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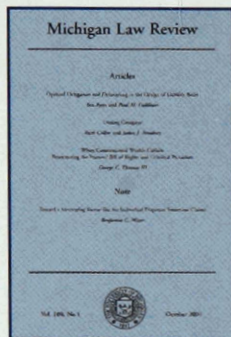
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Michigan Law Review celebrates first 100 years

The Centennial Celebration program read like a *Michigan Law Review* table of contents — provocative, highly regarded specialists addressing thought-provoking topics — and the day unfolded much like reading the *Review* — well-considered expositions that stirred equally thoughtful responses.



"To commemorate this august occasion, the *Michigan Law Review* presents a series of lectures given by esteemed legal scholars on the development of law and legal scholarship over the past century, with a special focus on the timely issue of race and affirmative action," the leaders of the *Review* said in the program for the celebration, which was held in February.

It was a fitting way to mark the birthday of the *Review*, the third most-cited legal journal in the United States and the country's sixth oldest. Current and past *Review* staff members, law students, and others filled a Hutchins Hall classroom for the day's lectures. In the evening, more than 120 banquet participants heard keynote speaker and former *Review* editor the Hon. Harry Edwards, '65, of the U.S. Court of Appeals for the District of Columbia Circuit, recount how "the

opportunity to work on the *Review* had a profound effect on me."

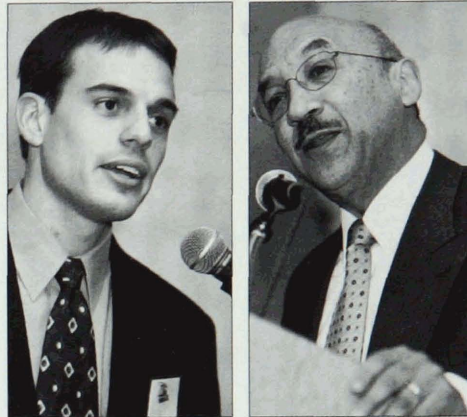
The Centennial Celebration's table of contents-like lineup included these talks:

- "The Impact of Social Movements on American Public Law in the Twentieth Century," by William Eskridge, Deputy Dean and John A. Garver Professor of Jurisprudence, Yale Law School. With an introduction by Donald J. Herzog, the Edson R. Sunderland Professor of Law.
- "Defending Affirmative Action: What's Left?" by Kimberlé Crenshaw, Professor of Law, UCLA School of Law and Columbia Law School. With an introduction by Samuel R. Gross, the Thomas G. and Mabel Long Professor of Law.
- "How Can We Live with Affirmative Action? Or Without It?" by Richard Epstein, James Parker Hall Distinguished Service Professor of Law, University of Chicago. With an introduction by A.W. Brian Simpson, the Charles F. and Edith J. Clyne Professor of Law.
- "The Rhetoric of Constitutional Law," by Erwin Chemerinsky, Sydney M. Irmas Professor of Public Interest Law, Legal Ethics, and Political Science, University of Southern California Law School. With introductory remarks by Professor of Law Rick Hills.

Speaker Richard Epstein addresses "How Can We Live with Affirmative Action? Or Without It?" during the Centennial Celebration of the Michigan Law Review. Seated at left is Kimberlé Crenshaw, who spoke just before Epstein on "Defending Affirmative Action: What's Left?"



PHOTOS BY GREGORY FOX



The Michigan Law Review ranks among the country's elite legal journals, Editor-in-Chief Benjamin C. Mizer, left, explains to Centennial Celebration banquet participants.

Serving on the Michigan Law Review and teaching at the Law School helped develop self-confidence, an appreciation for the value of collegiality, and a healthy skepticism of ideological labels, the Hon. Harry Edwards, '65, of the U.S. Court of Appeals for the District of Columbia, explains in his keynote talk.

No footnotes in these talks, but otherwise the same rigor and attention to intellectual integrity and detail that marks printed articles in the *Review*. Indeed, complete versions of the Centennial Celebration talks will appear in the August issue of the *Review*, complete with citations.

One of six legal journals currently published at the Law School, the *Michigan Law Review* publishes six issues yearly, including its highly regarded annual "Book Review" issue. The *Review* was supervised by faculty members until 1940 and has been run entirely by students since then. "Among the legal academe, the *Michigan Law Review* is one of the best-loved and most respected legal journals in the country," according to Editor-in-Chief Benjamin C. Mizer.

(Indeed, Mizer and the *Review* staff are proud to report that three members of the editorial board for Volume 98 are or will be clerking at the U.S. Supreme Court. Carolyn Frantz, '00, currently clerks for Justice Sandra Day O'Connor; Eric Olson, '00, will clerk next year for the Hon. John Paul Stevens; and Sean Grimsley, '00, will clerk for O'Connor in 2003-04. Olson was editor-in-chief of the *Review* and Frantz and Grimsley were articles editors.)

Among current Law School faculty members, Dean Jeffrey S. Lehman, '81, and Carl E. Schneider, '79, the Chauncey Stillman Professor for Ethics, Morality, and the Practice of Law, served as editors-in-chief for the journal. In his welcome to Centennial Celebration participants, Lehman recalled the professional benefits that service on the *Review* brought to him and others. He said law schools support journals like the *Review* for three reasons:

- Editing. The editing process insures the publication of quality articles.
- Education. Working on a journal is among "the very best" educational opportunity available to a law student.
- A legal journal stimulates good scholarship, sharpens debate, and fuels discussion.

Edwards, who also has been a member of the Law School faculty, recalled the *Law Review* staff as "a close-knit group" and

added that "my time at Michigan, both as a student and as a law professor, enriched my professional life." He learned self-confidence and the value of collegiality and acquired a healthy skepticism for ideological labels, he explained.

Edwards also noted his concern that legal scholarship too often fails to consider how it may be applied. "It makes no sense to think of legal issues without reference to our goals for society," he said. "Legal scholars have an obligation to apply some pragmatism. Legal scholars must be descriptive and normative in their work."

In other activities associated with its 100th birthday, the *Review* has adopted a new cover design this year and in June will publish a special issue of articles by eight Law School faculty members written in response to articles from the journal's archives. The participating faculty members are:

- Dean Jeffrey S. Lehman, '81.
- Edward H. Cooper, the Thomas M. Cooley Professor of Law.
- Yale Kamisar, the Clarence Darrow Distinguished University Professor of Law.
- Thomas E. Kauper, '60, the Henry M. Butzel Professor of Law.
- Theodore J. St. Antoine, '54, the James E. and Sarah A. Degan Professor Emeritus of Law.
- James Boyd White, the L. Hart Wright Collegiate Professor of Law.
- James J. White, '62, the Robert A. Sullivan Professor of Law.
- Christina B. Whitman, '74, the Francis A. Allen Collegiate Professor of Law.

From the Michigan Law Review, Volume 1, Issue 1:

"... The purpose is to give expression to the legal scholarship of the University, and to serve the profession and the public by timely discussion of legal problems, and by calling attention to the most important developments in the field of jurisprudence.

"There are, of course, several excellent legal journals already in the field, but no one of them serves quite the purpose which is the aim of this one. There is, moreover, in the great northwest, a field essentially unoccupied, while in the alumni of this department, now numbering considerably over six thousand members, there exists a loyal and influential constituency to whom, it is hoped, such a journal will prove especially attractive.

"The magazine will be made up of four chief departments: first, leading articles upon important and interesting legal subjects; second, notes and comments upon current topics and significant occurrences in the legal world; third, abstracts and digests of the most important recent cases; and fourth, reviews of books and comments on legal literature

"It will be the aim to make the journal practical without usurping the functions of the text-book or the digest, and scholarly without becoming so academic in its character as to be out of touch with the needs and aims of the lawyer today. . . ."

Separate but unequal: America's public schools

Nearly 50 years after the U.S. Supreme Court unanimously decided that separate cannot be equal, American public schools have become more segregated, especially in northern cities, according to participants in a symposium on public education held at the Law School earlier this term.

The picture of public education is bleak, participants ranging from keynote speaker Jonathan Kozol to teachers, lawyers, professional educators, and child advocates concluded during the day-long program "Separate but Unequal: The Status of America's Public Schools."

Kozol, a widely-read author and an outspoken critic of the "apartheid" that he sees in northern inner-city public schools, claimed that schools in cities like New York, Detroit, and Chicago are "not just segregated, they are flagrantly unequal." Two years ago, New York City spent \$8,000 per year per inner-city student, he reported, while wealthy suburbs spent \$18,000 per student. Kozol's books like *Death at an Early Age*, *Amazing Grace*, and his latest, *Ordinary Resurrections*, have spotlighted the shortcomings of the American education system and shown what life is like for children living with unequal educations.

Kozol's appearance drew a Friday evening standing room only crowd to Honigman Auditorium in Hutchins Hall.

"The shame isn't that we have trampled on *Brown* but that we haven't even lived up to the poisonous promise of *Plessey*," he said. He reported that in the South Bronx, the site of his most recent book, *Ordinary Resurrections*, nearly one-fourth of the children see their fathers only at prison visits — there are no jobs for men in the community. One-fourth of the children there are not eligible for HeadStart, "and all the kids I write about attend profoundly segregated schools." There were only 26 white children among the 11,000 students in the area he wrote of, he said.

