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CARDOZO^{LAW}

YESHIVA UNIVERSITY | BENJAMIN N. CARDOZO SCHOOL OF LAW | CARDOZO LIFE MAGAZINE

FALL 2023

Alumni Protecting
LGBTQ+ Rights

Feminist Icon
Gloria Steinem
Receives Cardozo's
Peace Award

Scholars Fleeing
War Find a
Home at Cardozo

Reframing Crime and Punishment

Cardozo Professors Reflect
on Recent Victories
in the Fight for Legal Reform

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The Power of Community

A Letter from Dean Melanie Leslie



Dear Friends of Cardozo,

As we go to press on October 19th, we are shocked and horrified by the terrorist attacks committed by Hamas on Israel, which we condemn in the strongest terms. These atrocities, captured in photos and videos, are unbearable to witness. To every member of our community impacted by this tragedy, we express our deepest sympathy and concern. Last week, the Cardozo Jewish Law Students Association partnered with the administration to hold a vigil, which was attended by some 200 members of the Cardozo community, and at which Yeshiva University President Rabbi Berman gave remarks.

We are inspired by President Berman's words during this time. He has called on us to distinguish between Hamas, a terrorist organization, and the wider communities of Palestinians, Muslims and Arabs who are not Hamas. At Cardozo, which, as you know, boasts a very diverse academic community, our first efforts were to help our students who are directly or indirectly affected by the war. This includes students with loved ones in Israel and Gaza, students who have been called to serve in the IDF and students who fear rising antisemitism or anti-Muslim bias in the United States. We are providing increased opportunities for discussion and counseling. And because we are a law school, we are planning a series of events designed to educate. This week, I invited faculty members with expertise in international law and conflict resolution, and other scholars who have fled countries during war and have found a home at Cardozo, to attend my regular office hours with students to reflect on the current situation. Students had the opportunity to weigh in with questions and concerns and to share their stories. We are proud of students, who are continuing the Cardozo tradition of respectful dialogue inside and outside the classroom.

This edition of *Cardozo Life* celebrates the power of community, focusing on how Cardozo students and faculty have worked together to fight injustice here at home. I hope that the stories in this edition inspire you, give you hope and make you proud.

With best wishes for your safety and health,

A handwritten signature of Melanie Leslie in black ink.

MELANIE LESLIE

Dean and Dr. Samuel Belkin Professor of Law

Feminist Leader Gloria Steinem Accepts the International Advocate for Peace Award at Cardozo



International feminist icon Gloria Steinem spoke at length to members of the Cardozo community on March 29 as she accepted the 22nd annual International Advocate for Peace Award from the *Cardozo Journal of Conflict Resolution*. Steinem was recognized for a lifetime of advocacy and achievement.

Nick Beudert '23, symposium editor for the *Journal of Conflict Resolution*, which is considered a leading law school journal, presented the award to Steinem. The journal editors hailed Steinem as a leader of the feminist movement for over five decades, a journalist and author, and the co-founder of *Ms. Magazine*. They noted her role as an anti-war activist, her championship of the Equal Rights Amendment, her opposition to the South African

Apartheid system of racial separation and her role in a women's march across the Demilitarized Zone between North and South Korea. They also noted her work alongside Cardozo students at the Lenape Center to address the Missing and Murdered Indigenous Persons crisis in the United States.

The International Advocate for Peace Award has been an annual event at the law school for over two decades, with recipients including political leaders, ambassadors, documentary filmmakers and music legends. Winners are presented with the award and speak to students at the law school about their approach to peaceful advocacy. Steinem joins a distinguished list that includes: President Bill Clinton, for his role in the Oslo Peace Accord; Reverend

“Being here with you all in this room. There is such energy and hope for change. That brings me joy.”

Desmond Tutu, for his contributions to ending the systemic racism of Apartheid in South Africa; Peter, Paul and Mary, for their anti-war anthems, performed on the Capitol steps during the March on Washington organized by Dr. Martin Luther King Jr.; and Sir Paul McCartney for his anthology of songs contributing to a culture of peace.

“It is an honor to present the award to Gloria Steinem,” said Beudert. He noted that while conflict resolution often involves wading into



From left: Director of the Kukin Program for Conflict Resolution Professor Andrea Schneider, Associate Director of the Kukin Program Robyn Weinstein, International Advocate for Peace Honoree Gloria Steinem, Founding Director of the Kukin Program Lela Love and Clinical Associate Professor Jocelyn Getgen Kestenbaum.

the despair of current issues, that recognizing a lifetime of achievement in the field allows students and others to stop and admire “amazing individuals like Gloria Steinem and to marvel at the ways that they have advocated for change and advanced the cause of peace.”

Steinem spoke in a 45-minute conversation with Professor Andrea Schneider, Director of the Kukin Program for Conflict Resolution, about her role as an advocate. The 89-year-old Steinem gave powerful examples of how to think in ways that challenge the status quo. She said that as a woman she believes she comes to the table to solve problems from a family perspective, bringing all sides together. She stressed the belief that in seeking solutions to conflict, each party in a dispute must feel heard.

But she also spoke about the need for revolutionary change when systems are repressive. Steinem stressed the need for grass-roots change, pointing out that victory often comes from changing the hearts and minds of individuals, not necessarily leaders. She urged

students and community members to “always remember that revolution is like a tree, it doesn’t grow from the top, it grows from the bottom.”

Schneider ended the conversation with Steinem by asking how she finds joy in a troubled world. Steinem reflected for a moment and then said, “Being here with you all in this room. There is such energy and hope for change. That brings me joy.”

Cardozo Dean Melanie Leslie remarked that Steinem had changed countless individual lives. Leslie said that as a girl growing up, people like Steinem inspired her to think about women’s roles differently from how they were commonly represented in the culture of that time. “Like countless other women, I may never have achieved the things I have without that inspiration. Thank you, Gloria Steinem.”

The dean also thanked the journal editors, the Kukin Center for Conflict Resolution and professors Lela Love and Schneider. “Cardozo has produced generations of leaders in the field of conflict resolution. I could not be prouder of that legacy.”

Cardozo Journal for Conflict Resolution International Advocate for Peace Award Recipients



**President
Bill Clinton
2001**



**Archbishop
Desmond M. Tutu
2003**



**Benjamin B.
Ferencz
2016**



**Leymah Gbowee
2018**



**Sir Paul
McCartney
2019**



**Gloria Steinem
2023**



INNOCENCE PROJECT

Rosa Jimenez, second from left, celebrated at Cardozo on August 7 with Innocence Project attorney Vanessa

Potkin, who represented her and won her exoneration case, and Barry Scheck, co-founder of the Innocence Project. Jimenez was convicted of murder in 2003 by a jury in Texas after the child she was babysitting choked on paper towels and sustained a severe brain injury, passing away three months later. At her trial, Texas state prosecutors presented false evidence saying it would have

been impossible for the event to be an accident. Meanwhile, leading pediatric airway experts have affirmed the case was a tragic accident. Her conviction was overturned by the Texas Court of Criminal Appeals in May 2023. "Rosa was forced to give birth to her son in jail, shackled, while awaiting trial. For the past 20 years, she has fought for this day, her freedom, and to be reunited with her children," said Potkin, director of special litigation for the Innocence Project. "Her wrongful conviction was not grounded in medical science but faulty medical assumptions that turned a tragedy into a crime."

Civil Rights Clinic Reaches Settlement for Those Subjected to Polar Vortex Conditions in Federal Jail

Professor Betsy Ginsberg and the Civil Rights Clinic worked with Professor Alexander Reinert and the law firm Emery Celli Brinckerhoff Abady Ward & Maazel to come to a settlement with the federal government after people incarcerated at Metropolitan Detention Center, a Brooklyn federal jail, were subjected to a week without heat or electricity during a 2019 polar vortex.

The New York Times reported that during that period, people in the jail were left in cold, dark cells with toilets that did not flush and without access to food and medical care.

Those who experienced these harsh conditions would share up to \$10 million in compensation, which would be paid in varying amounts to the people who submitted claims, once approved. According to *The New York Times*, the

agreement's plan involves paying 69 people whose medical conditions were untreated during that time up to \$17,500. An additional 945 people may receive \$8,750.

The case involved the work of Cardozo students over four years. Those students include Alexander Hunter '21, Gabriella Javaheri '21, Kira Brekke '21, Clare Haugh '21, Meghan Kacsmar '23, Juliana D'Alleva '23, Celeste Kabemba '23 and Alison Aimers '24.

Professor Felix Wu Appointed Vice Dean



Felix Wu

Felix Wu, professor of law and faculty director of the Cardozo Data Law Initiative (CDLI), has been named vice dean of Cardozo School of Law.

"I am thrilled that Professor Wu has agreed to take on this demanding and critical role," Dean Melanie Leslie said. "He is a distinguished scholar and valued teacher who has had a tremendous impact on our students and programs. I look forward to partnering with him to lead the law school into the future."

Wu took over the post this summer. He has played a major role in the development of the CDLI, a groundbreaking program designed to prepare law students for careers in the rapidly expanding legal fields of information governance, e-discovery, data privacy, social media law and cybersecurity. Under Wu's leadership, the CDLI has expanded the law school's renowned reputation in the field of intellectual property law.

Professor Wu has a doctorate in computer science, and that background is foundational to his leadership in the intellectual property law field. His legal scholarship spans topics, including freedom of speech, privacy law and intellectual property law. He has previously written on the limits of online intermediary immunity and on understanding the role of data de-identification in law. His current work explores the relationship between data privacy and theories of free expression.

Professor Wu joined the Cardozo faculty

in 2009 after having had associate positions at Covington & Burling in San Francisco and Fish & Richardson in Boston. In 2006-2007, Wu clerked for Judge Sandra L. Lynch of the U.S. Court of Appeals for the First Circuit. He holds a J.D. and Ph.D. from the University of California at Berkeley and earned his undergraduate degree in computer science summa cum laude from Harvard University. He is also a member of the Order of the Coif and Phi Beta Kappa.

"Cardozo is a special place and a special community that has nurtured me throughout my academic career," said Wu. "I look forward to doing my part to help the institution thrive in the coming years."

Wu succeeds Michael Burstein, also an important faculty member on Cardozo's intellectual property team. Burstein served for five years as vice dean. He played a critical role during the pandemic, moving the law school to remote classes while keeping a sharp focus on supporting students and professors through a tense and challenging crisis.



Michael Burstein

Dean Leslie praised his role saying, "We owe Mike a huge debt of gratitude. His leadership during the pandemic was marked by great compassion, dedication and creativity. His strategic approach to the vice dean position resulted in many important improvements. During a time of unprecedented challenge, he kept a clear focus and strong moral compass."

Israeli Supreme Court Project at Cardozo Law Passes 10-Year Milestone

**UNIQUE SCHOLARLY PROGRAM
TRANSLATED MORE THAN 400
SUPREME COURT DECISIONS FOR
JUDGES, SCHOLARS AND
UNIVERSITY COURSES**

April marked 10 years for a project at Cardozo School of Law unlike any in the world. The Israeli Supreme Court Project (ISCP) has provided lawyers, judges, political scientists and historians with invaluable resources on issues that have shaped democracy in Israel. The ISCP has translated over 400 opinions of the court into English from the original Hebrew. These translations are archived on the website Versa as a repository, where relevant articles are also published in a blog devoted to current cases on the docket. They are studied by scholars, laypeople and U.S. Supreme Court Justices, and they are used as part of the curriculum in courses at American undergraduate universities. They bear important ideas and theories on democracies and legal doctrine around the world.

The 75-year-old nation of Israel is examining the relationship between its highest court to the rest of the government, while seeking to determine the answer to the question, can a democratic country move to fundamentally restrict the power of its highest court?

The ISCP has been at the forefront of the unique initiative that enables courts around the world to share ideas that underlie legal theory and shape modern democratic issues. At the core of this independent academic non-profit is the belief that the world benefits from understanding how Israeli law grapples with universal issues of national security

versus free speech, state and global order and the recent battle over who is entitled to interpret the constitutionality of laws.

