-Sakauye, who is, according to former Chief Justice Ronald M. George, “responsible for the statewide administration of the largest judicial system anywhere in the United States—and in most of the world.”

Cantil-Sakauye—the first Filipina American and the second woman to serve in the role of California Chief Justice—delivered this year’s Chief Justice Ronald M. George Distinguished Lecture (see the full text on page 21). She then joined four other justices of color for a panel discussion introduced by GGU Law’s Dean Drucilla Ramey and moderated by Justice Joan Dempsey Klein, Senior Presiding Justice of the California Court of Appeal.

### Suffragists and the Path to Diversity

Acknowledging the 100th anniversary of the Suffragette Movement, which “placed us all on the path to diversity,” Cantil Sakauye spoke eloquently and extemporaneously to a rapt crowd. A self-described descendent of both “warriors and immigrants” whose ancestry is significant to her, as Dean Ramey noted in her introduction, the Chief Justice explained that diversity means “so many more things than gender,” among them ethnicity, race, world view, professional experience, religion, and culture. During the panel discussion, Justices Michael Douglas and Fernande R.V. Duffly, Chief Judges James Ware and Eric Washington, and Chief Justice Cantil-Sakauye addressed



/// Chief Judge James Ware.

questions posed by Justice Klein, elaborating frankly and substantively on the ways in which diversity had informed their judicial careers.

When Indonesian-born Justice Fernande R. V. Duffly, who serves on the Supreme Judicial Court of Massachusetts, was asked if attacks such as those on Justice Sotomayor for her “wise Latina” remark had had a chilling effect on advocacy or action by judges who support judiciary diversity, she gave a succinct “No.” Duffly, who is of Dutch and Chinese heritage, added, “It’s essential to our democracy, and access to justice, and everything we hold dear that we have a diverse judiciary,” noting that she brings her own background to the bench (“not just being a woman, but being an Asian American woman, being an immigrant, not speaking English when I came here”) and it bears on her decisions.



/// Left to right: Chief Judge James Ware, Justice Michael Douglas, Chief Judge Eric Washington, Justice Fernande R.V. Duffly, Chief Justice Tani Cantil-Sakauye.

## “Independent Mendicants”

Next, Justice Klein asked Chief Judge Eric Washington of the District of Columbia Court of Appeals, and the President of the Conference of Chief Justices, if he faced any special challenges in trying to secure adequate state court funding or in ensuring the public’s trust and confidence in the courts. One challenge, said Washington, was “motivating and invigorating the business community to come forward in support of funding for the courts.” Explaining that D.C. was a directly federally funded court system, he said “somehow we’ve got to be able to bring all the diverse interests we have together to support the court’s efforts to get adequate funding.”

Justice Michael Douglas, the first African American justice in Nevada’s history, who was first appointed to the Court in 2004 and then elected twice (in Nevada, “all members of the judiciary are elected officials ... it’s not a retention election, it’s a contested election”) agreed with Washington that “the challenge was not of color this time, the challenge was the economy.”

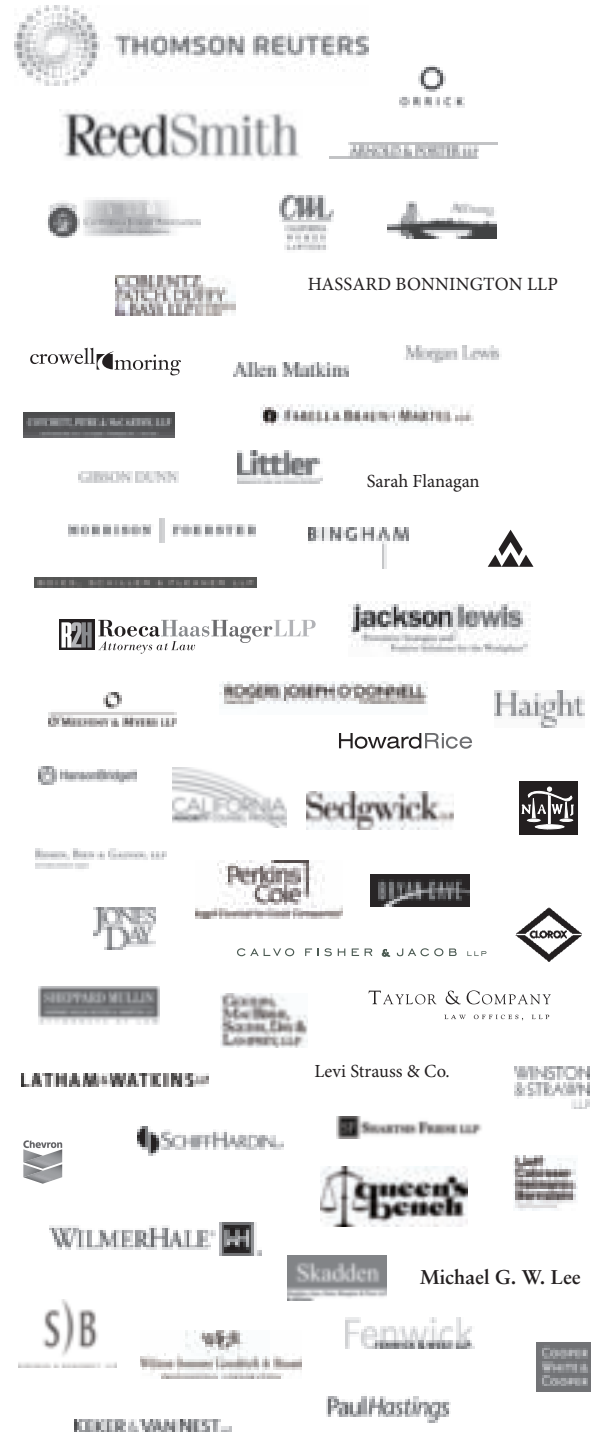
Chief Judge James Ware added that, “The courts are not being treated as an equal branch of government,” which met with applause. “I’m happy to have you respond, but I need to have you do more than that, because we have no constituents. The reason we’re in trouble is because no one truly speaks for the courts,” which affects both the quality of justice and the attractiveness of the courts. Noting that his “maybe” three percent raise over a 20-year tenure was “pathetic,” Ware said, “It doesn’t matter what color we are. The color is green, the color is money, the color is an attack on the courts.”