Kozol's impassioned writings were the inspiration for "Separate but Unequal," according to Charlotte Gillingham and Luttrell Levingston, the third-year law

students who served as co-symposium coordinators for the *Michigan Journal of Race & Law*, the program's primary sponsor. Joined by *Journal* Editor-in-Chief Teig Whaley-Smith, they noted in their welcome letter to participants that 48 years after *Brown vs. Board of Education* separate and unequal facilities still mark much of American education. They wrote: "Recent statistical analysis has shown that racial segregation has actually increased in the last decade in many metropolitan school districts. Many remain unconvinced that equality in school financing, much less equality in schools themselves, will be achieved."

"Should we renew the battle for integration?" they asked. "Or should we focus on revitalizing our public schools? What is quality education? Are non-traditional school methods the answer? Can the courts solve our educational crisis, and if not, how will reform be achieved?"

Three sets of panelists wrestled with these and other issues:

- Does Integration Matter? An exploration of "the continued resegregation of American schools; whether integration is an educational necessity; and how 21st century reform should address integration." Participants included:

Boston, Massachusetts, first-grade teacher Jane Ehrenfeld; Assistant Professor Carla O'Connor of the U-M School of Education; and Ruth Zweifler, executive director of the Student Advocacy Center of Michigan. Moderator was James Forman Jr., a public defender in Washington, D.C., co-founder of the Maya Angelou Charter School in Washington, D.C., and an adjunct professor at the Law School. (See related story page 9.)

- Abandoning Traditional School Methods. A look at vouchers, charter schools, and school choice to "examine both the legality and efficacy of each of these reforms and analyze the significance of race in these reform movements." Panelists included: David Domenici, co-founder and executive director of the Maya Angelou Public Charter School in Washington; Ray C. Johnson, president of Infinity Consultants and a national educational consultant; Pat Payne, director of multicultural education for the Indianapolis Public Schools; and Wilbur C. Rich, a political science professor at Wellesley College. Professor of Law Rick Hills moderated.

PHOTOS BY GREGORY FOX



Panelists consider the issue "Does Integration Matter?" From left are: Boston, Massachusetts, first-grade teacher Jane Ehrenfeld; Student Advocacy Center of Michigan Executive Director Ruth Zweifler; and U-M Assistant Professor of Education Carla O'Connor.

Forman, graduates discuss Maya Angelou Public Charter School

Back in the 1990s James Forman Jr. had a dream — to develop a way for ex-offenders to earn their high school diplomas. As a public defender in Washington, D.C., he had seen too many young people run afoul of the law and then never earn the high school diploma and develop the work skills that they need.

When he discovered that David Domenici (see accompanying story) had a similar vision, they joined forces in 1997 to launch See Forever, which Forman describes as “one of the few places where ex-offenders can earn a high school diploma.” The school opened with 20 students who followed a rigorous, no-break schedule Monday-Friday. Its name was changed to the Maya Angelou Public Charter School after the famed poet spoke at a fundraiser for the school.

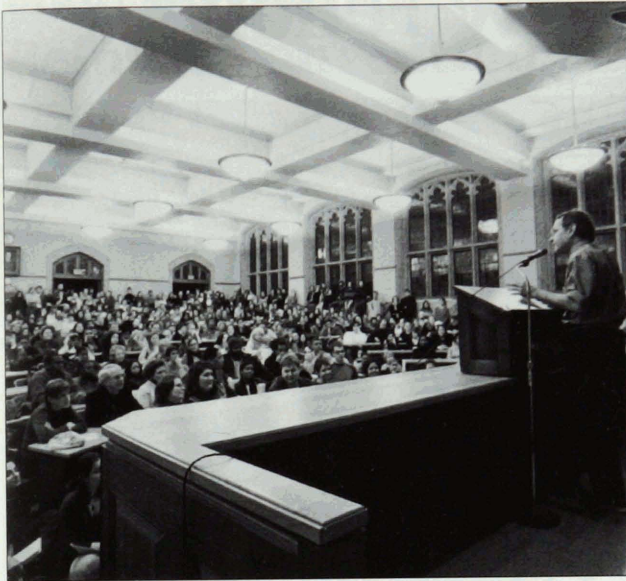
Forman, a visiting professor at the Law School during the fall term, taught the seminars Race, Poverty and the American City and Urban Education: Law and Reform. He described the Maya Angelou School during a program at the Law School that included a showing and discussion of the HBO documentary on the school called “Innocent Until Proven Guilty.”

Two of the school’s first graduates, Samantha Crandal and Phil Russell, joined Forman to help present the program. Crandal now attends Montgomery Community College in Maryland and Russell is helping to develop and run the charter school’s computer repair programs. Ninety percent of the school’s graduates go on to college.



Phil Russell and Samantha Crandal, former students at the Maya Angelou Public Charter School in Washington, D.C., are shown with school co-founder James Forman Jr. (right).

PHOTO BY MARTIN VLOET/
UNIVERSITY OF MICHIGAN PHOTO SERVICES



The growth of “boutique schools” represents “a dagger in the heart of public education in this country,” keynote speaker Jonathon Kozol tells a standing room only audience as he opens the symposium “Separate but Unequal: The Status of America’s Public Schools.”



Jonathon Kozol answers questions and talks with audience members after delivering his keynote address.

■ What Now? Litigating for Educational Justice. An effort to “help us reveal not only what has worked — or failed — in the past” and “point us in a new collaborative direction.” Panelists included: Germaine Ingram, director of the Black Community Crusade for Children, Children’s Defense Fund; Nancy Fredman Krent, ’82, a partner with Hodges, Loizzi, Eisenhammer, Rodick & Kohn in Arlington Heights, Illinois, and the 2003-04 chair of the National School Boards Association’s Council of School Attorneys; University of Virginia Law School Assistant Professor James E. Ryan; and Hector Villagra, regional counsel for the Mexican American Legal Defense and Education Fund. Assistant Dean of Students Charlotte Johnson, ’88, moderated.

The day’s discussions brought agreement that integration is preferable to segregation — “both in terms of academics and of the social/psychological welfare of the students,” as O’Connor put it. There was less agreement on whether to pursue innovation inside or outside of

traditional public schools. And there was consensus that litigating education issues may increase their profile to the general public but that state legislatures and Congress must marshal the political will and take the lead — or perhaps follow the lead of grassroots citizen movements — to bring reform.

In fact, in Domenici’s view, equalizing educational opportunities may have to precede integration. There are only 227 whites in the District of Columbia’s public high schools, he reported, so “I’m not here to talk about integration because integration is not reachable in the near term. The task before us is to say ‘What can we do given the institutions and what we have in the present?’ Schools are segregated and poor. The first step is a moral step. It is to decide that these people are worth it.”

Kozol echoed Domenici in his wrap-up remarks: “We have to fight small and dream large. In the long run, it’s not purely a legal struggle, or a tactical struggle, or a political struggle. It’s a moral struggle.”

Refugee and Asylum Law Fellows

Six Law School students will spend this summer working with agencies in this country, Africa, and Europe as Michigan Fellows in Refugee and Asylum Law. The 2002 Fellows and their placements are:

- David Burkoff, Refugee Policy Division of Human Rights Watch, New York.
- Bridgette Carr, Division of Refugee Work, International Secretariat of Amnesty International, London.
- Taylor Garrett, Jesuit Refugee Services, Lusaka, Zambia.
- Julie Pfluger, Irish Refugee Legal Services, Dublin.
- Erin Quinn, Office of the United Nations High Commissioner for Refugees, Brussels.
- Hana Soto, Branch Office of United Nations High Commissioner for Refugees, Washington, D.C.

The fellowship program is supported through a generous gift from Ronald Olson, '66, and his wife, Jane. Five fellowships were awarded last year.

Each of the fellows will spend approximately six weeks working under the supervision of an agency official that is familiar with the aims of the fellowship program.

Professor James C. Hathaway, director of the Law School's Refugee and Asylum Law Program, confers with each supervisor before arranging each placement match-up. Each supervisor "is aware that the fundamental purpose of the internship is to allow you to immerse yourself in the practical implementation of international refugee law" as well as contribute to the placement agency, Hathaway explains in his award letter to new fellows.

Carr will graduate in December this year; the other fellows will graduate in May 2003.

Burkoff, a graduate of Columbia University, has been an Eesti Fellow at the Embassy of Estonia in Washington, D.C., worked as a research assistant to the co-director of the Columbia (University) Human Rights Center, and has been an

PHOTO BY MARTIN VLOET/UNIVERSITY OF MICHIGAN PHOTO SERVICES



Michigan Fellows in Refugee and Asylum Law for 2002, from left, are: Taylor Garrett, Julie Pfluger, Bridgette Carr, David Burkoff, Hana Soto, and Erin Quinn.

intern at the Centre for Advice on Individual Rights in Europe (AIRE) in London. At the Law School, he is associate editor of the *Michigan Journal of International Law* and co-chairperson of the Student Network for Asylum & Refugee Law (SNARL).