The Israeli Supreme Court is at the center of a battle over the balance of power that will impact the court's survival. Courts and governments around the world are taking notice as many other western democracies face similar challenges. It is critical to recognize, as the ISCP does, that this is an illustrious court, respected and cited by justices of the U.S. Supreme Court and other courts around the world for its critical jurisprudence in family law, bioethics and intellectual property as well as its balancing of state security with individual rights. "The Israeli Supreme Court is dealing with all those issues and producing fascinating and important jurisprudence," said Professor Suzanne Last Stone, co-director of the project. "The ISCP has established itself as a valuable resource, and its academic credentials are completely apolitical, which is reflected by the composition of its advisory board."

"The works of the ISCP are used in undergraduate colleges throughout the United States to help students

learn from primary sources and come directly into contact with the critical issues of Israeli democracy," said Professor Ari Mermelstein, who teaches Jewish Studies at Yeshiva University and plays a critical role in running the program. Readings from ISCP are on the syllabi of courses at

The Israeli Supreme Court is at the center of a battle over the balance of power that will impact the Court's survival.

Brandeis, UCLA, Boston University, Texas A & M, Columbia and Berkeley. Students are reading classic and contemporary cases. "Students will read those opinions and gain a deeper understanding of the fundamental challenges facing modern democracies, and it's also how they will shape their views of Israel," concluded Mermelstein.

In addition to translations, the

ISCP provides a forum for scholarly panels at Cardozo, with members of courts from around the world, including Israel, the U.S., world courts and European courts.

Suzanne Last Stone, Co-Director of the ISCP, is University Professor of Jewish Law and Contemporary Civilization, Professor of Law and Director of the Center for Jewish Law and Contemporary Civilization.

Michel Rosenfeld, Co-Director of the ISCP, is University Professor of Law and Comparative Democracy, Justice Sydney L. Robins Professor of Human Rights, and Director of the Program on Global and Comparative Constitutional Theory at Cardozo.

Ari Mermelstein, Associate Professor of Bible at Yeshiva University, serves as the assistant director of the ISCP.

The ISCP is supported by individuals and institutions including:

- The David Berg Foundation
- Friends of the Library of the Supreme Court of Israel Inc.
- Deborah and Elliott Gibber
- Iris and Shalom Maidenbaum

PRIDE BRUNCH

Gray, gloomy skies did not deter students and alumni from having a colorful celebration during the eighth annual Pride Brunch as they cheered on the NYC Pride Parade from the Ruth & H. Bert Mack Pavilion in the Cardozo Lobby on Sunday, June 25.

OUTlaw Alumni and Cardozo hosted the brunch, and attendees celebrated Cardozo's vibrant and diverse LGBTQ+ community and kept cool on the humid NYC summer day by sipping mimosas in an air-conditioned room covered in rainbow decorations.

The Cardozo neighborhood is well known for its LGBTQ+ history, including the 1969 Stonewall uprising. One year after the uprising, thousands of people marched in the first Christopher Street Liberation Day parade.

The parade began on 25th Street and 5th Avenue, passing Cardozo on its way to Washington Square Park before heading to Christopher Street, the site of the Stonewall Inn. It then circled back and ended on 16th Street and 7th Avenue.

Generations of Cardozo alumni were in attendance, including current and former OUTlaw presidents Francesca Acocella '16, director of student life at Cardozo; Alex Newman '16; Chantelle 'Elle' Gyamfi '20, the chair of OUTlaw Alumni; Rachel Barkley '24, incoming OUTlaw president; and Davis Villano '23, outgoing OUTlaw president.

A portion of the proceeds from the event went toward The David Martinidez Scholarship.

Cardozo Celebrates Public Service at 31st Annual Inspire! Awards



Jason Starr '10, Nina Frank '11, Deb Guston '88 and Taylor Brown '17 receiving Community Impact Inspire! Awards

The Center for Public Service Law celebrated the Inspire! Awards on May 23, an annual event honoring students, alumni and community leaders who have made significant contributions in public service over the past year. This year's ceremony celebrated works that protect and advance the rights of marginalized communities.

The Center's Community Impact honorees included Nina Frank '11, Counsel at Outten & Golden LLP; Taylor Brown '17, Staff Attorney in the ACLU's LGBTQ & HIV Project; Deb Guston '88, Partner at Guston & Guston LLP; and Jason Starr '10, former and founding Director of Litigation and current Senior Strategist at the Human Rights Campaign. All the honorees have spent their careers fighting for LGBTQ+ rights in the legal world and beyond.

The community impact honorees participated in a panel discussion on "Making a Career Working for LGBTQ+ Rights," sponsored by OUTlaw and moderated by Dean Melanie Leslie in February. (see accompanying article on page 49).

"You are making a tremendous difference in the world," said Leslie. "Knowing that you are making a difference in the lives of the people that you touch means so much to all of us here at Cardozo. You give us hope for the future, and it is our pleasure to honor you tonight."

Zach Dugan, the assistant director, Career Services and Center for Public Service Law, spoke to students about the need to continue to work for the public good in their legal careers. "Thank you for the light you bring to the legal profession, to your clients, their families and communities," Dugan said.

The Inspire! Awardees

COMMUNITY IMPACT HONOREES

Nina R. Frank '11

Outten & Golden LLP

Taylor Brown '17

ACLU LGBTQ & HIV Project

Deb Guston '88

Guston & Guston, LLP

Jason Starr '10

Human Rights Campaign

STUDENT SERVICE AWARDS

Emma Bratman '25

Tanuja Gupta '25

Gowri Cheepurupalli '24

Rachel Barkley '24

Shelley Wu '23

Peri Feldstein '23

CHAMPIONS OF CHANGE AWARDS

Davis Villano '23

Zoë Glaser '23

Molly Dower '23

LEADERS IN SERVICE AWARDS

Christopher Alexander '23, *Pro Bono Scholar*

Stephen Cucolo '23, *Pro Bono Scholar*

Juliana D'Alleva '23, *Pro Bono Scholar*

Zoë Glaser '23, *Pro Bono Scholar*

Abraham Hoffman '23, *Pro Bono Scholar*

Katherine Jenkins '23, *Pro Bono Scholar*

Meghan Kacsmar '23, *Pro Bono Scholar*

Jennifer Mikhaylov '23, *Pro Bono Scholar*

Alexis Narotzky '23, *Pro Bono Scholar*

Sharon Shimonova '23, *Pro Bono Scholar*

Tatsiana Zhuk '23, *Pro Bono Scholar*

Shelley Wu '23 & Briann Ricks '24

Courtroom Advocates Project

Bailey Cook Dailey '24

Suspension Representation Project

Chris Chuang '24

Suspension Representation Project

Tara Ansari '24

Suspension Representation Project

Chelsea Hill '24

Unemployment Action Center

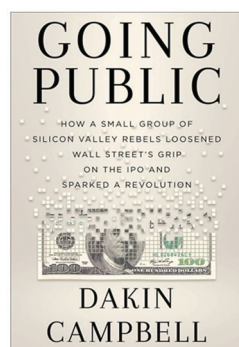
Julia Mark '24

Uncontested Divorce Project

Heyman Center Panels Focus on the FTC, FTX and IPOs

The Samuel & Ronnie Heyman Center on Corporate Governance hosted several events on hot-button issues in the world of technology and business, with a focus on the Federal Trade Commission (FTC), the high-stakes world of initial public offerings (IPOs) and the disgraced cryptocurrency company FTX.

In November 2022, Professor Rachel Landy, director of the Heyman Center, moderated a book talk with Dakin Campbell, chief finance correspondent at Business Insider, on his book *Going Public: How a Small Group of Silicon Valley Rebels*



Loosened Wall Street's Grip on the IPO and Sparked a Revolution.

The panelists discussed IPOs and how some startup executives, along with venture capitalists and bankers, have changed the game in recent years. They also discussed traditional

IPO norms, ethical obligations and the roles played by investment bankers, underwriters and lawyers.

In April 2023, academics and legal practitioners discussed practices on employee non-competes in *The FTC's Proposed Rule on Non-Competes*. The panel was moderated by Cardozo Professor Sam Weinstein. The discussion focused on whether the FTC has the power to create a rule that bans non-compete clauses. Members of the group discussed the administrative, antitrust and corporate law issues raised by the proposed ban and discussed the likelihood of its passage. At issue is whether company non-compete clauses protect too wide an array of information, creating an undue burden on employees.

"Companies have an enormous amount

of power over employees at the time of hiring," said Cardozo Professor Myriam Gilles, who was one of the panelists. "If everything is covered as protected information, can you ever leave?"

A third conference focused on *FTX and the Future of Crypto*, examining how the \$32-billion company FTX went bankrupt and how its billionaire founder, Sam Bankman-Fried, is known as one of the biggest financial villains in modern history.

The panelists, who included cryptocurrency experts and bankruptcy attorneys, gathered less than a month after the

collapse of FTX in November 2022 to ask what went wrong for the cryptocurrency exchange and what bearing it has on the future. It was moderated by Cardozo Professor Matthew Wansley.

The panelists discussed how cryptocurrency exchanges work, the legal issues faced by FTX, how its bankruptcy will play out and the legal liability that FTX executives, including Bankman-Fried, face.

"I think part of the challenge with unraveling what happened with FTX is unraveling all these pieces and their relation or independence of each other," Aaron Wright, blockchain and cryptocurrency expert, said.



JACOB BURNS CENTER FOR ETHICS IN THE PRACTICE OF LAW HOSTS TALKS ON LAWYERS ON THE EDGE AND ETHICAL ISSUES FOR THE SUPREME COURT

National headlines have focused attention on the ethics of lawyers, both those sitting on the highest court of the land and those who have fallen from public grace. The Jacob Burns Center for Ethics in the Practice of Law examined several of the most pressing examples of lawyers whose actions are under scrutiny, as well as justices on the high court who are facing pressure to develop their own ethical code in light of scandals and calls for term limits.

Two book talks focused on "*Lawyers on the Edge*." The first was with David Enrich, author of *Servants of the Damned: Giant Law Firms, Donald Trump, and the Corruption of Justice*. The second featured Andrew Kirtzman, author of *Giuliani: The Rise and Tragic Fall of America's Mayor*. Both political journalists, Enrich and Kirtzman examined the stories of legal practices that have raised ethical concerns.

Enrich, the business investigations editor for *The New York Times*, looked at the case of Jones Day, the firm that represented the Trump campaign and companies like Purdue Pharma. He discussed how law firms like Jones Day play an important and hidden role in protecting the powerful in business and politics. In the second talk, Professor Jessica Roth, co-director of the Burns Center, spoke with Kirtzman about the career of Rudy Giuliani, from his rise in the U.S. Attorney's Office, Southern District to his role as Donald Trump's personal lawyer, which led to him facing disbarment proceedings and being charged in Georgia with being part of a criminal enterprise that tried to overturn the presidential election of 2020.

In September, the Burns Center welcomed Adam Liptak, the Supreme Court correspondent for *The New York Times*, for a discussion moderated by Professor Roth and Professor Alexander Reinert, the director of the Center for Rights and Justice. The spotlight focused on ethical issues facing the court and how they might play out. Additional topics included challenges to the court's legitimacy and the upcoming and recently decided cases on abortion rights, gun regulations, affirmative action and same-sex marriage.



FAME Center Reflects On 50 Years of Title IX with Panel Discussions

Cardozo's FAME Center for Fashion, Art, Media and Entertainment Law commemorated the 50th anniversary of Title IX through several sports-related programs this spring, including a series of two online events where panelists discussed and explored the historic Title IX civil rights law.

Title IX was signed into law by President Nixon in 1972 and has its origins in the civil rights and women's liberation movements. Title IX made it illegal to discriminate, on the basis of sex, in any school or educational program receiving federal funding. Before Title IX, women were often excluded from educational sports programs due to quotas for female admission or outright prohibition of female attendance. Today, Title IX applies to all schools, local and state educational agencies and institutions that receive federal financial assistance from the Department of Education, which prohibits discrimination on the basis of sex, sexual orientation or gender identity.

During the first conference, held in January, panelists discussed the journey to achieve safety and transparency in elite women's gymnastics after a tumultuous several years in which a sexual abuse scandal drew national media attention. Much of their discussion focused on the story of Larry Nassar, the former sports medicine physician and convicted serial child rapist, who for 18 years was the team doctor of the United States women's national gymnastics team.