To illustrate that budgetary control is a serious issue, Chief Justice Cantil-Sakauye told an anecdote about feeling victorious for simply having convinced the governor to allow the judicial branch to determine itself how to cut \$150 million from its budget. And Justice Klein’s use of the term “independent mendicants” summarized the general frustration over funding, and drew a rueful laugh from the audience. “We take our little tin cup and go around asking the legislators, ‘We need a buck or two to run the court system.’”

## Race or Sex Still Issues?

Moving on from monetary issues, Justice Klein asked Justice Michael Douglas what she termed a “biggie” of a question: Are race or gender issues for justices on state supreme courts? “The short answer is yes,” Douglas answered. “If women are aggressive, they’re—excuse me—a ‘bitch.’ If you’re of color and show your legal scholarship, you’re arrogant.” Justice Douglas then described his own first (non-California) courtroom experience. Though he was dressed professionally in a three-piece suit, had his briefcase, and was seated at the counsel table

## THE 2011 CHIEF JUSTICE RONALD M. GEORGE DISTINGUISHED LECTURE SPONSORS





(sans client), the judge said, “I’m going to default this action because the defendant is here without counsel.” The other lawyer looked at the judge and said, “Your Honor, he is the other attorney.”

Warning against complacency—and asserting that racism is still very real, a black president and black judges notwithstanding—Douglas said, “We have come a long way, but there is still a long way to go.” Pioneering minorities must perform their jobs impeccably or “there may not be another one who looks like me” on the bench, or the board, or in any other arena in which a minority has broken ground.

Justice Duffly noted that it makes a tremendous difference not to be the only minority member of a group, but to have “critical mass,” because once critical mass is reached, changes usually continue. But Chief Judge Washington, returning to the theme of economics, reminded the audience that achieving critical mass is sometimes difficult since people of color who may want to select public service in the judiciary cannot—for financial reasons. “We’re having difficulty in Washington, DC getting [African American, Hispanic, and Asian applicants] in the pipeline. ... I think service in the courts has been so diminished by the fights, by the attacks on the judiciary, by the stagnation of salaries, that we’re not encouraging our best and brightest to come forward.”

## Appreciative Local and National Audience

While many students, GGU Law professors, and alumni filled the audience, many others traveled to attend the lecture and panel discussion. Rita Gunasekaran, who had worked for Joan Dempsey Klein briefly at the Court of Appeals before her 25-year career as a civil appeals specialist with Haight Brown & Bonesteel LLP in Los Angeles, was “delighted” when her firm asked her attend. Diversity counsel Monica Parham, at Crowell Moring LLP (whose “second job” for the year is serving as president of the Women’s Bar Association of the District of Columbia), flew in from Washington, DC. Her jubilant mood reflected that of the audience: “I’m particularly interested in diversity broadly defined. I’m absolutely thrilled to see people really focusing on how the judiciary should reflect America, Americans, and the legal profession.”

Florida-based Jocelyn Hastings, 16, and her attorney mother, Patricia Hastings (JD 87), acknowledged Dean Ramey as a driving force behind many wonderful things, including diversity at GGU, but added that the diversity discussion is even larger: “I appreciate that this was a panel on people of color in the judiciary, but I would also like to see the LGBT community mentioned more often when we talk about diversity; LGBT issues need to be part of the conversation.”



## Justifying Dissents

Justice Klein’s last “burning” question was on justifying dissents, which sparked a lively conversation.

Justice Douglas said though he sometimes missed being able to talk to plaintiffs, victims, and other attorneys after trial, and even “to make that personal ‘in-your-face difference’ while sentencing defendants, setting policy” was important. “I come from ancestry that was once ruled in a law book to be property. Then I was deemed separate but equal. And then I was deemed equal. Sometimes a dissent ... is to make people feel uncomfortable enough to re-examine what they do. ... That law school I went to in the early 70s had no minority faculty. We were told that there were no capable minority members in this great city of San Francisco who could be faculty members. As a first-year student, I joined my fellow minority students and we had a one-day strike. Lo and behold, the next year they had a minority faculty member. That was a different type of dissent.”

Dean Ramey drew the event to a close by noting GGU Law’s recently published book, *The Great Dissents of the Lone Dissenter*, which details the many solo dissents on behalf of civil rights and civil liberties written by Justice Jesse Carter, a GGU Law alumnus who served on the California Supreme Court from 1939 to 1959. Said Dean Ramey, “His dissents were almost entirely in the area of civil rights and civil liberties. He was a man before his time, as many dissenting judges have been and will continue to be. The mores of a majority of the population, perhaps reflected by a majority in a court, very often change. And the law changes, often ultimately bearing a startling resemblance to those dissenting opinions of yesteryear.” ///

A close-up portrait of Chief Justice Tani Cantil-Sakauye, looking directly at the camera with a slight smile. Her dark hair is styled, and she is wearing a dark top. The background is a soft, out-of-focus grey.

# DIVERSITY IN THE JUDICIARY

by Chief Justice Tani Cantil-Sakauye

If any of you talked to me this month, you know that the first thing out of my mouth is, “Did you know that this is the 100th anniversary of women’s right to vote and to run for and hold an elective office?” I say that because I consider the success of the suffragists’ movement 100 years ago, October 10, as being a seminal act that placed us on the path to diversity. So 100 years from that important moment when men and women wouldn’t take no for an answer, when men and women were putting forth a novel idea that women could vote and run for office, when it seemed impossible, when they failed in the legislature, when they failed at the ballot box, and we look at where we are 100 years later, what do we find? We are a female majority on the California Supreme Court. We are the entirety of the Commission on Judicial Appointments; that is, the constitutional body entrusted with the honor of confirming or not the Governor’s appointments to the Court of Appeal and the Supreme Court. And Justice Joan Dempsey Klein, of course, has served on that Commission and seen its history and now serves on the Commission with Attorney General Kamala Harris, and me. Our all female Commission had our first historic hearing involving now-Justice Goodwin Liu.