Carr, a graduate of Notre Dame University, speaks Spanish fluently and has taught English as a second language as a volunteer with AmeriCorps. At the Law School, she is a member of SNARL and a legal intern at Freedom House in Detroit, where she prepares documents and appeals to the Board of Immigration Appeals as well as refugee applications to Canada.

Garrett, a graduate of Southwestern University in Texas, spent last summer as an intern with the International Human Rights Law Group-Cambodian Defender Project in Cambodia. He analyzed legislation, co-drafted articles, advised Cambodian attorneys, and developed an internship program for Cambodian law students.

Pfluger also worked in Cambodia last summer, as a legal consultant to the Cambodian Women's Crisis Center, where she handled staff training on court procedure and trial preparation for clients.

She also has worked in Japan as a language consultant/cultural liaison with the Japan Exchange and Teaching Program and in South Africa as a legal advocate/HIV counselor with the National Institute for Crime & Offenders in Johannesburg. Pfluger earned her bachelor's degree at Illinois State University and her master's degree in social work from the University of Illinois. At the Law School, she is a member of the International Law Society.

Quinn earned her B.A. at UCLA and is pursuing a joint J.D./Masters of Public Policy at Michigan. A former Peace Corps volunteer/teacher in Romania, she also has taught English as a foreign language in Hungary and served as a law clerk at the Immigrant Legal Resource Center in San Francisco.

Soto captained her women's club soccer team at Brown University while earning her bachelor's degree in East Asian Studies. She worked last summer as a legal intern at Immigration Court in Portland, Oregon, where she researched legal issues, drafted memoranda and court orders, and reviewed and analyzed recent Ninth Circuit immigration-related decisions.

Students' work contributes to Refugee Convention discussion

Voluntary agencies and governments benefited from research done by University of Michigan law students as nongovernmental organizations (NGOs) and ministerial conference participants marked the 50th birthday of the United Nations Refugee Convention last year in meetings in Geneva.

Students in Professor James C. Hathaway's interdisciplinary seminar on Emerging Responses to Forced Migration prepared a series of seven working papers to help illuminate the issue of how best to monitor implementation by countries of their duties under the Refugee Convention. The papers formed the basis of an International Council of Voluntary Agencies (ICVA) workshop the day before the ministerial conference on the Convention and its 1967 Protocol last December. The working papers also were distributed to all state delegations attending the ministerial conference.

The 1951 Refugee Convention, and the predecessor 1948 Genocide Convention, were the first two of the UN's human rights conventions. Neither provides for external supervision, mostly because "in the late 1940s and early 1950s the entire idea of interstate supervision of human rights was new, potentially threatening, and not truly accepted by states," according to Hathaway.

But, as Hathaway told ICVA on the eve of the ministerial conference, "with the adoption of the human rights covenants and more specialized treaties beginning in the mid-1960s, the establishment of an independent mechanism for interstate oversight of the human rights treaties has become routine. Unless there is some good, principled reason why refugee law should be immune from this general commitment, it is high time to reverse the historical aberration by bringing the commitment to oversight of refugee law into line with the practice in human rights law more generally." (A more complete version of Hathaway's talk begins on page 54.)

As a contribution to effecting that change, the working papers series included:

- "Reporting," by Archana Pyati.
- "Complaints," by Vanessa Bedford.
- "General Comments," by Elizabeth Marsh.
- "Investigative Capacity," by Barbara Miltner.
- "NGO/National Linkages," by Jennifer G. Pasinosky.
- "UN Linkages," by Aiman Mackie; and
- "Coordination with UNHCR [United Nations High Commissioner for Refugees] and States," by Tracey Glover and Simon Russell.

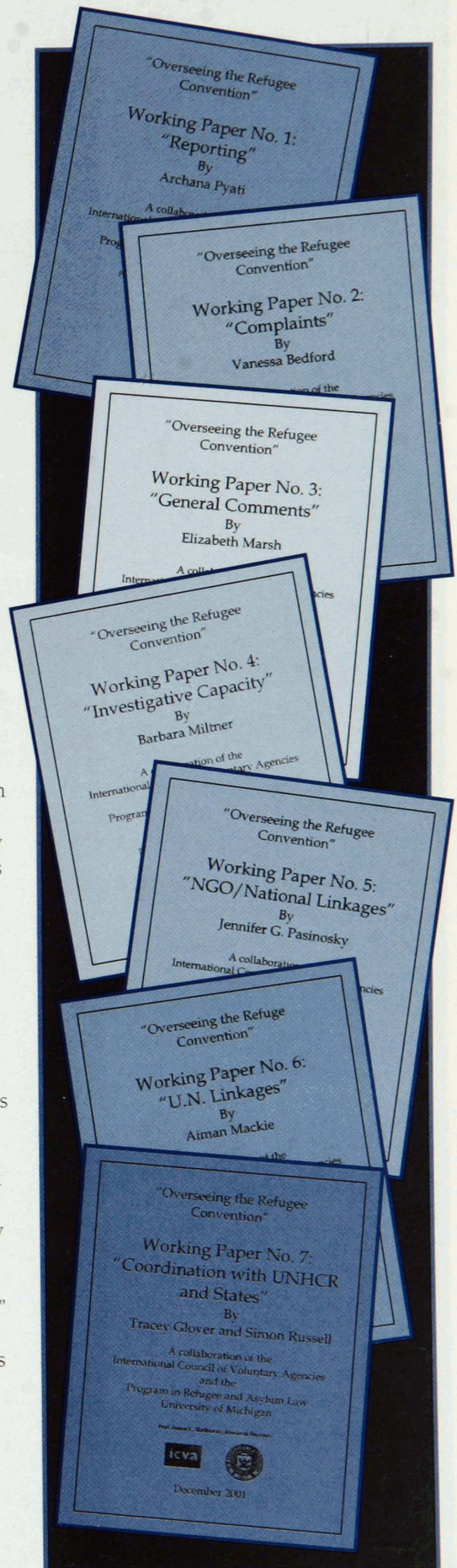
Taken together, the papers point to the need to establish an oversight body that is separate from UNHCR, the UN refugee agency. Glover and Russell note:

"As the 2001 UNHCR Note on International Protection sets out in a grim catalogue, state parties to the Refugee Convention regularly disregard their obligations. Often, state parties do not even understand their obligations. There is an urgent need for states, and others, to know in clear and certain terms what their duties and responsibilities are, and to be held accountable for them."

But UNHCR, whose work over the past 20 years has shifted from legal protection to emergency assistance, cannot provide the independent oversight that is needed, Glover and Russell say.

"Because of UNHCR's political and financial dependence on the very states it is supposed to be supervising, UNHCR is politically hamstrung. A new treaty body should be created to perform the oversight functions that UNHCR cannot reasonably be expected to fulfill, while simultaneously buttressing the activities of UNHCR that are so vital to refugees and to a strong system of international refugee protection."

In the ministerial meeting, participants decided to "urge all states to consider ways that may be required to strengthen the implementation of the 1951 Convention and/or 1967 Protocol and to ensure closer cooperation between states parties and UNHCR to facilitate UNHCR's duty of supervising the application of the provisions of these instruments."



Senior Day: December 20, 2001

PHOTOS BY GREGORY FOX



“Being great lawyers, therefore, means moving forward quickly, decisively, passionately. Work really hard. Stay up late. If, in the near future, you find that all of your ideas are good ideas, then you’ll know you’re not being creative enough. If you’re meeting all of your deadlines, then you’re not committing to enough. And if you’re satisfying all of your goals, you’re not aiming high enough. In a word: Stretch.”

Professor Steven P. Croley had his audience laughing — especially his former Torts class summer starters — as he delivered commencement remarks for the Law School’s Senior Day ceremonies in December. And when the laughing subsided and the weight of the day dawned, he also offered thoughtful insights for graduates of all years. Following is an excerpt from his talk:

“And what comes next, two hours from now, tomorrow?”

“A senior partner from Sidley & Austin’s Chicago office once remarked to me something that I repeat to you subsequently, that a really good lawyer can tell you all about where the law is, and a great one can tell you where the law is going next. I suspect that’s not all there is to that distinction, but his claim stuck with me, and I think there is definitely something to it:

“A great lawyer understands how, and anticipates when, the law bumps up against the rest of society, creating some unwanted friction if the law has moved too fast, or more often, too slowly. A great lawyer anticipates where new law is needed, and recognizes when old law is

no longer necessary. A great lawyer sees the fit and lack of fit between the legal system and the economic and political systems of which it is part. A great lawyer is first to recognize how, in some new way, the law can be employed to achieve justice.

“For the past two or three years we’ve insisted that you show a single-minded focus on the study of law. . . . Now is the time to emerge from this period of intense focus on the law — a focus both wonderful and artificial — to connect the law with the rest of life, with political and economic and social institutions. Now is the time to be full-fledged lawyers, which means being also whatever you were before you came here and whatever else you want to become when you leave. . . .

“And what fantastic opportunities await you, and what fantastic opportunities you yourselves can create. Use this institution — the law — its many imperfections notwithstanding — to create wealth, to fight evil, to correct injustice, to achieve equality. You know, lawyers stick up for little people. They help the underprivileged maintain housing or receive public assistance.