The panel consisted of Jessica Armstrong, a mother, lawyer, activist and former elite gymnast, Mary Pilon, a journalist who reports on sports and business and Jill Yesko, a

former cyclist who represented the United States in the 1983 World University Games and competed in the Olympic Trials.

Pilon, who, along with Carla Correa co-authored the audio series *TWISTED: The Story of Larry Nassar and the Women Who Took Him Down*, said part of her mission was to learn how the abuse happened. To do that, she listened to those who were most affected.

Pilon also spoke with people in various fields for several years and concluded that every level of the system failed to protect the gymnasts. This included the people who were in a position where it was mandatory to file a report if they suspected something, the police departments and the FBI.

She said that the Nassar case may have opened the floodgates for people who now see that abuse exists throughout the sports world.

"I think it's important to have conversations like this," Pilon said. "News stories go away. I think it's up to us to keep these issues alive because they are not dead for the people who lived through them and survived them."

Armstrong echoed the sentiment and said it was necessary to help ensure that there is no shame for athletes to come forward with their stories.

In March, the FAME Center went

on to focus on soccer, hosting Playmakers for Equality: Title IX, USWNT & Landmark Cases in Women's Soccer. Kim Turner, the director of the gender equity initiative at Positive Coaching Alliance, served as the moderator. She was joined by the panelists, Jeanifer Parsigian, a partner of Winston & Strawn, LLP, who represented the Women's National Soccer Team in its legal pursuit for equal pay, Abby Greensfelder, a producer of LFG and the founder and CEO of Everywoman Studios, and Jayma Meyer, counsel for Simpson & Thacher.

The focus of the discussion was the discrimination lawsuits that were filed and the fight for equal pay in women's soccer. Parsigian said that despite the overwhelming success of the Women's National Soccer Team, the players were underpaid and underpromoted. Although it took several years, proceedings showed how popular the team was with viewers and sponsors, and they eventually came to an agreement.

However, Greensfelder noted that a court ruling does not mean the work is completed and went on to say that there is more to do to continue supporting women in sports.

"We all have to invest on a personal level, we have to buy the shirt and go to a women's game," she said.

In addition to discussing the enduring impact and complicated legacy of Title IX, The FAME Center held more events and discussions, including how unionization efforts are currently affecting the world of sports and beyond.

The topic of sports was also front and center in Labor Law: Sports, Starbucks, Amazon and Recent Union Activity from a Historical Perspective, co-sponsored by the Sports Law



Society, the Labor and Employment Law Society and the Business Law Society.

The panel discussed labor law and labor relations litigation. Panelists observed the recent uptick in active efforts for athletes and other employees to unionize, as well as the circumstances surrounding the unionization efforts of Starbucks and Amazon.

The panel, moderated by Professor David Rudenstine, featured distinguished panelists, including Gwynne A. Wilcox of the National Labor Relations Board (NLRB), Professor of Practice David J. Weisenfeld and Former Adjunct Professor Dan Silverman, who held various positions at the NLRB, including Regional Director in Manhattan and Acting General Counsel.

Other notable events held by the FAME Center included Breaking into Fashion Law, Diversity in the Music Industry and Beyond the Filter: A Legal Discussion on Copyright Infringement in the Social Media Age.

Cardozo's externship program is one of the largest in the nation

“My involvement with the Writers Guild of America West provided me with hands-on legal experience ... My time working on picket lines allowed me to gain invaluable insights from the ‘client’ perspective, solidifying my commitment to advocating for creatives and safeguarding their rights.”

—ALASTAIR MECKE 2L

Externship: Writers Guild of America West
Plans to pursue entertainment law



Professor Peter Markowitz Co-Hosts Workshop in Kenya to Teach Local and County Governments How to Help Refugee Integration

Professor Peter Markowitz, co-director of the Kathryn O. Greenberg Immigration Justice Clinic, traveled to Kenya this summer to help lead a workshop exploring the role that county governments in Kenya could play in supporting refugees. The workshop was co-hosted by Cardozo's Floersheimer Center for Constitutional Democracy, as well as Kenyan organizations Kituo Cha Sheria, RELON-Kenya, University of Nairobi Faculty of Law and Youth Voices Community.

Kenya is home to the largest refugee camp in the world, Dadaab, which houses many fleeing civil war and famine in neighboring Somalia. The camp was founded in 1991, and with nearly 218,873 registered refugees living there as of July 2020 according to the United Nations, international organizations struggle to keep up with demand for resources. In 2010, Kenya enacted a new constitution that greatly enhanced the powers of county governments, opening up new opportunities for counties to aid refugees and protect their civil rights.

In Kenya, as in the United States, the national government has primary responsibility for immigration and refugee matters. However, at the workshop, Markowitz explained how in the United States, some state and local governments have passed laws to aid immigrant integration through the provision of proper identification, driver's licenses, labor protections, legal representation, language access and limits on police involvement in deportations. The Cardozo clinic has been an innovative force in such state and local initiatives. Cardozo students developed the legal theory underlying the sanctuary laws, which have proliferated around the nation and were central players in the design and passage of the nation's first immigration public defender system in New York.

Other presentations and panels included information on similarities and differences between the U.S. and Kenyan legal systems and what that means for adapting U.S. strategies for refugee integration and some of the opportunities and obstacles county governments face when adopting these approaches. Following Markowitz's visit, the Cardozo clinic has taken on representation of Youth Voices Community to support its effort to improve the economic integration of refugees into the Kenyan economy.



➊ Honoree Juan Otero '94, second from the right, is joined by Alumni Leadership Council Co-Chair Maurice Robinson '09 and BALLSA Alumni Group Co-Chairs Amanda Sewanan '20 and Alexandra Nieto '19.



BALLSA Honors Juan Otero '94, Raises \$50,000 for Martinidez Scholarship

The Black, Asian & Latino Law Students Association Alumni Group (BALLSA) held its 13th Annual Alumni Dinner on March 30, marking the first time since 2019 that the event has been held in person.

The theme of this year's dinner was *Honoring Cardozo's Path Makers: Celebrating those who have forged a path forward in the legal world for themselves and future Cardozo BALLSA generations*. The evening's honoree was Juan Otero '94, who personifies the theme as a path maker. Otero is the senior vice president of diversity, equity and inclusion for Comcast NBCUniversal, where he oversees operational management of the company's Diversity, Equity and Inclusion efforts across the corporate enter-

prise. Previously he served as Director of Economic Development and Commerce for the National Governors Association and as Deputy Director at the U.S. Department of Homeland Security.

BALLSA dedicates itself to creating more equitable spaces at Cardozo as well as in the legal and business professions. As part of that commitment, BALLSA raises critical funds for underrepresented students at Cardozo, providing financial resources and increased opportunity. Money raised by the BALLSA Dinner supports The David Martinidez Scholarship.

BALLSA Alumni Group Co-Chairs Alexandra Nieto '19 and Amanda Sewanan '20 received thunderous applause upon announcing that the group successfully reached its goal of raising \$50,000 for the Martinidez Scholarship.

"We want to thank all of you for supporting the scholarship and for being here with us tonight," said Nieto. "It's so great to see you here, and we look forward to seeing you again in the future!"

During his acceptance speech, Otero spoke about his family, and particularly his father, who worked extra shifts as a cab driver to help him get through law school, as well as the family he found through BALLSA.

"I can say that in addition to a first-class education, in addition to all of the texts and teachers, what I found at Cardozo was this amazing community. That is something that's so very special about this place," Otero said. "As I look at my BALLSA and Cardozo family here, it touches my heart to see you all here. It truly moves me."

The Martinidez Scholarship was named in honor of Cardozo's Associate Dean of Admissions, whose dedication to diversity and inclusion throughout his tenure greatly helped generations of students achieve their goals.

Cardozo Welcomes Its Newest Students

Cardozo welcomed the J.D. Class of 2026 and the largest LL.M. class in its history during a busy and festive orientation week. Students came from all over the country and around the globe, including South Korea, Ghana, France and Israel, to study in New York.

Jeanne Estilo Widerka, the associate dean of admissions, highlighted the variety of experiences the J.D. class drew from—their ranks include a pastry chef, a paratrooper, crisis center workers, accountants, research analysts and journalists. Their academic credentials are equally impressive, with an average LSAT score of 164 and GPA of 3.79, the highest in the law school's history.

Dean Melanie Leslie, an alumna, spoke of her transformative time as a law student and advised the students to “make this journey joyous. It is an investment—of money, of time, of mental and emotional resources. So make it your own.”

She added that “we chose you because we believe in you. We know you have what it takes. Embrace this new adventure with joy. Give it your all. You'll be forever changed.”

Students also heard from Jenn Kim, dean of students, and several alumni. LL.M. students were welcomed by Associate Dean Val Myteberi and keynote speaker Rob Doerfler '07, in-house counsel at Mars Inc., one of the largest privately held companies in

the country. The J.D. students heard from several students as well as keynote speaker Parvin K. Aminolroaya '08, a partner at Seeger Weiss, who stressed the value of the Cardozo community and the connections they can find for support in their careers.

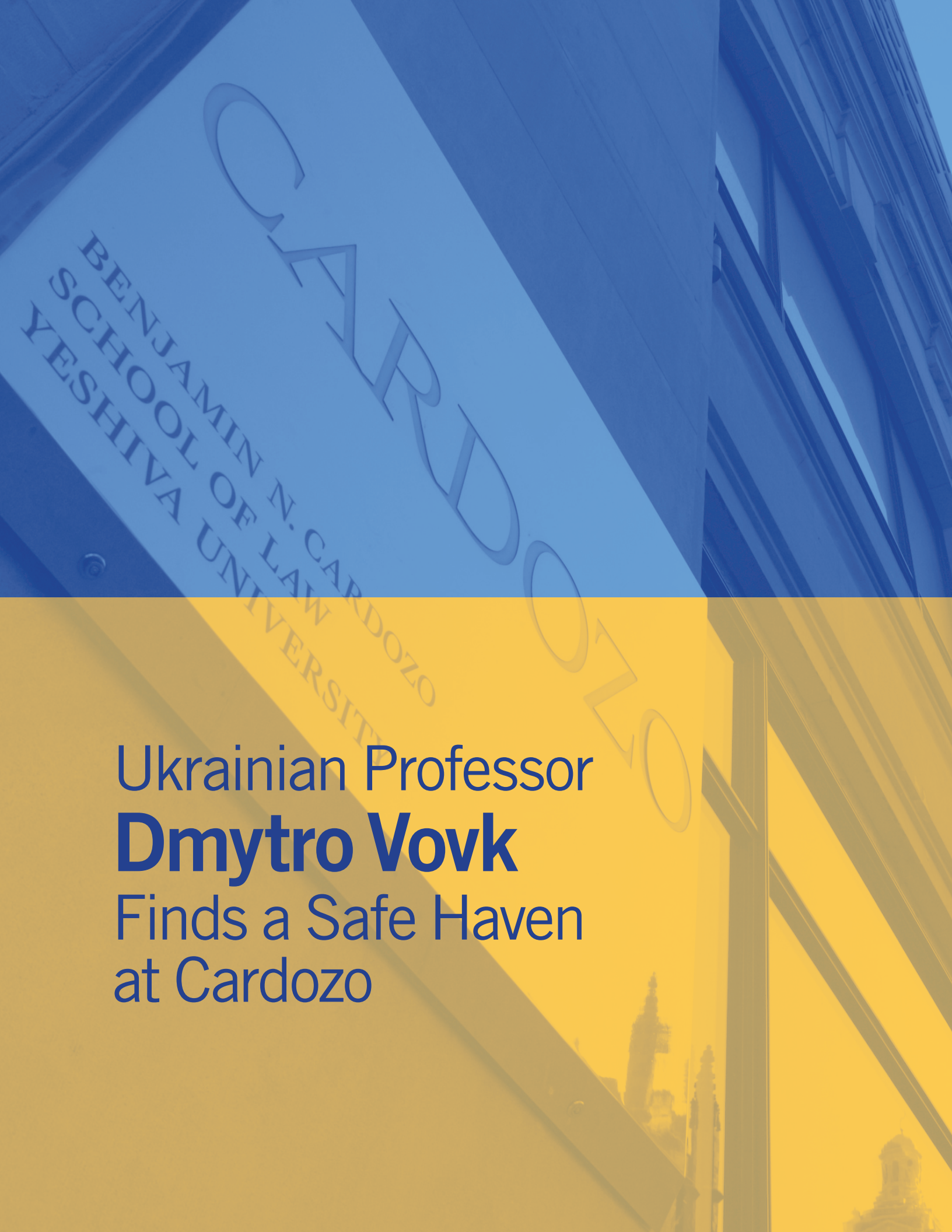
As Cardozo graduates know, students start their careers with Elements of Law, taught this year by Professor Michael Eric Herz, who co-wrote the Elements textbook with Professor Emerita Eva Hanks. Also teaching the course were Professor Leslie S. Newman and Professor Edward Stein.