Also—and I know that my Conference of Chief Justices colleagues will acknowledge this—we now have 21 of 50 female Chief Justices in the United States.<sup>1</sup> And we also know that in law schools in California and across the country women are majority members of the entering class and the graduating class. So when I think about what has changed in 100 years, it is incredible that we have come this far. But there is work to be done. Could the suffragists have known that in 2011 California would be a minority-majority state, that we would have 10 million immigrants? I know from personal experience that immigrants bring to the table optimism, enthusiasm, patriotism, faith, and hope. And that we bring a diversity of thought through the accumulation of our experiences here in California. And who would have guessed 100 years later that, according to the last census, women in California are the majority in this state?

We tell ourselves, now more than ever, that government needs to be diverse. And that applies to the judicial branch especially,

because we rely on the public trust and confidence as we resolve very complex, difficult issues in courtrooms. Until we reflect the diversity of our population, we will continue to wonder whether we truly have the public's trust and confidence. When the diversity of the population is reflected in the bench and bar we will be better able to solve problems and create that trust because people know that we walk in their shoes, we have those varied experiences, and we have a shared lens through which we make decisions.

When I talk to you tonight about diversity, I mean the different facets of diversity, including and beyond gender. As you know, diversity generally means ethnicity, it means race, but to me it also means experience and world view and professional experience. It means religion and it means culture. It means a great variety of backgrounds and experiences. Our communities are diverse. Like the communities we serve, the bench and bar contain tremendous diversity in the broadest sense. When you look at California and you look at the fifty-eight trial courts alone, we have courts that are as different as 1,200 people in Alpine County with two judges. If you travel down I-5, you'll come to a place called Los Angeles, with ten million people and 600 judges. And everywhere in between, you will find pockets of six judges for 50,000 people and eleven judges and a million people. And that reflects the diversity of California's population and geography, and in every one of these courts, in every one of these fifty-eight counties, there are different cultural needs, different practices, different rules. Nevertheless, as Chief Justice and as Chair of the Judicial Council—the policymaking body of the judicial branch—I feel it is my duty to ensure every Californian's right to have equal access to the courts throughout California, regardless of whether they're in a well-funded county and regardless of whether or not they are well represented in the legislature or at the executive level. It is our duty to reflect diversity in the courts while providing equal access, and we're doing a good job of it, but there is work to do. And that will be my drum beat from this speech on for the rest of my career: we still have work to do.

Though the California Supreme Court is majority female and now also majority Asian-American, the judicial branch hasn't changed that much from five years ago in reflecting the ethnic

and racial diversity of the state of California. For example, in 2006, women judges were about 26% of the population of the judges of approximately 1,700 jurists. We are now 31%, a growth of 5%. But when you look at Latino judges, we are 8% now and—we've only grown by 2% or so. When you look at African-American judges, we've only grown by 1.2%. African-American judges are 5.6% of the judicial branch. When you look at Asian-American judges, we've grown by 1.2%, and we are 5.4% of the judicial branch. So there is work to do, and there is a concerted effort underway to have the bench reflect the population.

But of course, the bench looks to the Bar to stock our population. There is work to do there as well, as we all know. I rely on surveys which may not necessarily be reliable, and the information may not be as current as I would like. But we know that in 2001, when the State Bar did a survey, the minority population of the State Bar was 17%.<sup>2</sup> Five years later, the survey, which again only gives us a rough snapshot, showed a little over 15% minority members.<sup>3</sup> If we were trend people, we would say, "It appears that in five years, the minority population of the State Bar has declined." Yet, even at its best numbers, the minority population in the State Bar has not reflected the minority population in California.

Still, I am hopeful and optimistic, because the Bar has tremendous leadership, most recently by Bill Hebert and now by Jon Streeter—people who are conscientious, who are smart, and who are moving the Bar forward. Just a couple of weeks ago the Bar held an anniversary of the Summit on Judicial Diversity. I know there's thought about completing another survey so we can get a pulse of the State Bar as it stands today in 2011.

When I think about the hope for the future of the bench and bar, I also rely on anecdotal evidence. This spring I had the opportunity to be the keynote speaker at several law schools including my alma mater, U.C. Davis. What I learned by watching these enthusiastic, inspirational, hopeful, and diverse students file by, is that we are in good hands.

When I was in school in 1984, women were the slight majority in the entering class. But the minority population was much,





/// Chief Justice Tani Cantil-Sakauye.

much smaller, and I knew every one. But in 2011, I understand that at U.C. Davis four out of ten graduates are African-American, Latino, or Asian-American. When you see those graduates file across the stage, I find hope that in the future the bench and bar may reflect the diversity of the state.

Also, numbers, again from the State Bar, show that approximately 8,900 aspiring attorneys took the Bar exam. 4,600 or so passed, and we know approximately 49% of this group are women. So we are filling the pipeline, we are moving forward, but there is work to be done. And we have a population base with which to do it.

But I will also tell you that from my twenty years on the bench I know that achieving diversity depends on opportunity. Diversity in the bench and Bar require that. Where is opportunity? Opportunity exists through leaders like Joan Dempsey Klein and Dean Ramey and the deans of other law schools like Kevin Johnson at U.C. Davis and Dean Chemerinsky at U.C. Irvine and Dean Wu at Hastings. All of these leaders recruit diverse students who are the future of the bench and bar.

I want to tell you about my own experience and intersection with the structural reforms in the branch in the last fifteen years. These reforms both made the branch a strong institution and

created an infrastructure that provided me the opportunity to stand in front of you as Chief Justice of California. Two years ago, when then-Chief Justice Ronald George, a great man, lectured here as the inaugural lecturer for the series named after him, he talked about the three major reforms in California that always bear repeating, because contrary to what Lady Gaga sings, we were not born this way.