Graduate Elizabeth Marsh and her sister Alexandra enjoy reading a graduation card.



Graduate Chris Nemeth and his mother, Marty Johnson, pause to pose for the camera.

“At the same time, though, play often. Be great lawyers, but be great children, and great parents, first. Be great siblings, and friends, and partners. Be great citizens. Expect the very most from yourselves — you should expect the most from yourselves — and expect the most from those around you, too. But be charitable and forgiving; when necessary, give yourselves and those around you a break. Now, all of these things are hard, individually hard, let alone in combination. But, to speak frankly, you’ve been lucky in life’s lottery; you’ve been blessed with talent and with privilege. And you’ve already shown you have determination, intelligence, and good judgment. On top of all of that, two and one-half years later now, you have the formal education and technical skills to do well, and to do a whole lot of good.

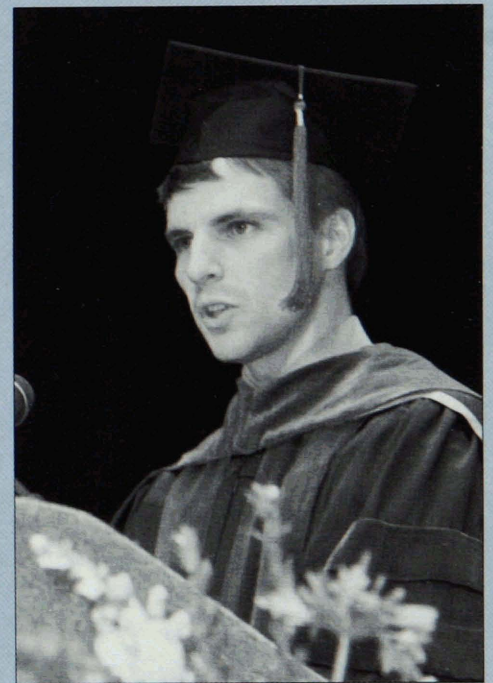
“So go. Meet tomorrow’s obstacles, and challenges, and opportunities. You owe it to yourselves, and to each other, and you owe it to the rest of us as well. Leave this place, happy to have been here, and happy to move on, and aware that the next stages of your life will pass by as quickly as this one.

“Go, University of Michigan Law School Class of 2001, hearing our heartfelt congratulations. We’re very proud of what you’ve done. And we can’t wait to hear about what you’ll accomplish next.”

In an unusual twist, this Senior Day ceremony included remarks from two graduating law students. For each Senior Day, graduates elect one of their number as a speaker, but this time Judd Robert Spray and Linda Maria Wayner tied in graduates’ balloting for a fellow-graduate to address them.

“We know now that we are about to become part of a system that people use to solve really complicated issues,” Spray noted.

Today’s world has changed since we started law school, said Wayner. “During our first year a millennium came and went. During our second year of law school the most disputed election in American history transpired. . . . We did not know then that the true threat to democracy would emerge in our third year. Years from now when our grandchildren ask, ‘Where were you on September 11?’, we will say, ‘I was in law school. I was with my friends.’”



“Now is the time to be full-fledged lawyers,” Professor Steven C. Croley says in his commencement address.

They help consumers vindicate their rights. And they safeguard the rights of the accused. And lawyers draft treaties to make the whole world safer, and they forge trade agreements to promote the well-working global economy. Lawyers close major business deals. They protect the environment. And they keep the constitution alive. Lawyers also hold people to the rules that define our society, and they make those rules, and they educate others by explaining what those rules mean. Lawyers do important small things and important big things. The very best people I know are lawyers. And I know a lot of other people. . . .

“Being great lawyers, therefore, means moving forward quickly, decisively, passionately. Work really hard. Stay up late. If, in the near future, you find that all of your ideas are good ideas, then you’ll know you’re not being creative enough. If you’re meeting all of your deadlines, then you’re not committing to enough. And if you’re satisfying all of your goals, you’re not aiming high enough. In a word: Stretch.

**First-year student wins
Foley & Lardner scholarship**

First-year law student Felicia N. Andrews, a Florida A&M University graduate from Detroit, has won one of the fourth annual First-Year Law Student Minority Scholarships awarded by Foley & Lardner. The firm awards a \$5,000 scholarship to a student at each of eight U.S. law schools. In addition to Michigan, the law schools include those at Duke University, University of Florida, Georgetown, Northwestern, Stanford, UCLA, and the University of Wisconsin.

"The scholarships assist minority students in pursuing a legal education and ultimately help facilitate a more diversified legal community," the law firm said in announcing awards for 2001. "Winners are selected based on several criteria, including interest in or ties to a city in which Foley & Lardner practices; significant involvement in community activities or minority student organizations; undergraduate record; and outstanding work or personal achievements. Financial need is not a consideration."

"Foley & Lardner's commitment to diversity is not just an abstract principle, but is rather a recognition that a diversified workforce, where experiences and perspectives are many and varied, is a substantial benefit to the firm and to our clients," said Alice Hanson-Drew, the firm's director of legal recruitment. Foley & Lardner has nearly 1,000 attorneys in offices in 16 markets in the United States and Brussels, Belgium.

**U.S. Attorney: Anti-terror measures
'deliberate, proactive, and constitutional'**

The issue of balancing Americans' civil liberties and national security is as old as the U.S. Constitution's grant of war powers to Congress and the Bill of Rights that the states demanded as ransom for signing on to that Constitution. It has arisen again after the terrorist attacks of September 11 as law enforcement and security officials try to fight a new kind of war against a usually invisible enemy.

The question was discussed as part of the Law School's celebration of Martin Luther King Day earlier this year: Jeffrey G. Collins, U.S. Attorney for the Eastern District of Michigan, spoke at the Law School on "Maintaining and Enforcing Civil Rights in the New Age: Balancing Civil Liberties and National Security."

"It's hard to imagine a more significant and timely topic," Associate Dean for Academic Affairs Evan Caminker noted in his introduction of Collins. "This question is really an age-old question for our society," said Caminker, a scholar of the U.S. Constitution and federalism.

Collins was appointed by President Bush and sworn in last November. His 90-person office oversees 34 counties in southeastern Michigan, the state's most densely populated area. He has served on the Michigan Court of Appeals and Detroit Recorder's Court and as chief presiding judge of the Criminal Division of Wayne County Circuit Court. Collins is a past president of the Association of Black Judges of Michigan and has served as criminal law and trial advocacy instructor at Wayne State University Law School. His wife, Lois, an attorney in Detroit, is a 1990 graduate of the University of Michigan Law School.

Noting that the 15 groups that joined together to sponsor his visit are "a strong sign of unity that Dr. King would be proud of," Collins told his Law School audience that "the number one priority of the Department of Justice" is "to fight and win the war on terrorism. Our top priority is to protect American lives and to prevent future terrorist attacks. Our policies are deliberate, proactive, and constitutional."

Civil libertarians have criticized the Justice Department's battle against terrorism on several fronts, and Collins addressed a number of these criticisms head-on:



U.S. Attorney Jeffrey G. Collins

- Interviewing people from countries associated with terrorism is "nothing more than a request for help."
- Names of people who have been detained by federal authorities have been withheld to protect their privacy and to prevent terrorists from knowing who is in custody.
- Persons who face federal charges are entitled to free legal representation. Persons detained by the Immigration and Naturalization Service are entitled to time to retain an attorney but are not entitled to free legal representation, although a number of organizations have stepped forward to provide free legal counsel.
- Authority to monitor attorney/client conversations in jail existed prior to September 11, only 16 inmates were subject to this monitoring, "both attorney and client are told beforehand that they will be monitored," and there has been no increase in monitoring activity since September 11.

Shortly after Thanksgiving all 94 U.S. Attorneys met in Washington, D.C., with Attorney General John Ashcroft, Collins said. They discussed the war on terrorism and also re-acquainted themselves with the "spirit" they are defending through visits to the Lincoln, Jefferson, Korean, and Vietnam war memorials, and visits to the Pentagon and Ground Zero in New York City.

"If anything," he concluded, "the events of September 11 have brought us closer together... It has awakened the lion, [and] it has awakened the shepherd.

"For me personally, it has given me a greater appreciation for my family, friendships, and faith."

Half-Way There — More than 200 second-year law students attended the party spread for them at the Michigan Union in January to mark their successful progression to the mid-point of their law school careers. Midway Madness, featuring carnival-style foods, festive balloons, and a performance by entertainer Jonathan Park, was a welcome respite for students accustomed to cracking the books each night to be ready for recitations in classes the next day.



PHOTOS BY GREGORY FOX

Taking time from their conversation to pose for the photographer, law students Hana Sato and Jennifer Scheller (standing) and Laura Leelun, Erin Quinn, Tom Hogan, and Katherine Taylor reflect the evening's good times. For law student Amy Purcell, cotton candy is part of the evening's attraction.

Inclusion? Exclusion?