On the last day of orientation, Justice Dianne T. Renwick '86 administered the law student oath to the assembled class in the Third Floor Lounge. Renwick is the presiding justice of the New York State Supreme Court, Appellate Division, First Department, a devoted Cardozo alumna and Cardozo Board of Overseers member. In remarks before giving the oath, Renwick spoke warmly about the Cardozo experience and the welcoming community of students, faculty and administrators.

On Friday, after a packed orientation schedule, students headed to Chelsea Piers for the annual boat ride around Lower Manhattan, getting to see the city that will be their home for the next several years.



Dean Melanie Leslie and Justice Dianne T. Renwick, Presiding Justice of the New York State Supreme Court, Appellate Division, First Department, with the J.D. Class of 2026 after administering the student oath.



Ukrainian Professor
Dmytro Vovk
Finds a Safe Haven
at Cardozo

When Dmytro Vovk taught *The Rule of Law in Context* this spring, Cardozo students heard his firsthand account of how he witnessed the Russian invasion of Ukraine from his home just 30 miles from the Russian border. After the war broke out, he had to quickly decide how to protect his family.

"I spent five days in Kharkiv and then realized it wasn't safe and I sent my family away to the E.U.," he said.

Vovk, a visiting law professor at Cardozo, taught law at Yaroslav Mudryi National Law University in Ukraine, where he ran the Center for the Rule of Law and Religion Studies. He also taught at Ukrainian Catholic University in his home country.

Following the Russian invasion of Ukraine, Vovk relocated to the United States temporarily with support from Yeshiva University, Cardozo School of Law and Etta Brandman, a trustee of the Vivian G. Prins Foundation.

As a scholar who specializes in the rule of law and human rights, Vovk was shocked by the invasion. Until about a week before the war began, he thought it would never happen.

"It makes no sense," he said. "The whole justification of the war offered by Russian President Vladimir Putin is nonsense."

He said that unlike many other conflicts, the Russia-Ukraine War has no real security, geopolitical or economic issues behind it. Rather, it is Putin's own "ridiculous philosophy, and Russian society's support or at least acceptance of the war for some imperialist phantom idea."

Vovk's legal area of expertise is law and religion, which put him in contact with scholars and other professionals in the United States throughout his career who approached him about teaching here.

Through his scholarly contacts, he met Dr. Stuart Halpern, senior advisor to the Yeshiva University provost and deputy director of the Straus Center for Torah and Western Thought. One of Halpern's scholarly goals is to continuously advance the idea that Jewish texts and values can inform the global moral conversation. Support for Vovk was a natural outgrowth of that work.

Speaking at an event at YU in the spring, Vovk said that Russia's invasion has had profound implications for the expression of religious freedom.

"Russia and its bloody attack against Ukraine have turned the most religiously pluralistic Ukrainian regions [Donbas and Crimea] into the territory of the grossest violations of religious freedom in Europe," he said. "Several

religious groups, which had been flourishing before 2014, disappeared or left the region, and they presumably will never come back, even when the war is over."

Vovk is working on a book, *The Church of the Enemy*, which examines how the state can regulate religions that are potentially disloyal to the government during times of war, from a human rights perspective. He studies how war affects state politics and how countries in conflict should comply with international human rights laws, which he said are being completely violated by the Russians.

Since coming to Cardozo, he has met with and had

support from many colleagues, including Professor Michel Rosenfeld, the University Professor of Law and Comparative Democracy and a renowned scholar.

Vovk has seen the dissolution of support for Russia in Ukraine up close.

"The Russian soldiers really thought they would be welcomed," he said. "They were stunned."

Vovk said that while Russian media had fed lies to Russian citizens about the war, there was also a massive failure of Russian intelligence in understanding how average Ukrainians would respond to their country's invasion.

Until 2014, when Russians annexed Crimea, he said that Putin was quite popular, especially in eastern and southern parts of Ukraine, and could have held influence over the population.

"Any support for Russia or its politics is gone now," Vovk said. "No matter the outcome of this war, there will be no acceptance of Russian culture, church, language or media—none of the soft-power things necessary for Putin if there is a plan to eventually control the country."

Although it has been difficult, Vovk and his family are acclimating to life in America. This fall, Vovk began teaching a class on religious freedom and gender equality.

His older daughter has settled into school in Manhattan with the help of friends and colleagues at YU.

"She really enjoys it so much, more than she did in Ukraine," he said.

Vovk hopes to eventually return to his homeland.

"The plan is to go back home, of course," he said. "But it must be safe for my kids."

Vovk said his family is in a better situation than most people in eastern Ukraine and pointed to the millions suffering there.

"I appreciate the support of the law school and the university community very much," he said. "Their response and the support for Ukraine in the West has been critical to helping defend our country in the face of the catastrophe that is happening there." ■





Nargis Baran

Escaped Afghanistan
to Begin a New Chapter
at Cardozo

After a harrowing escape from her war-torn homeland, Nargis Baran, an Afghan legal professional, started a new chapter this spring with help from Cardozo, Brooklyn Law School and Fordham Law School. A lawyer working to bring democratic institutions to Afghanistan, she watched as the Taliban took control and tore apart all she had dreamed for in her country. Through a concerted effort that lasted over a year, Baran is finally in New York working and soon to be teaching at Cardozo as a visiting fellow.

In 2018, Baran returned to Afghanistan from the United States with an LL.M. degree from Ohio Northern University in Democratic Governance and the Rule of Law, having previously studied banking law, commercial law and employment law.

Baran got a job in Kabul as a legal specialist at the largest international bank in the country. Baran also volunteered with the Afghan-US Law Alumni Association's Public-Private Partnership for Justice Reform in Afghanistan. She trained judges and prosecutors on modern law and technology, government reform and the rule of law.

"I was extremely hopeful," she said. She felt that with the international community's support and the United States military protections, Afghanistan was entering a new era.

Then, on Aug. 15, 2021, the Afghan government collapsed, ceding power to the Taliban.

"I was preparing training materials for the prosecutors in the attorney general's office. I was looking out from my balcony and saw people just running. I turned on my mobile and saw that the government had fallen to the Taliban," Baran recalled. "For five or six hours, I was just sitting, stunned. My mom said, 'They have captured the government.' We sat alone in our apartment. No males in the house. It was very scary."

The next day, Baran called her boss at the bank to ask whether she should come to work. "Are you kidding?" he said.

The bank's operations were in disarray, and there was concern that if women were seen working, the office would be shut down.

"Even now, I cannot believe it," Baran said from her office at Cardozo. "I was in a state of shock."

Baran, her husband and her mother were forced into hiding and prevented from escaping the country by Taliban gunmen. She remained in Afghanistan until Oct. 18, 2021, when she was able to flee.

Her first attempted escape came when a U.S. colleague arranged for 10 scholars and their families to get to the airport. They walked for four hours but arrived to find the Taliban soldiers shooting and preventing people from

going into the airport. Determining that the risk to their lives was too great, they walked back home.

Their escape finally took place in October when the family went to another province, where they were able to get on a bus with nothing more than one backpack and travel documents. U.S. State Department operatives put Baran and her family on a plane, without her knowing where it was headed. They landed in Abu Dhabi and were sent to a refugee camp, where they lived in a one-room apartment for more than a year.

A coalition of legal experts and law schools, including Cardozo, from across the United States worked for months to help Baran and 95 other Afghan legal scholars escape and find stable residency elsewhere. They found fellowship placements for the scholars that would give them employment at universities throughout the United States and pave the way for work visas. Working across disciplines, time zones and mountains of paperwork, the collective effort found placements for the 96 scholars. In May, Baran began her fellowship at Cardozo.

Cardozo's Dean Melanie Leslie worked with the deans of Brooklyn Law School and Fordham Law School and mobilized the Cardozo administration to create the fellowship and make necessary arrangements.

Associate Dean of International Programs Val Myteberi, communicated frequently with Baran in Abu Dhabi to help keep her spirits up, while working on the extensive paperwork that was required.

Professor Edward Zelinsky also played a decisive role. His son, Aaron, a lawyer who formerly worked for the State Department, helped make the connection to Cardozo.

Brooklyn Law School provided a three-bedroom apartment for Baran. Fordham Law School also played a critical part in the rescue plan, contributing funding and other support.

Baran, along with her husband and mother, is acclimating to life in Brooklyn. In her work for Cardozo, she will be conducting scholarship in her area of law, with hopes to teach commercial law in the United States after her fellowship ends.

"We are so happy that Nargis and her family are finally here, in New York at Cardozo," Dean Leslie said.

Myteberi said, "There are people in similar situations who may not be able to enter the country for years. It puts things in perspective when you see the importance of the work we do to help."

"I am so grateful to everyone at Cardozo and to those who helped us escape," said Baran. "My wish is to continue working in education and to someday have a role in the spread of democracy in the world." ■

Cardozo Faculty in the Media

In addition to their legal scholarship and classroom expertise, Cardozo professors appear frequently on major media outlets.

Here is an overview of news analysis, opinion and commentary from the faculty. ➡



Scan to view the articles on our website



JESSICA ROTH

Jury Finds Trump Liable for Sexual Abuse and Defamation in E. Jean Carroll Case

AC360° CNN

"I think that the throughline through this trial was about the pattern, the consistency of what he had done to those two other women who came forward, with the account that E. Jean Carroll gave and the Access Hollywood tape."

Professor Roth has also appeared on the PBS NewsHour, CNN's Anderson Cooper 360 and in other media outlets to discuss the allegations, indictments and court cases against former president Donald Trump as they unfold.



EDWARD ZELINSKY

The Biden Proposals on Private Foundations Should Go Further

Tax Notes

"It has become customary to dismiss a president's budget proposals as dead on arrival, particularly when a president confronts one house of Congress controlled by the other party. But long-term political realities are more complicated. Proposals once declared dead on arrival have a way of resurrecting in the long run. It thus behooves the supporters of

Biden's proposals for private foundation reforms to couple them with recommended code amendments that would extend sections 4940 and 4942 to DAFs. There may not be an immediate payoff to that advocacy. But it ultimately makes sense to establish parity between private foundations and DAFs by subjecting DAFs to the same annual minimum payout rules and modest income tax payments the code imposes on private foundations."



KATE SHAW

The Abortion Pill Ruling Is Bad Law, and the Biden Administration Should Fight It

The New York Times

"This lawsuit and this decision paint a chilling picture of how unconstrained corners of the federal judiciary have become and what's likely to come next in the legal and political fights over abortion. Many abortion opponents in the run-up to Dobbs argued that the problem with *Roe v. Wade* was that it removed the question of abortion from the democratic process. But the post-Dobbs era has seen abortion opponents only double down on efforts not to let the states or the people decide for themselves but to undermine access to abortion in every state."



MICHAEL POLLACK

When Your Neighbors Become Your Overlords

Vox

"Most states have some statute on the books that says something about the circumstances under which a court should not enforce a particular HOA (Homeowners Association) rule or something like that, but usually, those statutes are written to say something like a court should not enforce a restriction or the rule if it is totally arbitrary or against public policy, which is a very narrow set of things. It's almost unheard of for a court to intervene in the day-to-day."



SAURABH VISHNUBHAKAT

Whistleblower Ruling Stirs USPTO Transparency Concerns

Law360

"There's a finding here that Judge Fitzpatrick's belief that expanded panel rehearings in the Adidas-Nike case was unlawful. It's likely the office will appeal to get a contrary holding, one that says that any belief that this is unlawful can't be reasonable because as long as a belief to the contrary is reasonable, there's a cloud of doubt of legality over what they are capable of doing under the [office's] standard operating procedure."