The first reform was the 1997 statewide funding of the trial courts. Courts used to be funded by the county and as a result of county funding and 58 counties and 58 different relationships with their courts, there was disparate funding among the counties resulting in unequal access to the courts. In 1997, under Chief Justice George, state funding became the foundation for the trial courts, bringing stability of funding which enabled us to plan strategically.

The next major reform in the branch a year later involved the unification of the municipal and superior courts. We went from a loose confederation of over 220 courts in California to fifty-eight superior courts. We took two different offices in every county—the municipal office and the superior court office—and collapsed them into one for greater efficiencies, better use of money, and more direct and reasonable common sense service to the public. With that came strength in concentrated numbers by unifying from 220 into 58.

What I consider the third largest reform in the last 15 years was when we became, as a judicial branch, responsible for the repair, modification, and construction of our courthouses.

You may be asking yourself how those three structural reforms—that strengthened the institution, that made us a more truly co-equal branch of government, that gave us the ability to withstand these savage budget cuts in the last three years—serve diversity. When the structure came together, there was a dawning recognition that amongst the fifty-eight trial courts, the six courts of appeal, the Supreme Court, and the Judicial Council, we are in fact an incredibly diverse state. And we can bring together cultures and people and practices that need some sorting out to develop the best statewide rules. This infrastructure created a forum to hear diverse voices, a

forum in which people who represented different interests and experiences came together to distribute their best practices, to form policy for the state. I, luckily, was one of those people who volunteered to serve on the state advisory committees.

There are more than 22 advisory committees. Many of you serve on them. Many of you are subject matter experts who contribute. You volunteer your time to make better rules and policy for California, the judicial branch, and ultimately for the public. The advisory committees created a table, a place where I could sit next to my brethren from Inyo County and put a face on a challenge in Inyo County, where they could see the face of Sacramento County and know what we bring to the table and better understand the makeup of our branch. It also permitted a forum where voices like mine could be heard: voices talking about our communities and courts coming from people who looked like me. We created bonds with one another. We learned from one another. We solved problems with each other. We moved forward. We ended up creating a community of volunteers as diverse as the population we serve, and solutions to help them all.

These reforms had been in the works for ten years prior with different chiefs, governors, legislators, and Judicial Council members, but, by realizing them, Chief Justice George created an incredible road to diversity. He created a road on which many of us could travel, be part of the problem solving and, in helping others, unbelievably help ourselves. If I had not had the opportunity to serve on the advisory committees, I submit to you that I likely would not have had the opportunity to be Chief Justice of this great state.

Our structural reforms are under attack now by two different entities. One is the budget, which we all face. To give you a snapshot of the California judicial branch budget, since 2009 we've been cut 30%. We've been cut \$650 million while our case load grows, while we haven't been funded for growth. In times when people are losing jobs, homes, services, and privileges, courts need to be open. But we're expected to do more with less. What that means, as you all know, is judges are working overtime and harder. Staff is working harder and harder to do the work of folks who have been furloughed or



/// Justice Fernande R. V. Duffy.

laid off to operationalize cuts. We are doing our part because we recognize that as a judicial branch of government we must be fiscally accountable.

At the same time, however, we also need to come up with a \$1.1 billion solution to court funding that was moved to the state's general fund. In the judicial branch this year we've been accused of a number of things, but what people do not say is that the legislature took from us \$350 million in construction funds to repair our courts. That came from you attorneys and your filing fees in our courts. Then they took a \$350 million involuntary, no interest loan. Also, a \$90 million loan after that. Then ultimately, in the last phase of the budget, they swept another \$310 million. In addition, they simply cut \$350 million from our general fund allocation.

When I meet with the Governor he says to me, "You have no leverage." It's true. Judges don't bring votes. Judges don't bring campaign contributions. What we bring is an adherence to the rule of law. What we bring is a promise of equal access under law. And these days, it's hard to sell that when people are losing health benefits and rights because we can no longer fund those.

I recognize many of you in the audience because of the help you provide through the State and local bars. We're moving forward with a coalition of attorneys to bring to the Legislature the message that you cannot continue to cut the judicial branch budget without jeopardizing civil rights and that closing courts jeopardizes the public's ability to enforce their basic rights.

Another area of attack has been launched against judicial branch governance, judicial branch structure. There are those out there and in the Legislature who view the judicial branch as needing radical change; people who would pass legislation overnight to change decades of hard work and decision-making by four Governors, four Chiefs, multiple legislatures, multiple judges and lawyers volunteering to create not only the structural reform but the structural reform that promotes diversity in the branch.

What I fear from these attacks on judicial branch governance and structure is that they will destabilize and stifle diversity. I fear that they will take away the rungs of the ladder that were created so that individuals like me could climb into state-level problem-solving and into state advisory committees, to find state solutions, responsive to all, and one day even to have the opportunity to lead this great state of California.

I tell those who think about trifling with judicial branch structure and governance to be careful where you tread. Twenty-five years ago, Chief Justice Malcolm Lucas followed through on a promise by Chief Justice Rose Bird and created a special committee to study gender bias in the courts. Five years after that, Chief Justice Lucas created an advisory committee to study racial and ethnic bias in the courts. Five years after that

the Judicial Council adopted as its number one goal access, fairness, and diversity in the state.

If you think that those kinds of reforms were inevitable, I beg to differ, because progress not only in diversity, not only in human rights, not only in women's rights and poverty rights, is the result of deliberate, sustained effort by many trailblazers who started them, and some of whom are here tonight.

These reforms to our branch and to our opportunities were fundamental. Before we trifle with them, we need to tread carefully and remember our history and see we've come a long way — but — there is still work to do. Going backwards is not an option. It is against this background that I join this impressive panel to talk about a subject matter dear to my heart and to spend this wonderful evening with all of you. Thank you, Dean Ramey. ///

<sup>1</sup>Conference of Chief Justices, Member Roster, CONFERENCE OF CHIEF JUSTICES (Feb. 1, 2011), <http://ccj.ncsc.dni.us/Roster/012011Roster.pdf>.