PHOTO BY GREGORY FOX

U.S. Board of Immigration Appeals Judge Lori Rosenberg explains to Professor James C. Hathaway's Refugee Law Seminar that each case board members consider presents them with the dilemma of erring on the side of exclusion or inclusion in granting asylum. Rosenberg led discussion as she and seminar members evaluated the PBS documentary "Well-Founded Fear," a presentation on asylum interviews that aired in 2000 and was billed as providing "an inside look at what normally goes on behind closed doors." Among asylum seekers whose interviews were shown in the program were a Jew from Russia, an Anglican from Romania, a Chinese poet, and a young man from Albania.

A look at the Class of 2004

Data from the Office of Admissions show that 4,022 people applied for the 361 spots in the incoming first-year class this academic year.

Here is some other information on the Class of 2004:

- Enrollees' median Grade Point Average is 3.51 on a 4.0 system
- Women make up 42 percent of the class.
- Minorities make up 24 percent of the class.
- Enrollees come from Michigan and nearly 40 other states, making the Law School a national center of legal education.
- The median age is 24.

Law Library shifts to Library of Congress system

The Law Library has begun using Library of Congress (LC) classification numbers for all new monographs, regardless of language or topic. Library staffers say the changeover is occurring for several reasons:

- It will conform with the national system used in most other academic libraries.
- It will facilitate browsing.
- It will simplify processing.

"Our plan is to use the LC classification on the entire collection, requiring the application of the LC system to some 700,000 volumes that take up about 23 miles of shelving," according to a Law Library announcement. "This means re-labeling the books and changing the records in Lexcalibur, our online catalog. This will take many years."

The Library of Congress only recently completed its scheme for classifying law books, explained Margaret Leary, director of the Law Library. Until now, the Law Library has used a classification system that was devised here many decades ago that arranged material by form — treatises together, court reports together, journals together — and by jurisdiction, not by subject, she said.

"Libraries at law schools like Harvard, Columbia, Yale, and Chicago also developed their own classification systems," Leary continued. "Only Yale has completed a reclassification and Michigan hopes to take advantage of the work done at Yale to speed our reclassification process."

Early interviews avoid schedule clashes

The Office of Career Services is initiating an early interview period during the last week of August so that law students can schedule job interviews without interfering with their class schedules and so that employers can talk with students before they are in the midst of studies.

The early interview week will be August 26-30 and interviews will be held at Holiday Inn North in Ann Arbor, according to Susan Guindi, '90, assistant dean for Career Services. More than 100 rooms have been reserved for interviews and shuttle transportation between the Law School and the interview site will be provided, Guindi said.

The Office of Career Services mailed notices of the August interview program to potential employers earlier this spring. Employers who need registration forms or other information about the interview week may contact the Office of Career Services.

All student registration for interviews will be done via the Internet from July 1-31. The Office of Career Services also reminds law students to make arrangements for earlier housing if they are returning to Ann Arbor for the August interviews.

As in the past, there also will be on-campus interviewing in the fall.

Guns? Crime? Are they related?

Does carrying a firearm raise or lower your chance of becoming a victim of crime? To the American Enterprise Institute's John Lott, author of *More Guns, Less Crime*, his book title tells all. To Washtenaw County Prosecutor Brian Mackie, however, more guns just mean more chance of somebody getting shot.

Lott and Mackie squared off in "More Guns, Less Crime? A Debate on Gun Control," presented at the Law School last fall by the Law School student chapter of the Federalist Society for Law and Public Policy Studies and the John M. Olin Foundation. Professor Sherman Clark moderated. The program was occasioned by Michigan's passage in December 2000 of its so-called "shall issue" law that requires county gun boards to issue concealed weapon licenses to nearly any adult who applies.

Ninety-eight percent of the time people use guns defensively — "simply brandishing a gun is enough to make a criminal flee," Lott argued. During 1997-98, he reported, 40 percent of school shootings were stopped by citizens with guns. "The question you have to ask is what advice you give to a person to protect himself when police are not there to protect him," Lott said.

"If I believed it were as simple as 'more guns, less crime,' I'd be all for all of us being armed," countered Mackie, who also is past president of the Prosecuting Attorneys Association of Michigan. As to Lott's argument that unarmed women are especially vulnerable to attack, "somehow, [the idea] that you're going to watch a movie on the couch with your gun at the ready just doesn't make it," Mackie said.

Inspiring Paths lead to special insights

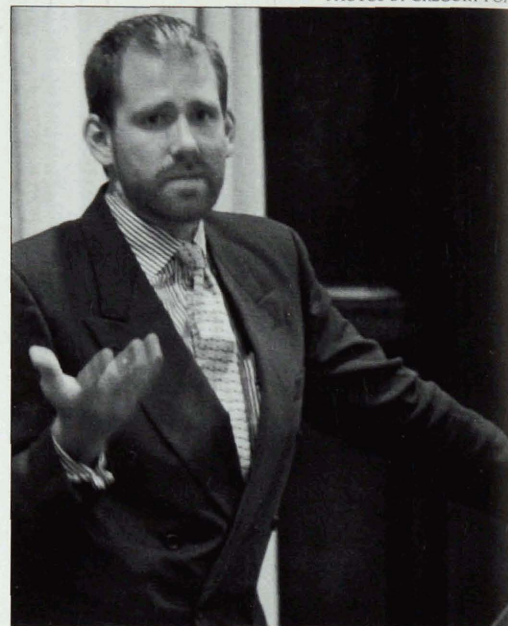
PHOTOS BY GREGORY FOX

By any standard, the Inspiring Paths speakers series has become a staple of the Law School calendar. Office of Public Service Director Robert Precht launched the series five years ago "to invite back to the Law School interesting lawyers, most of them graduates [of this Law School], to talk about their careers." Speakers share "how they came to the places they are now, and what strengths and self-doubts they had along the way," according to Precht.

Each program features a talk by the guest speaker followed by a question-answer session. Frequently, knots of students remain behind chatting with the speaker long after the formal program has ended. The luncheon talks regularly draw audiences of 100 or more.

Most speakers are lawyers affiliated with nonprofit public service organizations, while others have been with private firms or in other aspects of legal practice. Some have discussed opportunities for taking *pro bono* cases while also working for fee-paying clients, some have talked of always representing clients who cannot pay for legal help, and all have talked of how they came to use their legal skills to help those who might not have had assistance otherwise.

The Inspiring Paths lineup for this academic year included a public defender, a human



Associate Deputy Public Defender David Klaus, '93

rights worker-turned-professor, and a one-time practitioner who turned his legal background into forming a child assistance program that is unique for its combination of legal, psychological, developmental, and other expertise under a single umbrella:

- David E. Klaus, '93, associate deputy public defender with the Alameda County (California) Public Defender's Office, described how he often relies on establishing reasonable doubt to make his case. "A 'reasonable doubt' is a doubt that is about the most important thing in your life," he said.

With 108 attorneys and 4,500 cases each month, Klaus' office includes Oakland and Berkeley in its jurisdiction. It is the second oldest public defender office in the United States, he noted.

"I don't want to kid you, this is not easy stuff, this is intense," said Klaus, who holds a black belt in karate. "We lose a lot," he admitted. Most clients plead out as guilty and many can be difficult, but "you have to go in there and fight and live with yourself when you lose your case. You must go in and pick yourself up and dust yourself off and go to the next case."



Visiting Professor and Amnesty International Legal Counsel Karima Bennouna, '94



KidsVoice Founder and Executive Director Scott Hollander, '90

So why keep at it? One reason is that it simply "is an important thing to do." Another is the satisfaction that accompanies successes. "The true heart of being a lawyer is to make the world better rather than to make it worse."

■ Karima Bennoune, '94, a visiting professor at the Law School and counsel for Amnesty International in London, told listeners that "human rights work is about what happens here, [and] what happens everywhere."

Bennoune's father, a native of the former French colony of Algeria, served six years in prison for his role in Algeria's war of independence against France. Many years later, when the two saw a movie based on a Chilean play about a woman who captures the man who once tortured her, Bennoune was struck by her father's belief that the woman should not kill her one-time torturer. "I think that sense of wanting justice but not revenge has certainly inspired me," she said.

She worked for a time with the International Institute of Human Rights in Strasbourg, then enrolled at the Law School. She secured two Bates Fellowships while a law student, one to work in Algeria

and the other to work with a Palestinian nongovernmental organization (NGO) in the West Bank. After graduation, she joined Wayne County Neighborhood Legal Services in Detroit. Initially, she worked on an immigration program, but switched to working with substance abuse cases after Congress prohibited Legal Services from working on immigration issues. "I absolutely consider that human rights work," she said of her work with substance abuse.

Following her own advice — "You really have to shake all the trees" — she located and landed a position as legal adviser with Amnesty International. Based in London, she traveled to Bangladesh, Lebanon, Saudi Arabia, and Afghanistan. (The evening before her Inspiring Paths talk, Bennoune presented the program "Human Rights in Afghanistan: A Pictorial Essay," that was sponsored by the Asian Pacific American Law Students Association, Michigan Law Students Association, and Public Interest Group.)

The human rights field offers "a lot of work and very few jobs," she said. To find those jobs, she advised: get all the practice experience you can — "Any practice experience will set you apart"; learn languages — "You'll be competing against Europeans who speak five languages"; minimize your debt; network — "Talk to everybody, and get started early."