FACULTY IMPACT in the media



JACOB NOTI-VICTOR

Ed Sheeran Trial Shows Mashups Are Hardly A 'Smoking Gun'

Law360

"The mashup was likely supposed to indicate that Sheeran was familiar with "Let's Get It On" and that he understood some of the technical similarities—such that it "wouldn't be a reach to sort of circumstantially conclude he copied the song. But from what I understand, this is the kind of thing that musicians [and] songwriters love playing around with—especially because with pop music, there are so many common chord [progressions] that occur. I wouldn't have read it as a smoking gun, and I'm glad the jury didn't either."



ALEXANDER REINERT

NYC Agrees To \$53 Million Settlement in Lawsuit Over Solitary Confinement At Rikers Island and Other Jails

NY Daily News (Inside City Hall NY1)

"The Board of Correction has made progress towards ending inhumane

practices of restrictive confinement in New York, but the Department of Correction tried to end-run around those reforms with practices that we challenged here. We hope this litigation will ensure that the City permanently ceases this practice, and that the settlement will provide much-deserved compensation to the people who were subjected to it."



PAMELA FOOHEY

More Auto Payments Are Late, Exposing Cracks in Consumer Credit

Wall Street Journal

"The households that were on the financial ledge to begin with might have been tipped to the point where it's hard to keep up on the car loan and everything else, and people have to make some very hard decisions."



ANTHONY SEBOK

Pressure Grows On Supreme Court To Embrace Ethics Reforms

The Hill

"I think to most people who think seriously about democratic norms, it is simply absurd that anyone who occupies the office of the judge does not conform to an articulated set of codes of ethics. Now, if that means that we are at a point now where we

have just realized that we have a gap here, and we need to go back to the branch that is independent of the original branches and tell them they have to come up with a code of judicial ethics, that would simply be a reasonable alternative."



KATHRYN MILLER

NYC Bike-Path Killer Avoids Death Penalty as Jurors Split

Bloomberg

"The history of the death penalty is a history of arbitrariness. The process of "death qualification" bars jurors who are opposed to the death penalty from serving on capital punishment juries, which she said can result in a skewed and biased jury."



LUÍS CALDERÓN GÓMEZ

Too Good to Be True: Private Placement Life Insurance Policies

Tax Notes

"PPLI policies seem like they are here to stay. While the government appears to have caught on to the rampant abuse of these instruments by ultra-high-net-worth individuals, congressional investigations and one-off fines are unlikely to stem their abuse. A legislative fix, while plausibly optimal from a policy

perspective, is unlikely in a divided Congress. That, however, does not mean that the government is out of luck. The IRS has several tools at its disposal, such as revoking unduly lenient rulings that have unintentionally facilitated the abuse of PPLI and engaging in strategic litigation.”



DERRICK HAMILTON

How Do You Build Trust With Incarcerated Clients? Exonerated Jailhouse Lawyer Has Ideas

ABA Journal

“Attorneys often expect incarcerated clients to lie and vice versa. A good way for lawyers to build trust with incarcerated clients is recognizing that for some case details, such as what a certain neighborhood is really like, clients probably have a better sense of things than the counsel.”



YOUNG RAN (CHRISTINE) KIM

Battle Over Taxing Digital Ads Goes Before Maryland Justices

Bloomberg Law

“Maryland has said that it is going to use the tax revenue for educational programs, and I think this is a very good policy to achieve a more distributional goal for the state government.”



KATE LEVINE

Murder charges against San Antonio officers are unusual

Axios

“When you have these high-salience events, I think you do see charges in a way that you wouldn’t have perhaps in the past.”



ANDREA SCHNEIDER

AI is a concern for writers. But actors could have even more to fear

CNN

“I think that’s hard with AI because they’re negotiating about something that no one is certain what the impact will be years from now.”

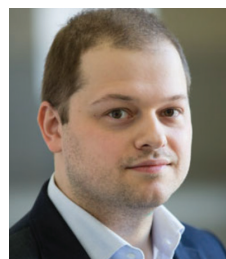


MAURICIO NOROÑA

Deported 20 years ago, Brooklyn man’s extraordinary fight to return reaches an end

WNYC and Gothamist

“One of the most fulfilling experiences I’ve had working in the clinic was meeting Lorenzo and supervising the students who worked on his case. Despite the injustices he had endured in his life, Lorenzo remained relentlessly optimistic. This inspired the students to take on the highly complex factual and legal puzzle to secure his return.”



DMYTRO VOVK

Advances ‘Persecution Campaign’ Against Evangelicals in Ukraine: ISW

Newsweek

Vovk said that “at least 26” religious leaders had been killed in Ukraine since the war began on Feb. 24, 2022, while “many others” had been “detained, tortured or subjected to humiliating treatment.” See story on Vovk’s journey to Cardozo on page 14.



Faculty Scholarship with Impact

An important way to assess the excellence of any law school is to look at the engagement of its faculty members in advancing legal scholarship in their writings. The Cardozo faculty placed #33 in the nation according to the Sisk Study on Scholarly Impact rankings. Cardozo professors are shaping the intellectual discourse on law, democracy, culture and public policy. **Following are some of their recent contributions to law school journals!** ➡



Scan to view the articles on our website



REBEKAH DILLER (and co-authors)

**Reflections on Fees and Fines
as Stategraft**

NYU Law Review Online

"Many criminal legal system fees and fines practices can be characterized as "stategraft"—a concept developed by Professor Bernadette Atuahene to describe situations in which state agents transfer property from individuals to the state in violation of the law or basic human rights. The stategraft frame, with its focus on illegality, fits with much of the litigation and advocacy against unconstitutional fees-and-fines practices that have occurred over the last decade. Exposing illegal practices such as the operation of debtors' prisons laid the groundwork for a more fundamental critique of the use of the criminal legal system as a revenue generator for the state. The Essay cautions, however, against relying too heavily on illegality to describe what is wrong with fees-and-fines regimes in light of the limited legal protections against state practices that saddle those who encounter law enforcement with debt. Relying on an illegality critique may make it harder to attack entrenched practices that courts are inclined to bless as legal and obscure more fundamental dynamics of predation and regressive revenue redistribution."



**PAMELA FOOHEY
(with Christopher K. Odinet)**

**Silencing Litigation Through
Bankruptcy**

Virginia Law Review

"By funneling onslaught litigation into bankruptcy, corporate defendants use chapter 11 to deny people the ability to participate in the justice process and to hurriedly shut down the truth telling and concomitant public airing that can come from that process. This Article shows how the reorganization process has been twisted to resolve onslaught litigation such that now its use is largely inappropriate."



JOCELYN GETGEN KESTENBAUM

The Myth of Slavery Abolition

UC Law SF Journal

"International human rights law prohibits slavery and the slave trade, but states are rarely held accountable. International human rights law advocacy neglects slavery and the slave trade in part because abolition marginalized the human rights of enslaved persons while consolidating empire. ... Thus, human rights advocates should press international legal institutions to go beyond combatting human trafficking crimes and to focus additionally on state

accountability for wrongs done to the human beings still exploited, enslaved, and slave traded today."



PETER GOODRICH

**Against the Spirit of the Age:
The Rationale of Relational Contracts**

Oxford Journal of Legal Studies

"The increasing use of images in case law and precedent in the common law world provides a novel visual atlas of how lawyers see. Using a corpus of many images drawn from decisions in different common law jurisdictions across the globe, *Judicial Uses of Images* catalogues, analyzes, and reviews the normative significance and affective force of this new medium of legal expression and judgement. The remediation of law is critically dissected in the terms of the emergent optical criteria and protocols of retinal justice."



MICHAEL HERZ (and co-authors)

Disclosure of Agency Legal Materials

*Michigan Journal of Environmental
and Administrative Law*

"Agency legal material is of paramount importance to the public. From the standpoint of good government principles, as attested by numerous past ACUS recommendations,

FACULTY SCHOLARSHIP with impact

agencies have an affirmative duty to disclose their legal materials. Congress now should step in to make those good-government principles ones that are both legally binding on agencies and practically meaningful.”



MYRIAM GILLES

Arbitration's Unraveling
Penn Law Review

“The 21st century has been a bleak one for proponents of collective litigation. The hegemonic rise of class-banning arbitration provisions has thwarted workers and consumers across the legal landscape, as the FAA has grown into a super-statute, frozen in a 1920's conception of individual claiming.”



RACHEL LANDY

Exit Engineering
NYU Journal of Law & Business

“Startup lawyers have a new name: exit engineers. Startup lawyers create value for clients by anticipating issues that could arise in a future exit transaction (an acquisition or an IPO)

and helping their clients address those issues proactively, thereby “engineering” the transaction costs of that exit. In doing so, startup lawyers make deals happen that might otherwise fail, enabling more efficient use of the parties’ resources. In turn, this facilitates reinvestment into the broader technology ecosystem; profitable liquidity events enable VCs to fund more enterprises and innovation. Successful exit transactions lead to more, new successful ventures.”



KATE LEVINE (with Benjamin Levin)

Redistributing Justice
Columbia Law Review

“In this Article, we offer a novel theory for what animates the seemingly conflicted attitude among progressives toward criminal punishment—a vehicle for redistributing power and privilege. We examine this redistributive theory of punishment via a series of case studies: police violence, economic crimes, hate crimes and crimes of gender subordination.”



MICHAEL POLLACK

Sidewalk Government
Michigan Law Review

“Sidewalks are critical public resources. Unique among public spaces, sidewalks are home to an incredibly

wide array of users and uses, all of which contact and conflict with one another in numerous ways. Sometimes these encounters enhance the users’ experiences and produce happy collaborations; often, they detract from those experiences and risk producing a chaos that degrades the space for everyone. Management and coordination are sorely needed.”



STEWART STERK (with Reid Weisbord)

A New Framework for Condominium Structural Safety Reforms
UC Irvine Law Review

“Condominium safety is an issue of importance to millions of Americans. The Champlain Towers tragedy is a painful reminder that dangers not apparent to the untrained eye may impair the structural integrity of high-rise buildings, and that condominium board, if let to their own devices, may blind themselves to the attendant risks.”



MATTHEW WANSLEY

Regulating Automated Driving
Emory Law Review

“NHTSA should use its investigative powers to monitor new technology as it comes to market. If a new automation system has a positive net impact on safety, NHTSA should let the experiment continue. If it creates

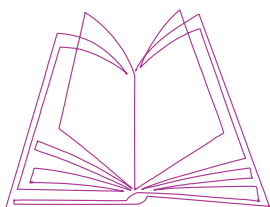
unreasonable risks, NHTSA should tell the developer to go back to the lab and design safer software. Developers should learn that the easiest way to avoid regulation is to prioritize safety in development. In that way, NHTSA can finally realize its mission to channel the creative energies and vast technology of the automobile industry into a vigorous and competitive effort to improve the safety of vehicles.”



SAMUEL WEINSTEIN
(with CHRIS BUCCAFUSCO)

Antisocial Innovation
Georgia Law Review

“Innovation is a form of civic religion in the United States. Popular and political culture alike treat innovation as an unalloyed good. And the law is deeply committed to fostering innovation, spending billions of dollars a year to make sure society has enough of it. But this sunny vision of innovation as purely beneficial is mistaken. Some innovations, like the polio and Covid-19 vaccines, are unquestionably good for society. But many innovations are, on balance, neutral, and many more are simply bad for society (e.g., cigarette additives, worker surveillance, firearm bump stocks). This Article argues that a fuller conception of innovation’s costs and benefits counsels a radical reorientation of innovation law and policy.”



Taxing the Metaverse

Georgetown Law Journal



YOUNG RAN (CHRISTINE) KIM

On October 28, 2021, Facebook rebranded to Meta and declared that its long-term goal was to “bring the Metaverse to life and help people connect, find communities and grow businesses.” This bold announcement brought the term ‘Metaverse’ into the collective public consciousness: “an expansive network of digital spaces, including immersive

3D experiences in augmented, virtual, and mixed reality, that are interconnected and interoperable so you can easily move between them, and in which you can create and explore with other people who aren’t in the same physical space as you.”