<sup>2</sup>RICHARD HERTZ CONSULTING, CALIFORNIA BAR JOURNAL SURVEY 2 (2001), available at

<http://www.calbarjournal.com/Portals/1/documents/2001-CBJ-Survey-Summary.pdf>.

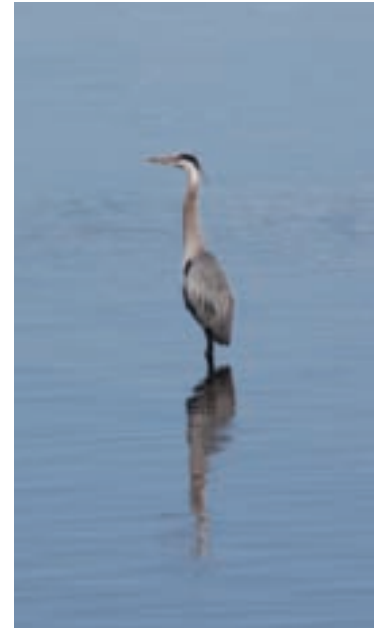
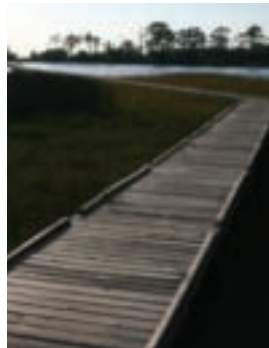
<sup>3</sup>HERTZ RESEARCH, MEMBER SERVICES SURVEY 12 (2006), available at <http://www.calbar.ca.gov/LinkClick.aspx?fileticket=AG4sVakYctc%3d&tabid=212>.



// Left to right: Dean Drucilla Ramey, Chief Judge James Ware, Justice Fernande R.V. Duffly, Senior Presiding Justice Joan Dempsey Klein, Chief Judge Eric Washington, Chief Justice Tani Cantil-Sakauye, Justice Michael Douglas.



# New Center on Urban Environmental



## by Garrett Wheeler

Garrett Wheeler is a second-year law student focused on Environmental Law. This past summer, Garrett worked at the Pacific Coast Federation of Fishermen's Associations (PCFFA), and during the Fall semester he served as a legal intern at San Francisco Baykeeper. Garrett looks forward to gaining further experience in areas related to Environmental Law, particularly in a judicial or governmental capacity. He is currently serving as a writer on the *Golden Gate University Environmental Law Journal*, where he is authoring an article focused on sustainable aquaculture. Email: GWheeler84@gmail.com

Once a bustling naval air station nestled against the eastern edge of the San Francisco Bay, Alameda Point today is a series of dilapidated hangars and runways that have remained largely unused since the end of World War II. The area also hosts more than 50 tenants, ranging from boutique distillery St. George Spirits and the Pacific Pinball Museum to Habitat for Humanity and local businesses such as Jim Bustos Plumbing. But unlike many old military bases scattered across California, Alameda Point is home to thriving wetlands, unimpeded views of the San Francisco skyline, and an abundance of wildlife, including the endangered California Least Tern—the perfect place, it would seem, for a park.

As with any piece of land in the Bay Area ripe for development, the former site of the Alameda Naval Air Station is currently engaged in the long, tumultuous process of city planning. Proposals for the 1,560-acre expanse, which includes both federal- and city-owned portions, include a new site for Lawrence Berkeley National Laboratory, a Veterans Administration facility, and—at one time—extensive housing developments. The planning stalemate presents the perfect launching point for the new Center on Urban Environmental Law (CUEL) at Golden Gate University School of Law.

# Law: Greening Bay Area Cities

“We developed CUEL because while there are a lot of great programs around the country focused on climate change, energy, wildlife preservation and other rural issues, there are a lot of important concerns, particularly urban issues, that are not getting enough attention,” says CUEL founder and Co-Director, Professor Paul Kibel. “[GGU Law] is particularly well positioned to take on these issues. The greenspace project at Alameda Point is a chance to present a compelling argument to create urban parkland.”



CUEL has retained Stephanie Landregan, former Chief Landscape Architect for the Mountains and Conservation Recreation Authority in Southern California, to act as the consulting landscape architect for the CUEL greenspace project. Kibel says the open space portion of Alameda Point, if cleaned up and maintained as one cohesive park space, could improve the local economy and help bolster local property values. CUEL has proposed the name “Flight Park” to honor both the area’s history as a military base and the birds and wildlife that make it their home.



Although the transformation of Alameda Point into an urban greenspace is not without its complications, particularly the jurisdictional division between city and federal land, Professor Kibel is confident that CUEL-proposed plans will allow all those involved to bring their ideas to fruition. Kibel says implementation of the Hannover Principles (in which large swathes of contiguous open space are planned according to natural borders to maximize habitat benefits) will not only ensure wetland preservation and avoid vehicle traffic and fragmentation, but will also help address economic concerns. Possible investors in search of wetlands enhancement projects are more likely to help fund the creation of a large-acreage naturalist park, Kibel says; once established, the parks tend to be much cheaper to maintain than smaller, micro-designed landscapes. In addition, CUEL hopes the expansive parkland will increase the desirability and value of surrounding properties, allowing nearby commercial development to flourish.

CUEL began when Professor Kibel and fellow GGU Law Professor Alan Ramo decided that a program focused on urban environmental issues would be an ideal research arm to complement the school’s

already robust environmental law programs, including the Golden Gate Environmental Law & Justice Clinic (ELJC). “We wanted the Center to be more research-focused, as opposed to ELJC, which represents clients in litigation,” says Kibel. “The Center is a vehicle to do scholarly work in the area.” Kibel’s research pursuits and passions include the study of water law and urban greenspace, as well as environmental justice issues related to parklands in socio-economically challenged areas. His body of work includes the especially relevant report “Access to Parkland: Environmental Justice at East Bay Parks,” published in 2007.