■ Scott Hollander, '90, founder and executive director of KidsVoice in Pittsburgh, explained that "I wanted to do direct representation of children, but to do this in a way that represented their needs . . . not just on the presentation level, but on a bigger level that will change things."

The result for Hollander, after working successfully in private practice in Washington State and in Pittsburgh and with a child advocacy agency in Denver, was to take over a struggling child advocacy program back in his native Pittsburgh and re-shape it into KidsVoice.

In many ways he modeled KidsVoice after the interdisciplinary approach used by the Law School's Child Advocacy Law Clinic (CALC). "I took CALC in my second year and loved it. But I wasn't sure if I loved it because I loved being a lawyer working with kids, or just loved working with kids. There was this wonderful fellowship — an interdisciplinary approach to working with kids. It ended up influencing me greatly."

At KidsVoice there are "11 full-time child advocacy specialists [plus lawyers and others] so we bring that collective experience to each case and figure out what this particular case needs."

In addition, the interdisciplinary consideration of each case gives you "so much more to be armed with when you go to court."

Hollander also is an advisor to the CBS television series "The Guardian," which is set in Pittsburgh and deals with child advocacy issues. Hollander's brother David is creator and executive producer of the series. "My role," Scott Hollander quipped, "is to educate the director. I generate ideas."

The schedule for Inspiring Paths speakers during the winter term included:

- James Forman Jr., an attorney with the Public Defender Service in Washington, D.C., and a co-founder of the Maya Angelou Public Charter School in Washington. (See related story on page 9.)
- David A. Sutphen, '95, general counsel to U.S. Senator Edward M. Kennedy.
- Cheryl A. Leanza, '95, deputy director of the Media Access Project.

Speakers discuss World War II internment cases

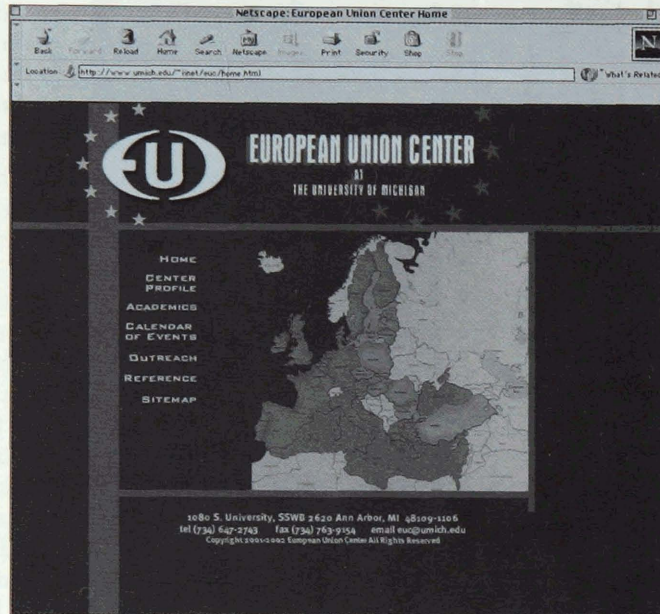
Japanese Americans had no strong allies to defend them against internment during World War II, but today there are many organizations ready to oppose any curtailment of Arab Americans' rights in the name of the war against terrorism, according to the lead attorney in a major case opposing internment. Dale Minami, of Minami, Lew and Tamaki in San Francisco, led the legal battle that reversed Fred Korematsu's conviction for refusing to obey the internment order. Won in a lower court 40 years after Korematsu's conviction, the decision had no impact on the earlier U.S. Supreme Court decision upholding the constitutionality of wartime Executive Order 9066, which led to the internment of more than 100,000 Japanese Americans.

Korematsu and others who opposed internment "were vindicated by history," Minami said. "They showed the kind of courage that we should emulate."

Minami appeared on the program "Korematsu: Then and Now: The Meaning of Civil Liberties in Wartime," with Yuzuru Takeshita, a University of Michigan professor emeritus of public health who spent four years in internment. Takeshita said that his experiences with internment caused him quickly to write a letter to his local newspaper warning against denial of the rights of Arab Americans in the wake of the September 11 terrorist attacks. "When injustice occurs it is incumbent on us to protest it," he said.

The program was sponsored by the Asian Pacific American Law Students Association.

New European Union Center offers full program



Last fall's high expectations quickly began to come true as the new European Union Center (EUC), directed by Assistant Professor of Law Daniel Halberstam, began to schedule programs and otherwise draw from and contribute to the rich resources of the Law School and the University of Michigan. And early this year the center launched its own Web site (www.umich.edu/~iinet/euc/home.html) to provide thorough, up-to-date information on its activities.

"Our Web site is designed to report on Center activities and serve as a resource for academics and others interested in European integration," Halberstam said. "The EUC always welcomes suggestions for improving the site, especially in ways that may further assist an interdisciplinary and comparative approach to EU studies."

EUC's Web site provides information on lectures and seminars associated with the center as well as its mission, leaders, and faculty. The Web site was launched early this year with what was already a full schedule of

activities that reflected the promise Halberstam made for the center in his remarks at its opening last fall:

"The EU Center aims not only to bring together students and scholars across disciplines and schools, but also to engage with policymakers, business leaders, public administrators, and the relevant diplomatic communities in an effort to help forge the mutual understanding that is necessary for a productive transatlantic partnership."

EUC quickly has developed working partnerships with the Law School and other parts of the University like the Business School's William Davidson Institute, the economics, history, and political science departments, and the Center for European Studies.

EUC has a significant presence at the Law School. For example, at deadline time EUC activities associated with the Law School included:

- Grainne de Burca, professor of European law at the European University Institute, teaching classes at the Law School in March.
- Sinisa Rodin, LL.M. '92, teaching at the Law School in April and joining Nugent and others for public round table discussions of countries' accession into the European Union. Rodin is a professor at the University of Zagreb and a Fulbright Fellow and Visiting Scholar at Harvard Law School during the current academic year.
- The Hon. Francis G. Jacobs, advocate general of the Court of Justice of the European Communities, spending time at the Law School during the spring as a Helen DeRoy Fellow as well as a Jean Monnet Fellow at the EUC.

Skadden Fellowship winners will work in Pittsburgh, Wilmington

Elisabeth Calcaterra and Matthew Meyer, both third-year law students who will graduate in May, are the 11th and 12th Michigan Law School students to receive Skadden Fellowships since 1995.

Fellows provide legal services to the poor, homeless, elderly, and those deprived of human or civil rights. The fellowship will allow Calcaterra to provide legal representation to medically needy foster care children at KidsVoice in Pittsburgh. (See related story on page 16.) Meyer will use his fellowship to create the Legal Assistance for Entrepreneurs Unit of the Community Legal Aid Society in Wilmington, Delaware.

Calcaterra, a student in the Law School's Child Advocacy Law Clinic, plans to begin her fellowship by providing direct representation to hundreds of abused and neglected children. She hopes to collaborate with doctors from area hospitals, juvenile court employees, and other legal professionals to identify specific welfare and medical needs of children in the welfare system. Through this collaboration, Calcaterra hopes to design a multi-disciplinary curriculum for legal and medical providers that will improve the advocacy and delivery of services to these children.

Meyer is the founder and director of Ecosandals.com, a nonprofit business that distributes Kenyan tire sandals. By providing legal assistance, he has insured that young adults in one of Kenya's poorest areas have appropriate legal structure to sell sandals

globally online. Meyer believes that individuals and community groups with entrepreneurial ideas need legal advice in order to grow effectively. With the fellowship, Meyer will create the Legal Assistance for Entrepreneurs Unit to provide quality legal assistance to entrepreneurs who otherwise would not have access to legal counsel. He hopes that through the creation of this unit an increased number of poor individuals will be able to earn a living wage, and a greater number of community groups will be able to better serve their neighborhoods.

"Beth and Matt join a distinguished group. Since 1995, 12 Michigan Law School graduates have become Skadden Fellows," says Law School Director of Public Service Rob Precht. "Fellows comprise a public interest law firm 'without walls' that our entire community can be proud of."

Each year, the Skadden Fellowship Foundation awards 25 fellowships to law school graduates throughout the country who are committed to furthering law in the public interest. Applicants create their own projects before they apply, and awardees receive an annual salary, fringe benefits, and student loan repayment assistance for the duration of the fellowship. According to the Skadden Fellowship Foundation, 90 percent of the fellows have remained in public interest or public sector work after completing their fellowship terms.

— Regan Preston

Life experience

Law School can be more than full-time work for the best of us, yet each graduating class includes up to 15 percent of its members who have successfully managed to juggle the demands of a legal education and family and/or marital responsibilities. And each of these classes also includes several graduates who have been in the workforce for a time before taking on the demands of full-time legal education.

So it can be done. To offer some hints for success, Assistant Dean of Students David Baum, '89, each year brings together a panel of married and older law students to pass on their tips to others. Last fall's program offered tips like these:

- From 3L Ann Marie Byers, who worked for four years before entering law school and has two children: "If you already have learned to schedule your time, it can be a 'plus' to have been out" working for a while before entering law school.