To be sure, the future and potential of the Metaverse are uncertain, but any version of a metaverse will entail significant economic activity—including the ability to consume, create, trade, and accumulate digital items with real economic value—and current regulatory frameworks are entirely unprepared to address it.

For example, consider the online virtual world known as Second Life. Users initially create an avatar to interact within this virtual world in ways similar to reality, including listening to music and watching movies. More importantly however, Second Life allows users to engage in a variety of economic transactions using virtual currency known as Lindens. Users can earn Lindens in a variety of ways. Some of the more traditional methods include getting a job, creating an own business and selling things, or hosting events for other players and charging a small fee. The economic activity in Second Life has already produced a real-life millionaire.

There is therefore no significant difference between how users earn income and accumulate wealth in the Metaverse and in reality. So Metaverse income and wealth are theoretically within the right of any sovereign to tax. Furthermore, Metaverse taxation can play a significant regulatory role by enhancing information reporting and transparency in the virtual economy. But imposing a tax on the Metaverse is uncharted territory. This Article unearths and explores a number of the associated challenges and outlines how taxing the Metaverse might work. I discuss the taxability of imputed income, rewards, and intra-Metaverse transactions. I also discuss the timing of taxation—that is, whether economic gains within the Metaverse should be taxed immediately upon receipt or deferred until realization or cash-out from the Metaverse.

Ultimately, I argue that assets or wealth in the Metaverse should be taxed immediately upon receipt. I endorse a mark-to-market method known as the ULTRAs (unliquidated tax reserve accounts) system to overcome the intrinsic valuation and liquidity challenges of Metaverse taxation. Indeed, the Metaverse, in conjunction with the ULTRA system, might present the perfect opportunity to experiment with taxing income that has escaped the tax base or deferred due to administrative reasons. However, even if the ULTRA system is rejected, I still urge policymakers to push for immediate taxation of exchanges between Metaverses (e.g., trading crypto for a virtual good).

continued

FACULTY SCHOLARSHIP with impact

TAXING THE METAVERSE

Lastly, I explore potential compliance issues in taxing the Metaverse. The first step is to identify the proper tax jurisdiction—the residence of the taxpayer or the source of the income. The tax authority will likely rely on the users'/gamers' IP addresses for residence taxation. However, it will be challenging to find the correct address since individuals can easily disguise their IP addresses. For source taxation, the Metaverse's server location is a highly plausible tax nexus. However, it is still only a proxy for the Metaverse, which has no physical location. In some ways, the Metaverse is everywhere and nowhere all at once. If server location is considered an improper nexus for sourcing income, the locations of Metaverse platform companies might be a good and practical option. Also, since these platforms create and run the new virtual world, their roles in tax compliance and administration may have to be strengthened. Therefore, it is worth considering introducing a withholding tax system for Metaverse income.

In addition to resolving some of the most pressing questions associated with taxing the Metaverse, this Article also challenges the traditional norm of realization in tax law and modernizes the policy debate concerning emerging technology. Scholars and policymakers seem to agree that the current tax law needs to focus on realization due to valuation and liquidity problems, despite realization's inefficient and inequitable consequence of allowing people to defer taxation while accumulating wealth through holding assets. I argue that the Metaverse offers a unique opportunity to finally overcome the realization requirement by taking advantage of the digital world's feature to record all activity and value virtual wealth in real-time. The Metaverse also allows for experimenting with novel mark-to-market taxation methods, such as the ULTRA system.

Finally, this paper's position that the Metaverse can be a laboratory for experimentation with cutting-edge policy might benefit broader audiences interested in the future of the Metaverse. Given the Metaverse's current status, tax authorities may feel it convenient to continue to wait for individuals to cash out. However, at some point, tax authorities may have to admit the technology is such that the Metaverse is no longer a supplement to the real world but an actual part of it. If such an event occurs, the questions become how quickly and to what extent the Metaverse will take over, and how quickly law will have to adapt. ■

Antitrust Regulation of Copyright Markets

Washington University Law Review



JACOB NOTI-VICTOR
(with Xiyin Tang)

On October 31, 2022, a federal court stunned the legal and publishing worlds when it sided with the U.S. Department of Justice and blocked the planned acquisition of publishing house

Simon & Schuster by the book behemoth Penguin Random House. Just a little under a month later, the deal officially collapsed. For the publishing world, the court's order—and the decision by Simon & Schuster's parent company to terminate the deal rather than seek an appeal of the court order—broke a pattern of rapid consolidation in a deeply concentrated landscape that had dwindled to just five publishers. For the legal world, the DOJ's win marked a rare victory for the new antitrust movement: regulators actively seeking to reform antitrust law away from what many argued was a narrow focus on consumer pricing, towards an expansive, mostly untested interpretation of the law that protected labor markets and curbed corporate power.

More broadly, the decision was that rare collision between antitrust law and the deeply consolidated copyright-content industries, which many have long acknowledged but about which little has been done. Instead, scholars have generally viewed copyright and antitrust as working independently of each other. But, as our Article argues, neither copyright nor antitrust law alone has been sufficient for addressing the growing concentration in copyright industries such as music, film, and books.

What is the source of this growing market concentration? Copyright alone is insufficient to generate legally actionable market power, but the mass aggregation of copyrights can allow a single or small group of rightsholders to charge high licensing prices or even block entry to new creators or distributors. Indeed, just like in the book publishing industry, over the course of the past decade, acquisitions and mergers in the recording, music publishing, and television and film production sectors have left just a handful of juggernaut content producers in their wake. Furthermore, a different kind of competition problem is emerging thanks to the growing role of new technology companies in these content industries. In industries with large, entrenched players, disruption from



the likes of Apple, Amazon, and Google has often been considered to result in more innovation and better consumer outcomes. But our Article discusses ways in which large technology firms like these may also be engaging in anticompetitive practices. In particular, many such companies use loss leading strategies: underpricing content such as music and television in order to drive consumers towards more lucrative markets like hardware, or to ultimately force out competitors. While such strategies present no legally cognizable harm to rightsholders or to competitor distributors in the short term, such strategies are intended to cement the dominance of the technology company in the long term, ultimately reducing the variety, quantity, and quality of goods available to consumers.

The rise of the large-scale copyright aggregator and the Big Tech loss leader threatens to concentrate market power in the hands of a small number of companies. The

term, may allow for greater production of easily accessible creative works but, in the long term, threatens to erect barriers to entry for new content producers and distributors.

The Article argues, instead, that to address concentration in copyright markets, antitrust and copyright law cannot work in silos. To find a way forward, we consider what may be the only existing legal regime that combines antitrust enforcement with sensitivity to copyright's policy goals: the consent decrees that manage the music performance rights organizations ASCAP and BMI. Thanks to these consent decrees, which were entered into in the 1940s but are still in force today, certain segments of music licensing are regulated, including via judicial oversight of royalty rates.

The consent decree system showcases a model that merges the antitrust enforcement power of the DOJ with copyright expertise developed by the district court judges

By using the model of that ASCAP/BMI consent decree system, we believe we have identified a practical, effective, and much-needed tool for protecting artists, consumers, and new technologies of dissemination.

prevailing wisdom is that such competition problems should be addressed through antitrust—what we call an antitrust-only approach. However, as we argue, the prevailing approaches to antitrust struggle to deal with the particular policy challenges (and peculiarities) of competition in copyright markets, where market consolidation often must be assessed through the lens of copyright's broader goal of incentivizing the production of new creative works while still providing public access. Indeed, the limits of an antitrust-only approach have become apparent in the aftermath of the DOJ's victory in *Simon & Schuster*, with the publishing house's corporate parent, Paramount Global, already reaffirming its intention to sell the publisher—either to another Big Five publisher (resulting in further consolidation), or, even worse, to private equity.

Existing copyright law, however, is also ill-equipped to address market power in the creative industries. The copyright system contains some mechanisms designed to do so, but most of them were crafted in a pre-digital world and struggle to handle market power problem in contemporary content industries. In particular, a copyright-focused approach to competition struggles in particular to make sense of the Big Tech loss leader that, in the short

tasked with rate-setting under the decrees. When considering recent rate-setting decisions, we can see how the consent decree system combines the flexible, industry-specific regulatory approach of antitrust with the specific policy goals that copyright law contemplates.

We use the example offered by the consent decree system to develop a broader copyright-antitrust regulatory framework. Our model calls for proactive oversight of licensing practices in markets that may suffer from competition problems. Our model provides an alternative to simply blocking a merger or breaking up a large corporation; indeed, the model could allow for more mergers, such as *Simon & Schuster-Penguin*, as long as the merged company agrees to submit to regulatory guidance, and potentially to restrictions on its licensing practices. By using the model of that ASCAP/BMI consent decree system, we believe we have identified a practical, effective, and much-needed tool for protecting artists, consumers, and new technologies of dissemination. Such an approach would allow copyright law and antitrust law to work in tandem rather than in siloed spheres, ensuring antitrust enforcement in the content space remains sensitive to the unique challenges of copyright's overarching policy agenda. ■

Michel Rosenfeld's New Book Assesses Constitutional Democracies in Peril

A Pluralist Theory of Constitutional Justice: Assessing Liberal Democracy in Times of Rising Populism and Illiberalism



University Professor of Law and Comparative Democracy Michel Rosenfeld examines liberal constitutions under attack around the world in his latest work, which was published by Oxford University Press in 2022.

Establishing links between the philosophical, jurisprudential and constitutional handling of key theories of distributive justice, the book has been praised as an indispensable analysis of the current crisis experienced by many constitutional democracies around the world.

Rosenfeld provides analysis and answers to central threats posed by modern populist movements. He deals with globalization and the tremendous disparities in wealth it has provoked; the mass migration and identity-based attacks it has triggered; and the erosion of democratic values and institutions. The book examines how populist attacks on democratic values have adapted the framework of liberal institutionalism, masking their aim to subvert its core values. These developments accentuate tensions between justice and the constitution, particularly concerning “distributive justice” with respect to wealth redistribution, recognition and democratic representation.

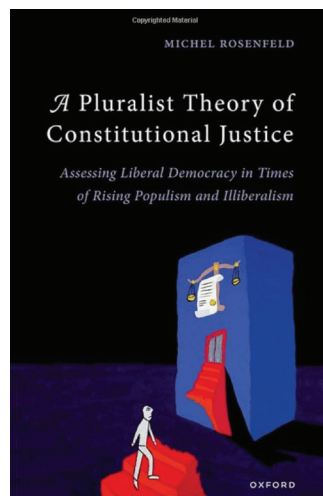
Rosenfeld draws on legal and political philosophy to examine the legal, economic, political and ideological challenges that threaten the viability of liberal constitutions. He makes a case for a pluralistic approach that would ensure that democratic constitutions advance distributive justice and ensure the “justice essentials,” which ought to be met regardless of prevailing

disagreements over competing conceptions of the good.

Cardozo's Floersheimer Center for Constitutional Democracy hosted a symposium centered on Rosenfeld's book in October that features experts from around the world.

Also in 2022, West Academic published a fourth edition of the casebook *Comparative Constitutionalism, Cases and Materials*, which was co-edited by Rosenfeld, Norman Dorsen, András Sajó, Susanne Baer and Susanna Mancini. Other books by Rosenfeld include *Affirmative Action & Justice: A Philosophical & Constitutional Inquiry*; *Just Interpretations: Law Between Ethics and Politics*; *The Identity of the Constitutional Subject: Selfhood, Citizenship, Culture, and Community*; and *Law, Justice, Democracy*, and the *Clash of Cultures: A Pluralist Account*. He is the co-editor of *The Oxford Handbook of Comparative Constitutional Law*; and *Constitutional Secularism in an Age of Religious Revival*.