CUEL’s areas of study are water, air and climate, and greenspace. In addition to heading scholarly inquiries into local issues, CUEL will create a new law school curriculum focused on urban environmental issues as well as publish the CUEL Grey Papers. A body of treatises and scholarly articles, the Grey Papers will address topics ranging from vegetation removal along urban creeks to the federal America’s Great Outdoors initiative of 2010. CUEL’s website hosts a blog where both student and faculty writers contribute articles on contemporary environmental issues.

As the newest member of the family of environmental law programs at GGU Law, CUEL is a welcome addition to the school’s Environmental Law & Justice Clinic, the Environmental Law Journal, the LLM in Environmental Law program, and the Environmental Law Society. “GGU Law has always had a serious commitment to environmental law,” says Dean Drucilla Ramey. “CUEL is a wonderful new direction that will help give city residents a voice on environmental issues, so many of which take place in an urban setting.”

Dean Ramey believes the Alameda Point project represents the type of work that CUEL is uniquely positioned to undertake. “Rather than filing lawsuits after mistakes are made, CUEL is forward-thinking, identifying initial challenges and actions in advance and enabling informed decisions. Alameda Point is an extraordinary piece of land, and it’s imperative that there is coordination between the federal government and the city of Alameda to preserve it as an open space.”

Though the fate of Alameda Point is far from certain, the decision to maintain a portion of the land as an unimpeded wildlife preserve and allow residents to enjoy the area’s natural beauty is closer to fruition, thanks to the efforts of CUEL and project partner Urban Land Institute (ULI). As CUEL’s roots spread through the Bay Area, California’s urban areas may have a greener future. “We need to think of cities as organisms,” Kibel says, “where environment and people coexist.” ///

# 2011 Alumni Awards Luncheon

## Distinguished Law Alumni

At Golden Gate University's 2011 Alumni Awards Luncheon, held October 26 at The Four Seasons, five outstanding law alumni received awards for their leadership, generosity and service on behalf of the law school and university. ///



**J. Duncan Barr, JD 70**

### **Amicus Award**

*Given to those whose efforts have resulted in significant contributions to the university's resources and, thereby, to its educational capabilities and services.*

Managing partner at O'Connor, Cohn, Dillon & Barr, Duncan has brought over one hundred and sixty trials to verdict in Superior Courts and United States District Courts in sixteen states. He chose GGU Law in part because of its flexible schedule and appreciated the opportunity to attend part-time while working.



**Michael Notaro, JD 96**

### **Community Service Award**

*Given in recognition of outstanding leadership and service contributions to the community.*

Principal of the Notaro Law Group, Michael is also the international president of Toastmasters International, a nonprofit group dedicated to teaching public speaking and leadership skills. He gives back to his community through outstanding leadership and service.



**Lindsay Eaton, JD 09**

**Gwendolyn Giblin, JD 95, MBA 07**

**Carolyn Lee, JD 07, LLM 08**

### **Volunteers of the Year**

Three of four award recipients for Volunteer of the Year are law school graduates. They were recognized for their time and devotion to the university as Alumni Association Board members and for their leadership and promotion of Griffin Connect, a program that provides networking opportunities and educational events for recent alumni.

Lindsay Eaton is an attorney with White & Wetherall LLP and a member of the GGU Alumni Association Board of Directors. She is interested in spreading the word about GGU nationally. Lindsay actively promotes Griffin Connect and believes it's important to give back to places like GGU that have given to her.

Gwendolyn Giblin is a partner Gold Bennett Cera & Sidener LLP. Wendy obtained two degrees from GGU and enthusiastically returned to pursue her PhD and volunteer. Wendy is a former member of the GGU Alumni Association Board of Directors and co-founder of Griffin Connect. She currently teaches management courses at GGU as an adjunct professor.

Carolyn Lee is an attorney with a passion to help other alumni experience the tremendous satisfaction of active engagement with the GGU community, in the schools and in the world. Carolyn is a member of the GGU Alumni Association Board of Directors and co-founder of Griffin Connect.



**Robert L. Harvey (JD 64)** was appointed as one of the members of the Kansas Citizens Utility Ratepayers Board.

**Coleman A. Swart (JD 67)** is serving as an arbitrator, mediator and special master for disputes with JAMS in Los Angeles.

**Richard C. Van den Brul (JD 71)** has a pension consulting business and is semi-retired. Van den Brul is an arbitrator for Financial Industry Regulatory Authority.

**Kenneth T. Rose (JD 72)** is the chief credit officer for Tideline Capital Corporation in San Francisco.

**Robert H. Oliver (JD 73)** was awarded the 2011 Leadership award for Outstanding Judicial Officer by the statewide Bench-Bar Coalition at this year's State Bar Annual Meeting in Fresno, California.

**Steven R. Enochian (JD 74)** is an attorney for Donnelly Nelson Depolo & Murray in Walnut Creek, California.

**Paul R. Traub (JD 77)** is the chief strategy development officer for Gordon Brothers Group in New York.

**Michele K. Trausch (JD 77)** was a speaker on a panel titled "The Legal Malpractice Section of The Bar Association of San Francisco presents Why Lawyers Get Sued (and How to Stay Out of Trouble)" in San Francisco.

**Jan Lecklikner (JD 78)** has been a deputy public defender for 32 years. She received the Defender of the Year Award for 2011 from the California Public Defenders Association, a statewide association of Public Defenders and Criminal Defense Counsel.

**David E. Roberson (JD 78)** is on the Raging Wire board of directors in Sacramento to provide strategic vision.

**Brian E. Kerss (JD 79)** is an attorney at Weltin Streb & Weltin in Oakland.

**Ben Rice (JD 79)** received the Santa Cruz Bar Association's Roland K. Hall award.

**James A. Tiemstra (JD 80)** has opened the Tiemstra Law Group PC in Oakland.

**Hon. Gail Dekreon (JD 81)** was profiled in *The Recorder* on July 25, 2011.

**Alan H. Gordon (JD 81)** was appointed to serve as Deputy Controller, Environmental Policy for the State of California.