- "Make sure you make time for that other person. Law school can encompass everything. For family members, best friends, make sure you schedule time. Basically law school is about scheduling time, just like you did at work."

- From 2L Kim D'Haene, who worked for a decade, then combined getting married, buying a house, and starting law school in the same summer: Have a house renovation party.

"It was our first group opportunity for my section. We cleaned gutters, wallpapered, painted — and my husband got to know all these people who were soaking up my time. When the wedding came up, people took notes for me and helped me catch up."

- "As an older student I think your sense of yourself doesn't come as much from your work."

- But in your work, "you have a whole lot of things to offer people in terms of life experience that people right out of college don't have."

- "Law school is a piece of you. Make sure the other pieces are solid."

Second-year law student Kim D'Haene, left, shares how she successfully combined getting married, buying and refurbishing a house, and beginning her legal studies during a program to provide tips for older and/or married law students.

Fellow-panelist Ann Marie Byers and Assistant Dean of Students David Baum, '89, listen at right.



PHOTO BY GREGORY FOX

Appeals Court hears admissions case

Oral arguments in the two affirmative action admissions cases involving the University of Michigan and the Law School, *Gratz v. Bollinger, et.al.* (undergraduate admissions) and *Grutter v. Bollinger, et.al.* (Law School admissions) were heard on December 6 in the Sixth Circuit Court of Appeals in Cincinnati. The courtroom was filled, as were two additional rooms where the arguments were projected by closed circuit television. U-M lead counsel on both cases, John Payton, argued for the University; Ted Shaw of the NAACP Legal Defense Fund argued for the student intervenors in the undergraduate case; Detroit attorney Miranda Massie argued for the Law School intervenors; and CIR-affiliated attorneys David Herr and Kirk Kolbo argued for the plaintiffs.

The judges' questions mainly focused on the "narrow tailoring" question of the constitutionality of the University's and Law School's methods of taking race into account in admissions. Judges also asked about U-M's admissions selection index in the undergraduate case and about the Law School policy's stated desire to have a "critical mass" of minority students. There was little questioning about the legal standard as related to the meaning and viability of the *Bakke* case (see on the Web, www.umich.edu/~urel/admissions/faqs/bakke_sum.html).

There is no timetable for a decision from the Sixth Circuit. At deadline time the court had not yet released its decision.

Juan Tienda Banquet keynoter: Uphold the rule of law

The rule of law, and racial, ethnic, and other diversity among those who apply it, is especially important as the United States struggles to cope with the impact of the terrorist attacks last fall, a federal judge told Juan Tienda Scholarship Banquet attendees this year.

Practicing law is "a sacred public trust" and "what the law needs now more than ever is competent and diverse counsel," the Hon. Reuben Castillo of the U.S. District Court for the Northern District of Illinois said in his keynote. "Our society becomes stronger when there is active respect for the law," he noted, but "there are signs I am picking up right now that the rule of law is under severe strains." For example, racial profiling is "wrong, it is anathema, it is a crutch to solid law enforcement, and it needs to be eliminated."

"The true test of how we feel is how we follow the law [and] in how we treat each other," he said.

Colorado Attorney General Ken Salazar, '81, a third generation Coloradoan and the first Hispanic to be elected to statewide office in Colorado, received the J.T. Canales award. Canales, who graduated from the Law School in 1899, was a Texas state lawmaker and champion of Hispanic rights. In 1918 he forced an investigation of the Texas Rangers for the agency's action toward Mexican Americans in the lower Rio Grande valley.

Hispanic people "have come a long way in 100 years, yet we have a great deal more progress to make," said Salazar, himself a former Juan Tienda Scholarship winner. Let's make this the "century of diversity and the



Keynote speaker the Hon. Ruben Castillo, left, and J.T. Canales Award winner Ken Salazar, '81, chat before the Juan Tienda Scholarship Banquet.

century of inclusion," Salazar urged. The diversity that characterizes his 350-person staff makes his office "better able to serve the people of Colorado," he said.

Three first-year law students received Juan Tienda Scholarships this year: Diego Bernal, Elizabeth Rios, and Laura Varela. The scholarship is named for Juan Luis Tienda, who attended the Law School from 1974-76 and died in an automobile accident as he was returning to begin his final year of legal studies. Tienda was president of La Raza Law Students Association, the predecessor to the current Latino Law Students Association, which sponsors the annual scholarship banquet. He also worked during the summers with the Michigan Migrant Legal Assistance Project.



Juan Tienda Scholarship winners Laura Varela, Elizabeth Rios, and Diego Bernal share congratulations.

PHOTOS BY GREGORY FOX

Panel: Chin cases lead to change

The state and federal trials in the Vincent Chin case may not have convicted Chin's killers, but they did help to lead to the passing of laws allowing families to testify on the impact that the loss of a loved one has caused and to other laws that lengthen prison terms and increase fines if it can be proved that a crime is a hate crime, panelists reported during a discussion of "Hate Crimes in the Courts: Lessons from the Vincent Chin Case." The program, presented early in the winter term, was part of the campus-wide Hate Crime Symposium 2002, which included among its 33 sponsors/organizers the Law School and the Asian Pacific American Law Students Association. The series of programs was part of the University of Michigan's Martin Luther King Symposium.

Media attention and contacts with federal Justice Department officials associated with the Chin trials also helped to increase understanding that Asian Americans suffer from the same kinds of hate-fueled crimes as other racial groups, according to the panelists. Panel members included attorneys Roland Hwang (now of the Michigan State Attorney General's Office) and Harold Leon, who worked on the Chin cases, and counselor Ronald M. Aramaki of Health Management Systems of America.

Chin, a 27-year-old Chinese American, was fatally beaten with a baseball bat on June 19, 1982. The two men charged in the crime were sentenced to three years probation and fined. The light sentence enraged the Asian American community, which organized and successfully brought the men to trial on federal charges of violating Chin's civil rights. A Detroit jury acquitted one man and found the other guilty, but a retrial in Cincinnati in 1987 acquitted both.



STRESS BUSTER MESSAGES

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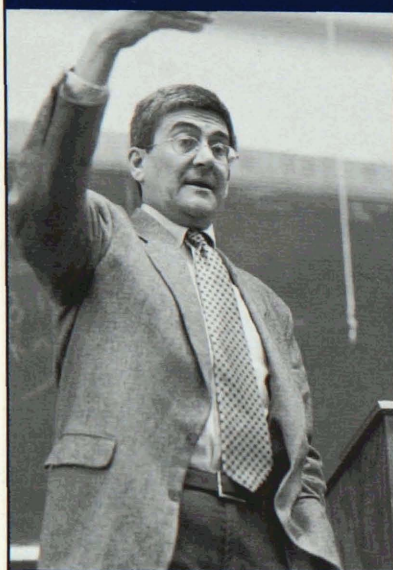


PHOTO BY GREGORY FOX

Easing the Stress of Final Exams —

Remember the stress of final exams? Finals-taking law students got some help this year courtesy of the Alumni Relations Office and a generous gift from Joseph Goldstein, '72, and his wife Ellen. The Joseph and Ellen Goldstein Fund provided free massages for law students during December's final examinations. Here, Liz Prince of Think Massage of Ann Arbor works on third-year law student Katie Page. Students reported that the massages were a boon. "It was wonderful. I thought I was too stressed to relax, but it wasn't a problem," reported Ellen Gulbrandsen. Said Joe Krupan: "Okay, where can I sign up for my next one?" During the same exam period the Alumni Relations Office also provided free continental breakfasts. Here, law students Mike Kabakoff, Pyper Logan, and Seth Oppenheim take time to catch a bite.

Speaker: Terrorists 'outside the mainstream'



Yossi Olmert

Like Christianity and Judaism, mainstream Islam "enshrines the life of the person" and "does not accept the logic of committing suicide," an historian of the Middle East told a Law School audience last fall in a talk on "Terrorism, Israel, and the Middle East." Suicide attacks have been provoked by people "outside the mainstream of Islam," explained Yossi Olmert, who teaches at Bar-Ilan University in Israel. Also a columnist in Israel, Olmert formerly was director of Israel's Government Press Office and served as advisor to Israel's Prime Minister Yitzhak Shamir and Defense Minister Moshe Arens.

Describing himself as "very close" to the current government of Israel, Olmert stressed that terrorists account for only a tiny minority of even fundamentalist Muslims.

Disputes should be settled through negotiation, he said. But when fanatics are unwilling to engage in talks it is appropriate to respond like the United States did against Afghanistan after the September 11 suicide attacks on the World Trade Center and the Pentagon. "You should be proud of your armed forces because they are doing a magnificent job," he told listeners. "Fanaticism," he added, "is not justification."

International Law Workshop keeps the globe under its lens

How do you balance environmental concerns with the expansion of free trade? What restrictions on development are appropriate for countries that are trying to develop their industrial bases and are playing catch-up with the world's major industrial nations?

Can the 20 percent of World Trade Organization member-nations that are developing countries be expected to see eye-to-eye on environmental issues with the 80 percent that already are industrialized?

These are the kinds of issues that trade boosters and environmentalists face in many parts of the world. As one expert put it, "very many strong tensions emerge" when you try to deal with environmental issues through a trade framework.