Rosenfeld is a world-renowned scholar in comparative constitutional law and legal theory. The Justice Sydney L. Robins Professor of Human Rights at Cardozo, he is the director of the law school's Program on Global and Comparative Constitutional Theory. He teaches comparative constitutional law, US constitutional law and jurisprudence. ■



Speaking of Law

“ If we truly care about making sure that people who come out of prison can successfully reintegrate into their communities, then we should be dedicating more resources to education, job training, humane conditions and of course, significantly decreasing our reliance on incarceration. ”

—BETSY GINSBERG

Clinical Professor of Law,
Director of Clinical Education

“ There's tremendous satisfaction in being able to move the law forward and to improve the jurisprudence of New York State...in a fair and just way. ”

—JUSTICE DIANNE T. RENWICK '86

Presiding Justice of the New York State Supreme Court, Appellate Division, First Department

“ International human rights law prohibits slavery and the slave trade, but sovereign states are rarely held accountable. ”

—JOCELYN GETGEN KESTENBAUM

Clinical Associate Professor,
Director of the Cardozo Law Institute in Holocaust and Human Rights

“ The question is really what will it take for Russia to agree? There's no way Putin is going to release an American without it making him looking good, however he defines that. ”

—ANDREA SCHNEIDER

Director of the Kukin Center for Conflict Resolution speaking about the *Wall Street Journal* reporter jailed as a spy in Russia

“ Condominium safety is an issue of importance to millions of Americans. The Champlain Towers tragedy is a painful reminder that dangers not apparent to the untrained eye may impair the structural integrity of high-rise buildings, and that condominium board, if left to their own devices, may blind themselves to the attendant risks. ”

—PROFESSOR STEWART STERK

Director of the Center for Real Estate Law and Policy

“ Always remember that revolution is like a tree, it doesn't grow from the top, it grows from the bottom. ”

—GLORIA STEINEM,

accepting the International Advocate for Peace Award from the *Cardozo Journal of Conflict Resolution*

“ The depth and breadth of the amazing work going on in New York in the arts, cultural, fashion space is an inspiration. I tell recent grads to be proactive in their searches. The legal profession is much more varied than meets the eye. There's great legal and nonlegal work out there—go find it. ”

—KEN WEINE '95

Chief Communications Officer;
Senior Vice President, External Affairs,
The Metropolitan Museum of Art

“ What I teach students more than anything else is that their job as lawyers is to change the criminal justice system. We have an obligation to not just become lawyers, but to improve the system. ”

—DERRICK HAMILTON

Deputy Director of the Perlmutter Center for Legal Justice





Barbara Kolsun

*The following excerpt is from
a keynote speech by
Professor of Practice Barbara Kolsun,
director of The FAME Center for
Fashion, Arts, Media & Entertainment,
to the Federal Bar Association
Intellectual Property Law Section.*

A Career of the Spirit

BY BARBARA KOLSUN

I recently read a wonderful piece written by Anna Quindlen about it being so much easier to write a resume of your academic and work history than to elaborate on the formation and qualities of your spirit. I have thought about that a lot these past few years, and I want to talk briefly about what has become my life's work since founding The FAME Center at Cardozo about eight years ago and the importance to many of this in this room in training the next generation of lawyers who counsel the next generation of inventors, fashion designers and manufacturers and generally all creatives in this very complicated world they have inherited. ➔



Kolsun has served as general counsel for a number of fashion firms including 7 For All Mankind and Kate Spade

We now live in a startup world, and this next generation needs a well-rounded education necessary to service that world and manage its risks. I often tell my now hundreds of students over many years that we are service providers first and foremost. I compare us to flight attendants—keep our clients safe from the beginning to end of the flight.

When hiring this next generation of lawyers in fashion companies and firms that represent them, look beyond the Ivy League and law review candidates and look instead at the quality of the education and their experience. So many of my students wrongly apologize for their English, music, dance, theater, philosophy and history majors. I went to a liberal arts college, Sarah Lawrence College, whose graduates include Barbara Walters, Maggie Haberman, Vera Wang, Yoko Ono, Alice Walker, J.J. Abrams, Rahm Emmanuel (he was a dance major!) and world class-scientists, writers, chefs, CEOs, and the list goes on. I studied with Joseph Campbell and concentrated (we did not have majors) in theater and music and literature.

I chose Cardozo, the youngest of the New York law schools, for the faculty. I studied constitutional law with Telford

Taylor, the lead Nuremberg prosecutor, David Rudenstine, whose scholarship includes the Pentagon Papers and now the Parthenon marbles and their return to Greece, and with Barry Scheck, my dear friend and mentor who started The Innocence Project. Cardozo graduates are prominent lawyers in all things FAME

—fashion, arts, media, entertainment, including streaming service and sports, music (always making the Billboard list of top music lawyers) and tech, including Google.

Our current students care about responsible fashion, trade, where what they wear is made, diversity and racism. Through our FAME Center, our students intern at dozens of fashion companies and other FAME entities, and our alum work at Chanel, Ralph Lauren, LVMH, Capri (Michael Kors), Marc Jacobs, The Children's Place, Macy's, Estee Lauder,

**I chose Cardozo,
the youngest
of the New York
law schools,
for the faculty.**

Luxottica Group, Tommy Hilfiger and Tiffany.

The FAME Center, which I direct, was born in 2015 when Lee Sporn (former GC of Michael Kors) and I pitched the idea to our dean. We saw that no other law school offered a specialized curriculum preparing students for work with global businesses and international and local cultural institutions on issues such as brand protection and management and other legal challenges generated by the digital marketplace, taught by experienced leaders in the industry.

What distinguishes FAME from other fashion law programs is that we see fashion as part of the bigger world of entertainment and the arts.



Barbara Kolsun accepting the Alumna of the Year award from Dean Melanie Leslie in 2016

I want to end with a challenge to all of you charged with hiring this next generation of fashion lawyers: Pay them fairly. My generation of women lawyers were rarely mentored since the assumption was that we would leave the practice of law once we had kids. Well, the world has proven that wrong. One of my idols and role models, Sara Moss, vice chairman of Estee Lauder, had four kids and rose to the top of the in-house fashion profession. I raised a son, now in business development at Orrick after six years at big firms in Hanoi and Singapore, while working full time.

So that is the resume of my spirit. Though I never made millions in a merger, I am very pleased with my legacy as a professor, mentor, editor, and most important, friend and role model. I hope you are all on the same path. ■



**FASHION, ARTS, MEDIA &
ENTERTAINMENT LAW CENTER**

EVENTS

BANKING IN CANNABIS

co-hosted by the Startup Society and
the Cannabis Law Society
OCTOBER 3

SUSTAINABILITY IN FASHION

OCTOBER 20

50 YEARS OF TITLE IX: THE PIVOT TO JUSTICE IN WOMEN'S GYMNASTICS

co-hosted by Sports Law Society
JANUARY 30

BENIN BRONZES: RESTITUTION AND REPARATION

co-hosted by the Art Law Society
FEBRUARY 27

AI AND ITS IMPACT ON THE LEGAL INDUSTRY

co-hosted by the Startup Society
and Women in Tech Law
MARCH 6

DISPUTE RESOLUTION IN THE MUSIC INDUSTRY

co-hosted by the Cardozo
Dispute Resolution Society
MARCH 15

COPYRIGHTING DANCE IN THE TIKTOK ERA

MARCH 28



Cardozo Professors
Reflect on Their Recent Victories
in the Fight for Legal Reform

Reframing Crime and Punishment



Reframing Crime and Punishment

It has been a whirlwind year for Cardozo professors working to fight for criminal justice reform. Professors Kathryn Miller and Jonathan Oberman and their students in the Criminal Defense Clinic attained clemency from New York's governor for a man who served 26 years under the now-disbanded Rockefeller Drug Laws.

Josh Dubin and Derrick Hamilton of the newly created Perlmutter Center for Legal Justice won two clemency cases working with clinic students. One of their clients came to the law school days after his release from prison to thank them for their work.

Professor Betsy Ginsberg and the Civil Rights Clinic settled a lawsuit with one of the largest maximum-security prisons in the country, ending the use of solitary confinement for those on death row in Louisiana.

And Professor Alexander Reinert, co-counsel in a federal lawsuit, won a historic \$53-million settlement over the misuse of solitary confinement for more than 4,000 pre-trial detainees at Rikers Island jail complex in New York City and Manhattan jails.

Cardozo Life asked the professors engaged in these momentous cases whether they are hopeful about the ongoing reforms in the criminal justice system and especially their views on racial discriminatory practices in the years following the Black Lives Matter movement.

Clemency: A Tool for Extreme and Discriminatory Sentences

|||||

FOR JOAQUIN WINFIELD, April 7, 2023, will forever be a day to remember. That is when he was granted clemency by New York Gov. Kathy Hochul after serving 26 years in prison for possession of 4.6 ounces of crack. The disparity in sentences given to people from different races for similar crimes has been widely written about in recent years. Winfield was sentenced under the now-repealed Rockefeller Drug Laws of the 1970s and 1980s. He was sentenced to 37.5 years to life, one of the longest prison sentences in the state for a non-violent drug-related conviction. He was not eligible for parole until 2034. Now, thanks to the Criminal Defense Clinic's clemency appeal to Hochul, Winfield will be eligible for parole in the fall of 2023.

"We felt the need to do whatever we could on his behalf," said Professor Kathryn Miller, co-director of the Cardozo Criminal Defense Clinic, who noted that 58-year-old Winfield is in declining health. "The laws that put him in prison are no longer in effect and widely seen today as draconian. He deserved a chance to seek parole."

The professors and clinic students, some of whom are now alumni, will continue to assist him during his parole hearing. They are committed to working on his case for as long as he needs them. The students have also been representing incarcerated people in similar situations since the beginning of the pandemic. They have formed close bonds with many of them, which has enabled them to write compelling and personal arguments as to why they deserve a second chance.

Criminal Defense Clinic student Sarah Schwartz '23 said in a Law360 article, "I know that he's grateful for us, and he always really expresses that. It's hard, I think, to understand how you come to terms with spending 26 years in prison."

The team working on Winfield's case consisted of clinic co-directors Miller and Professor Jonathan Oberman and Cardozo alumni Tziona Breitbart '21, Jenna Dunton '22, Alison Goldman '21, Michael Gorodetsky '21 and Isabelle Schwartz '22 and students Brandon Boschi '23, Rebecca M. Laden '23 and Schwartz.

According to Miller, when Winfield originally went up for resentencing in 2005, the judge re-imposed the original sentence "in part because of the original trial judge's statement that Mr. Winfield was a drug kingpin, which was not

“The critical mass of the engine that drives the system toward the over incarceration of people of color, that engine is largely unaffected three years post-George Floyd. If America had a racial reckoning, it was short-lived. What we are experiencing is not a committed reckoning to ameliorate racism.”

—PROFESSOR JONATHAN OBERMAN

true.” He sold marijuana and cocaine and was convicted of possession of 4.6 ounces of crack, but the description of the trial judge stuck and shaped the appeals court judge, according to Miller.

The Criminal Defense Clinic has focused more on clemency issues in recent years. It was founded by Professor Barry Scheck in 1980, who later co-founded The Innocence Project at Cardozo with Peter Neufeld. Oberman has supervised the work of the clinic since 1994 after Scheck began work at The Innocence Project.

The clinic witnessed its fair share of changes in the legal world throughout its 43-year history, particularly those that took place in 2020 during the pandemic and the Black Lives Matter movement. Those events had a major impact on public perceptions of the justice system and the courts and the work of the clinic.

Getting a second chance often requires prosecutors' agreement. Whether there has been a significant change in practice within prosecutors' offices in recent years is unclear.

Despite the progress made in some individual cases and public opinion, Miller and Oberman do not perceive any major shift. They said there is much more to be done to address and reduce systemic racial disparities in sentencing.

“In the courtroom of public opinion, and people's notions of change around the criminal legal system, some significant things have happened,” Oberman said. “But the critical mass of the engine that drives the system toward the over incarceration of people of color, that engine is largely unaffected three years post-George Floyd. If America had a racial reckoning, it was short-lived. What we are experiencing

is not a committed reckoning to ameliorate racism.”

Miller agreed, adding, “There was a lot of promise that came from the conversations had after the death of George Floyd. A lot of the optimism around reform hasn't been realized in subsequent years. There have been steps forward like New York's discovery rule, but other efforts in criminal reform haven't happened.” [Recent changes in New York Criminal Procedure Law require that the prosecution provide discovery to the defendant as soon as practicable, otherwise it must be provided no later than 20 days if the client is in jail, or 35 days if the client is not being held].

Oberman said there has been little change on a national scale in addressing sentencing, arrest and application of release disparities along racial lines.