**Edward H. Davis (LLM 82)** is a partner with Hanson Bridgett LLP in San Francisco.

**Mark R. Shepherd (JD 82, LLM 87)** spoke at a Bar Association of San Francisco event titled "Business Succession Planning: Securing a Future and a Legacy for your Client's Family Business" on October 6 in San Francisco.

**Cecily A. Dumas (JD 83)** spoke at The Commercial Law and Bankruptcy Section of the Continuing Legal Education of the Bar Association's annual symposium on November 1 in San Francisco.

**Leslie M. Rose (JD 83, LLM 01)** teaches at the Golden Gate University School of Law and directs the Advanced Legal Writing Program. Rose was awarded tenure this past spring. Rose's most recent article "Norm-Referenced Grading in the Age of Carnegie" was published in the fall 2011 edition of *The Journal of the Legal Writing Institute*.

**Angelique Andreozzi (JD 84)** was a speaker at The Litigation Section of the Barristers Club's Filings 101 on June 28 in San Francisco.

**Patricia N. Cooney (JD 84)** was given the Wiley W. Manuel award for pro bono legal service.

**Peter N. Fowler (JD 84)** was appointed as the regional intellectual property attache for Southeast Asia in the US Foreign Commercial Service in July. Fowler will be based at the US Embassy in Bangkok, Thailand.

**Ellen L. Bastier (JD 85)** was the winner of the 2011 Transformative Leadership Rainmaker award, which recognizes a woman law firm partner for outstanding business-generation efforts and exemplary client service. Bastier generates a book of business exceeding \$10 million annually, making her one of Reed Smith's top rainmakers.



# CLASS NOTES

**Hon. Diana Becton (JD 85)** is the presiding judge for Contra Costa Superior Court in Martinez, California.

**Anthony Iatarola (JD 85)** is the senior vice president for Wirtz Realty corporation in Chicago, Illinois.

**Mary A. O'Malley (JD 85)** was quoted in an article in *The Daily Journal* on September 12.

**Kenneth W. Ruthenberg (LLM 85)** was a speaker for the 2011 Western Benefits Conference in Las Vegas, July 24-27.

**Amy Eskin (JD 86)** was featured in the fall 2011 edition of *San Francisco Attorney*.

**Michelle Leighton (JD 86)** is a US Fulbright scholar and faculty of law at Kyrgyz State Academy of Law/American University of Central Asia for 2010-2011.

**Frank J. Romano (JD 87)** is the author of the book titled *Love and Terror in the Middle East*.

**Bradley J. Herrold (JD 89)** is of counsel for Orrick, Herrington & Sutcliffe LLP in Beijing, People's Republic of China.

**Richard A. Nebb (JD 89)** is of counsel for Dergosits & Noah LLP in San Francisco.

**Scott C. Kline (JD 92)** has joined Blank Rome LLP in Washington, DC and Shanghai as partner in the public companies and capital formation group.

**Ghada N. Saliba-Malouf (JD 92)** was elected to the board of directors for Equal Rights Advocates in San Francisco.

**Rod Fliegel (JD 93)** co-authored an article in the September 2011 *The Daily Journal* titled "California Joins States."

**Brian E. Doucette (JD 94)** was presented the Wiley W. Manuel award for pro bono legal service.

**Timothy W. Lohse (JD 94)** is a partner at DLA Piper in Palo Alto, California.

**Gino J. Bianchini (JD 95, LLM 96)** has joined Greenberg Traurig, LLP in the Orange County office as a shareholder in the firm's tax practice where he will concentrate on public and private real estate investment trusts, real estate funds and other real estate companies.

**Sharon A. Anolik-Shakled (JD 96)** joined McKesson Corporation as the global privacy risk and strategy leader.



**Michael Notaro (JD 96)** was a special guest at the District 83 Fall Conference, September 24-25 in East Hanover, New Jersey. Notaro was also the featured speaker at the conference's banquet.

**Barry Strike (JD 96)** is a partner at Strike & Techel Beverage Law Group LLP in San Francisco.

**Michael R. Ward (JD 96)** was profiled in an article in *The Daily Journal* on April 6.

**Guillaume Isautier (LLM 97)** is a partner at Shearman & Sterling in Paris, France.

**David V. Roth (JD 97)** was presented the Wiley W. Manuel award for pro bono legal service.

**Phillip Campbell (LLM 98)** was presented the Wiley W. Manuel award for pro bono legal service.

**Shahrad Milanfar (JD 98)** is a mediator & partner at Becherer Kannett & Schweitzer, in Emeryville, California.

**Lisa M. Jolicoeur (JD 99)** was a speaker at "The Family Law Section of the Barristers Club presents 'Navigating the World of Post-Judgment Spousal Support'" on June 23 in San Francisco. Jolicoeur is a forensic accountant at Jolicoeur & Associates in San Francisco.

**William K. Wesley (MBA 00, JD 08)** released a book titled *Full Life Balance: The Five Keys to the Kingdom (How to Live Better Every Day)*.

**Melissa J. Kanas (JD 01)** is a New York legal aid attorney and is on leave working with the International Criminal Tribunal in Tanzania.

**Michael P. Muzzy (JD/MBA 01)** is a partner at Stein & Lubin LLP in San Francisco.

**Bentrich Satarzadeh (JD 02)** was quoted in an article titled “Political Notebook: LGBTs Engage in Redistricting Process” in the *Bay Area Reporter*.

**Marie Mallare-Jimenez (JD 05, LLM 08)** was a keynote speaker at the US Department of Defense, Defense Contract Management Agency for the 5th Asian Pacific Islander American Celebration: Leadership, Diversity, Empowerment and Beyond at the US military installation in Lathrop, California.

**Emily Tam (JD 05)** is a broker associate/attorney at Prudential in San Francisco.

**Michael J. Boland (JD/MBA 06)** is the senior project manager for Winston & Strawn’s E-discovery Services Group in Chicago, Illinois.

**Ruth K. Kalnitsky (JD 06)** is a partner with Adoption & Assisted Reproduction Law Offices of Kalnitsky & Saadian in San Francisco.