That characterization comes from Monica Araya, project director at the Yale Center for Environmental Law and Policy, whose talk "Facing Environmental Dilemmas While Bridging North-South Gaps" concluded the International Law Workshop (ILW) lecture series last fall. And the same sort of focused expertise came to bear when Richard Janda delivered the first program in the current term's ILW series in January. Janda, of the Faculty of Law and Institute of Air and Space Law at McGill University, spoke on "The End of Globalization? Aviation Governance in the Wake of September 11."

"A number of prominent public intellectuals have argued that September 11 and its effects demonstrate a retreat from globalization, even a meltdown of globalization, [but] it seems to me there's something manifestly implausible about this claim," Janda said. Actually, he explained in the course of his talk, the events of September 11 have "propelled it further. New York is a global city. It is a cosmopolitan place. . . . I think there is an important sense outside [the United States] that it was felt to be an attack on the whole world."

The ILW, coordinated by Professors Daniel Halberstam, James C. Hathaway, and Robert Howse and Assistant Dean for International Programs Virginia Gordan, showcases prominent thinkers and professionals who are working on major issues of international and comparative law. Each program includes a half-hour lecture followed by response from a

faculty member and questions from the audience.

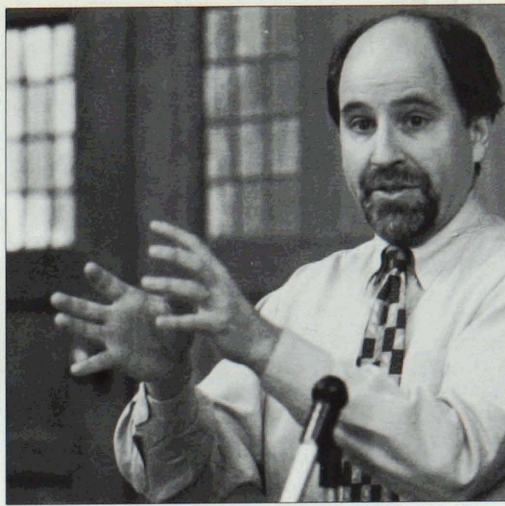
At deadline time the remainder of the current term's schedule included:

- Lan Cao of the College of William and Mary, Marshall-Wythe School of Law, speaking on "The Diaspora of International Ethnic Economies: Beyond the Pale."
- Ellen Dannin of the California Western School of Law, speaking on "Hail, Market, Full of Grace: Transnational Migration of Labor Law Reform."
- Irwin I. Cohn Professor of Law Reuven S. Avi-Yonah, University of Michigan Law School, speaking on "National Laws and Multinational Enterprises: An Essay on Comity, Extraterritoriality, and Harmonization."
- Hudson Janisch of the University of Toronto Faculty of Law, speaking on "The Reform of China's Telecommunications: A Window on WTO Accession."
- Lama Abu-Odeh, of Georgetown University Law Center, "Legal Theory in the Contemporary Arab World."
- Brian Langille, professor and associate dean for graduate studies at the University of Toronto Faculty of Law, "What is the International Labor Organization and Why?"
- Kerry Rittich of the Faculty of Law/ Women's Studies at the University of Toronto, "'Engendering Development': A New Paradigm of International Gender Justice?"
- Sara Dillon, Suffolk Law School, "Building a Better WTO: The Limits of Interpretation."
- Werner Zdouc, Counsellor with the Appellate Body Secretariat of the World Trade Organization, "Intellectual Property Rules at the WTO and Access to Affordable Medicines for Developing Countries."
- Marco Bronckers of the University of Leiden and a partner with Stibbe in Brussels, "The Application of the WTO Law in the EU's Legal Order: From Front Door to Back Door."
- Howard F. Chang, University of Pennsylvania Law School, "Reflections on the Shrimp-Turtle Case."

- Ruti Tietal, New York Law School, "Humanity's Law: International Law for a Global Politics."

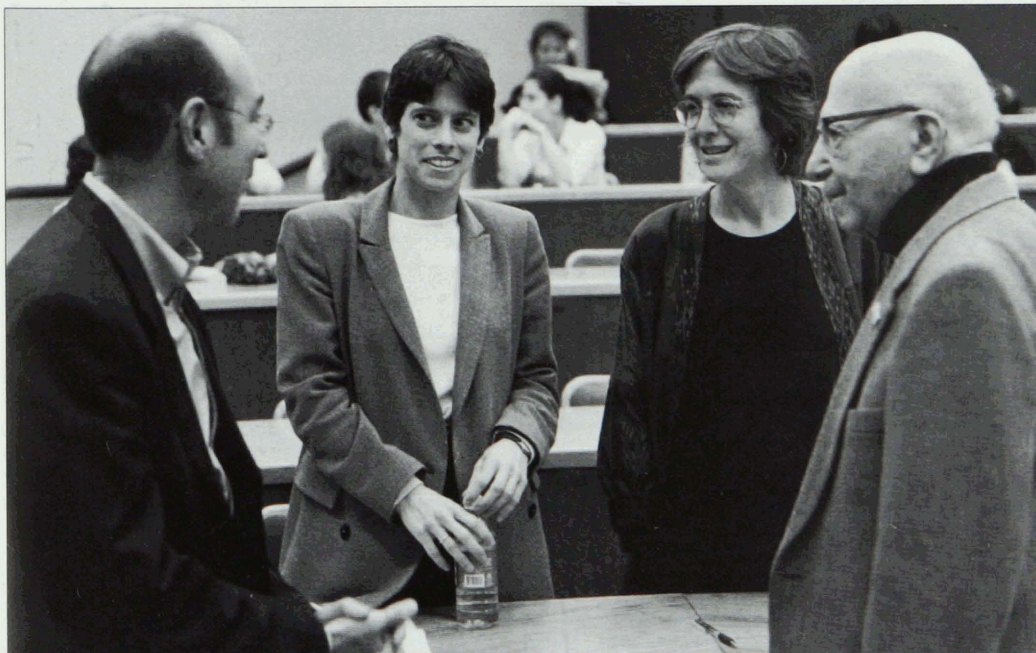
Araya's talk last fall culminated a rich series of ILW sessions, which included these programs:

- Christine Chinkin of the London School of Economics and an Affiliated Overseas Faculty member of the U-M Law School, speaking on "Women's International War Crimes Tribunal."
- Bob Hudec, Fletcher School of Law and Diplomacy at Tufts University and professor emeritus of the University of Minnesota Law School, "Getting to Probably: The Interpretation of International Agreements Concluded by Divided Governments."
- Armi von Bogdandy, Professor of European and International Economic Law and Judge at the OECD Nuclear Energy Tribunal, "The Great Sagas on European Integration — And What They Teach Us for the Development of the WTO."
- Forum on WTO Dispute Settlement with Petros Mavroidi of the University of Neuchatel, Howse, and others.



Richard Janda of the Faculty of Law and the Institute of Air and Space Law at McGill University discusses the impact on the globalization of aviation practices of last fall's terrorist attacks on the United States.

- J. Patrick Kelley, Widener University School of Law, "The World Trade Organization, Customary International Law, and the Structure of Global Governance."
- Suzanne Goldberg, Rutgers School of Law-Newark, "Sexuality, Feminism, and Asylum: The Conduct/Identity Conundrum."
- Miguel Poiars Madura of the Faculdade de Direito da Universidade Nova de Lisboa, "Europe and the Constitution: What If This Is As Good As It Gets?"
- Susan Esserman, '77, partner in Steptoe & Johnson LLP, Washington, D.C., and former Deputy United States Trade Representative, "Looking Ahead to a New Round of Trade Negotiations."



Suzanne Goldberg of Rutgers School of Law-Newark, second from left, chats with Professor James C. Hathaway, Assistant Dean for International Programs Virginia Gordan, and Hessel E. Yntema Professor Emeritus Eric Stein after addressing the International Law Workshop. Goldberg spoke on "Sexuality, Feminism, and Asylum: The Conduct/Identity Conundrum."

Chicago 'my kind of town'

Members of the Chicago Committee on Minorities in Large Law Firms told a Law School audience earlier this year that the Windy City is a good place to work and live and offered hints for job hunting, finding mentors, and beginning a legal career. The committee, sponsored by 36 of the city's largest law firms, offers support services and networking for minority attorneys, explained Executive Director J. Danielle Carr.

Two of the panelists were Law School graduates: Jasmine C. Abdel-Khalik, '00, a second-year associate at Baker & McKenzie, and Gail C. Saracco, '90, a partner in the Corporate Department of Mayer Brown & Platt. Other panelists included: Vineet Gauri of Brinks Hofer Gilson & Lione; LaVon M. Johns-Harris of Altheimer & Gray; and Theodore I. Yi of Piper Marbury Rudnick & Wolfe. The program was sponsored by the Office of the Assistant Dean of Students.

Speakers discussed the importance of learning about the culture of a firm during the interview process, the value of having a mentor, the impact of family responsibilities, the possibilities for *pro bono* work, the social and cultural amenities of Chicago, and other subjects. "When you interview, be yourself," Gauri advised.