**Emily M. Strine (JD 06)** is an attorney at Wilson Elser in San Francisco.

**Peter W. Hoefs (JD 07)** is an associate with Shannon B. Jones Law Group in Danville, California.

**Karen L. Minor (JD 07)** was selected by the District of Columbia Superior Court as a member of the Criminal Justice Act panel of attorneys who are qualified as court-appointed counsel for indigent criminal defendants.

**Julie C. Roche Schram (JD 07)** was presented the Wiley W. Manuel award for pro bono legal service.

**Ken D. Duong (JD/MBA 08)** is managing partner of TDL International Law Firm. Duong focuses on international cross-border business transactions and represents the Vietnamese American Chamber of Commerce and Fountain Valley Chamber of Commerce.

**Sheila K. Robello (LLM 08)** is a senior associate for Solan & Park LLP in San Francisco.

**Philip D. Batchelder (JD 09)** was presented the Wiley W. Manuel award for pro bono legal service.

**Alexander T. Jones (JD 09) and Daniel Devoy (JD 10)** are the founding partners of Jones & Devoy LLP in San Francisco.

**Kara M. Mignanelli (JD 09)** is the director of legal compliance & education and in-house counsel for Global Strategic Mangement Institute in San Diego, California.

**Adam W. Neuffer (JD 09)** is an attorney with Kern, Noda, Devine & Segal, a civil litigation firm in San Francisco.

**Daniel R. Devoy (JD 10) and Alexander T. Jones (JD 09)** are the founding partners of Jones & Devoy LLP in San Francisco.

**Samuel V. Luzadas (JD 10)** owns the Law Office of Samuel Luzadas, Jr. in San Francisco.

**Natalie M. Smith (JD 10)** is an associate attorney for Rahman Law PC in San Francisco.

**Royl L. Roberts (JD 11)** is the administrator at the Martin Luther King Jr. Freedom Center in Oakland.

#### In Memoriam

**Leon E. Anderson (JD 59)**

died March 4, 2011.

**Donald D. Leister (JD 70)**

died November 19, 2010.

**Joseph W. Manuel (JD 73)**

died February 19, 2011.

**Robert R. Curtis (JD 74)**

died March 16, 2010.

**Frank L. McClafin (JD 75)**

died January 28, 2011.

**Glendon W. Miskel (JD 75)**

died June 2, 2011.

**Holly C. Fusco (JD 91)**

died June 13, 2011.





# SCHOOL OF LAW HONOR ROLL OF DONORS

JULY 1, 2010 - JUNE 30, 2011

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Anonymous  
William M. Audet, 84  
Lee D. (74, 08) & John D. Baxter  
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## CALENDAR OF EVENTS 2012

**JAN 28**

### BEAT THE CLOCK MCLE AND NETWORKING PROGRAM

All day, GGU Law, 536 Mission Street, San Francisco.

Contact: Mateo Jenkins, mjenkins@ggu.edu or 415.442.6541.

**MAR 24-25**

### TRINA GRILLO RETREAT

This annual event is co-sponsored by a consortium of 12 western law schools, including GGU Law, and the Society of American Law Teachers (SALT). The event brings together law students, faculty, career counselors, administrators, lawyers, and other interested persons to explore current issues of legal and social justice and discuss opportunities to engage in public-interest projects or careers. GGU Law, 536 Mission Street, San Francisco. Contact: Leeor Neta, lneta@ggu.edu or 415.369.5391.

**MAR 30**

### PUBLIC INTEREST LAW FOUNDATION (PILF) AUCTION

5:00 to 9:00pm, 111 Minna Gallery, San Francisco. The PILF Auction supports student internships in the public and non-profit sectors. The Auction is a proud GGU Law tradition for alumni, faculty, students, community supporters, and friends. Show your support with an auction item, monetary gift, or by attending the Auction! For more information, contact [ggu.pilf@gmail.com](mailto:ggu.pilf@gmail.com).

**APR 6**

### 22ND ANNUAL FULBRIGHT SYMPOSIUM

This day-long conference features Fulbright scholars, foreign diplomats, students of international law and other related disciplines to discuss cutting edge issues on contemporary international law. GGU Law, 536 Mission Street, San Francisco. Contact: Brad Lai, [blai@ggu.edu](mailto:blai@ggu.edu) or 415.369.5356.

**APR 20-21**

### DEAN JUDITH MCKELVEY WOMEN'S REUNION

This very special two-day event will celebrate GGU Law women from across the generations and the country to share the stories, lives and remarkable achievements of GGU Law's trailblazing women. Contact: Ashling McAnaney, [amcananey@ggu.edu](mailto:amcananey@ggu.edu) or 415.442.6661. See more detail on page 5.

**APR 21**

### SCHOOL OF LAW REUNION

Honoring classes of 1962, 1967, 1972, 1977, 1982, 1987, 1992, 1997, 2002, and 2007. We invite you to join the reunion committee. Contact: Deanna Bruton, [dbruton@ggu.edu](mailto:dbruton@ggu.edu) or 415.442.7824.

**MAY 17**

### AWARDS CEREMONY AND HONORS LAWYERING PROGRAM RECEPTION

7:00pm to 9:00pm, San Francisco War Memorial and Performing Arts Center, Green Room, San Francisco. Contact: Carly Wood, [cwood@ggu.edu](mailto:cwood@ggu.edu) or 415.442.6615.

**MAY 18**

### SCHOOL OF LAW GRADUATION

11:00am to 1:00pm, Davies Symphony Hall, 201 Van Ness Avenue, San Francisco. Contact: Mateo Jenkins, [mjenkins@ggu.edu](mailto:mjenkins@ggu.edu) or 415.442.6541.

**JUNE 1**

### SWEARING-IN CEREMONY

12:00pm to 1:00pm, Golden Gate University, 536 Mission Street, San Francisco. Contact: Stacey Sorensen, [alumni@ggu.edu](mailto:alumni@ggu.edu) or 415.442.7812.