He said, “Progressives have lost the current public debate over questions of public safety by conceding the terms of debate that accepts a flattening equivalence between notions of our shared safety and arrests, prosecution and punishment. Post-George Floyd, ‘defund’ became an easy word to pinpoint and turn conversation away from reform.”

Other states, including California, have begun to take strides forward in criminal justice reform. The California Racial Justice Act prohibits the state from seeking or obtaining a criminal conviction, or from imposing a sentence, based upon race, ethnicity or national origin. It was passed in 2020 and is the first of its kind, making it possible for a person charged or convicted of a crime to challenge racial bias. Miller said it remains to be seen how effective it will be in the long run and whether other parts of the country will follow suit. “It would be great to see something like this enacted in New York,” Miller said.

Perlmutter Center for Legal Justice Wins Clemency Appeal for Its First Client

JUST TWO DAYS AFTER HIS RELEASE from decades in prison, Bruce Bryan visited Cardozo students to thank them for their efforts in aiding his clemency case.

After spending nearly 30 years behind bars, Bryan was granted clemency in December 2022 and released on April 24. Several dozen Cardozo professors, staff members and students lined the hallway outside the clinic classroom to greet and cheer Bryan.

The first client of The Perlmutter Center for Legal Justice at Cardozo Law, Bryan was visibly touched as he shook hands and then entered the classroom to meet with the clinic students and clinic directors.

In the fall of 2022, Cardozo launched The Perlmutter Center, supported by a \$15-million grant from the Laura & Isaac Perlmutter Foundation. Building on the law school's legacy of advancing reforms in the criminal legal system, and under the leadership of Executive Director Josh Dubin and Deputy Director Derrick Hamilton, The Perlmutter Center houses the Forensic Science Freedom Field Clinic, which won this, its first case, within six months of its inception. Students and faculty work on wrongful convictions and clemency appeals for those who have been unjustly incarcerated and those who deserve a second chance.

After Bryan served almost three decades in prison following a 1996 murder conviction at the age of 23, the new clinic helped him secure clemency from New York State Gov. Kathy Hochul. The team effort included the work of Steve Zeidman, director of the Criminal Defense Clinic at CUNY School of Law, who represented Bryan in his pursuit of clemency since 2019 with the Second Look Project; Beyond Guilt, a project of The Ohio Justice & Policy Center; and Elizabeth Felber of The Legal Aid Society.

Students were directly involved with the case and helped draft presentations that were submitted to garner support for Bryan's release, Hamilton said. They will continue working with Bryan on his exoneration case.

Bryan told the students that he saw "excessive violence" in prison daily. The prison library became his sanctuary, where he spent time studying law and reading. Bryan credits Nelson Mandela's "Long Walk to Freedom" with changing his life.

"That's when I decided I wasn't going to serve time, I was going to have time serve me," he said. "Every bit of my time



Josh Dubin, the executive director of the Perlmutter Center for Legal Justice, embraces Bruce Bryan following Bryan's release from prison.

I began to utilize in the best way possible."

Bryan's studying law while behind bars is an experience he shares with Hamilton.

Hamilton was a self-trained "jailhouse lawyer." He served 21 years in prison for a crime he did not commit. Hamilton won his own release and was exonerated by the Kings County District Office.

That experience inspired him to continue helping people who are serving unfair sentences. It also captured the heart of Dubin, who hired him as his deputy.

"We are committed to seeking justice, equipping students and lawyers with the tools to confront junk science, and seeking clemency for those unjustly imprisoned," said Dubin.

Bryan, like Hamilton, pursued an education from behind prison walls, earning an associate's degree, a B.A. and then his master's degree. He also worked with a nonprofit organization that created a mentoring program to prevent youth violence.

In January of 2022, Law360 reported that Bryan maintained his innocence in the shooting death of Travis Lilley and said he was not armed and did not fire a gun. The news outlet noted that a key witness withdrew his statement and that his court-appointed attorney acknowledged that he was suffering from PTSD during the time of the trial, a fact that Bryan told students deprived him of adequate representation. Bryan asked the judge hearing his appeal to allow him to find different representation on several occasions to no avail.

As Bryan looks down the road eyeing exoneration, he has reclaimed a major piece of his identity since his release—his name.

Law360 reported that Bryan became “Bryant” in the prison system due to a clerical error in 1993. Throughout his years in prison, the error determined how he was known and referred to in media accounts.

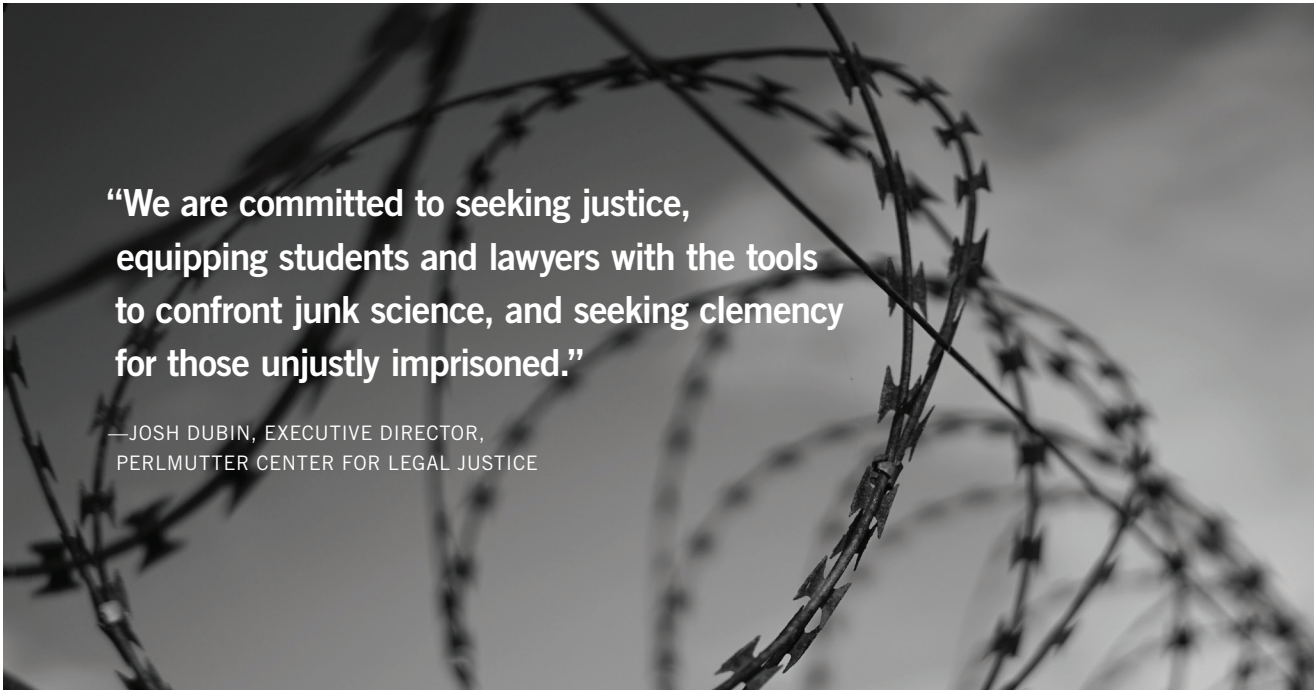
To achieve systemic change in the criminal justice system, Hamilton said accountability must be at the forefront of every effort to analyze these cases.

“For those police and prosecutors who do the right thing

gets sent to prison. The report calls for addressing racial disparity, broadening the discovery process and creating more Conviction Review Units within D.A.’s offices.

Conviction Review Units allow for a systemic review of old cases to see whether the outcome was a result of unjust practices or faulty evidence or bias, which helped in Hamilton’s case.

Advocates for Conviction Review Units call for changes, including taking on more cases regardless of what the defendant pleaded, examining convictions that relied on discredited forensic techniques and supporting efforts to



“We are committed to seeking justice, equipping students and lawyers with the tools to confront junk science, and seeking clemency for those unjustly imprisoned.”

—JOSH DUBIN, EXECUTIVE DIRECTOR,
PERLMUTTER CENTER FOR LEGAL JUSTICE

and pursue justice for all, they should be rewarded with the best positions and accolades,” he said. “For those who violate the laws and abuse their discretion, they should be sanctioned and/or removed from service.”

It took years for Bryan to obtain clemency, but those involved in The Perlmutter Center are eyeing potential changes in the criminal justice system—changes that are afoot and that can provide hope for future cases.

Hamilton said he has seen improvement in the justice system’s willingness to think about punishment and rehabilitation. He pointed to changes in the way prosecutors are handling appeals and clemency cases.

According to a 2018 joint report that was released by the Brennan Center for Justice, Fair and Just Prosecution and The Justice Collaborative, changes in the system can come from prosecutors, who have enormous discretion in who

provide compensation for those who were wrongfully convicted.

Hamilton sees some signs of hope. “The many different organizations pushing for criminal justice reform have made it much more common for defense counsels to have conversations with prosecutors about the draconian sentences imposed in the past on young adults who have spent decades in prison and since aged out of criminal behavior,” he said.

The Perlmutter Center was founded at Cardozo to find ways to open cases that deserve reconsideration for those incarcerated people who might otherwise languish in prison. Hamilton said that “these individuals can now be returned to their communities to live as pro-social individuals and examples to the youth that crime doesn’t pay.”



Reinert

A \$53M Settlement that Will Improve Conditions in NY Prisons and Jails



PROFESSOR ALEXANDER REINERT has seen his work bring about major changes in prison and jail conditions in New York City and New York State many times. In April 2023, he was co-counsel with lawyers of Cuti Hecker Wang LLP in a historic settlement in *Miller v. City of New York*, which involved detainees held in restrictive isolation at two jails on Rikers Island and one unit at what was then the Manhattan Detention Complex.

"I started working on this case when it was filed, in 2021," said Reinert, who specializes in civil procedure, civil rights laws and the rights of prisoners and detainees and serves as the director of Cardozo's Center for Rights and Justice.

"We became aware of this practice, and we wanted to challenge it for a variety of reasons, most importantly

because it seemed to us to be an end-run around restrictions on the use of solitary confinement," said Reinert, who has worked, via litigation and other advocacy, to restrict and regulate the use of solitary confinement in prisons and jails in New York State.

As a result of the settlement in *Miller*, the City of New York will pay as much as \$53 million to 4,413 people who were held in harsh, isolated conditions at Rikers Island and Manhattan jails between 2018 to 2022. The average payout is expected to be \$9,000.

The class-action lawsuit filed by former detainees alleged that the City Department of Correction violated city regulations and the U.S. Constitution, holding them in cells and cages for 23 hours a day where they lacked access to natural light, community gatherings and the kinds of programs, such as educational classes, available to other detainees.

Speaking to Spectrum News in late April, Reinert said the city was "trying to get around restrictions on the use of solitary confinement that were imposed by the New York City Board of Corrections starting in 2015."

"They weren't just held in conditions in which they were in small cells in which there wasn't access to natural light," Reinert said. "They were held in cages for 23 out of 24 hours

a day in many cases. It was extremely harsh treatment.”

As reported by *The New York Times* in 2020, union leaders who represent correction officers said punitive segregation protects officers and incarcerated individuals from those who may become violent.

Reinert said that “there is no question that sometimes people need to be isolated to protect staff and other detainees.” However, he added that these people are entitled to a hearing before restrictions are imposed. This ensures that someone is being put into restrictive conditions properly and for the right reasons.

Reinert said the detainees were not afforded due process before being punished by being placed in isolated conditions. They were not told how long they would be in solitary confinement. According to Reinert, indefinite detention in isolated conditions is a major factor in the mental deterioration of incarcerated people. Reinert believes there is no question that the officials knew what they were doing.

The cases Reinert worked on have led to a significant decrease in the use of solitary confinement in New York State prisons as well as decreases in the length of time people are kept in solitary confinement. Legislation enacted in New York has put even greater restrictions on the use of solitary. That legislation came into effect in March 2023, but there are questions about how effective it has been.

For meaningful long-term change, Reinert advocates more drastic action.

“I think Rikers has to be closed in order to fundamentally change the conditions for people incarcerated in the city

jails,” he said.

Reinert noted that the recent changes have come about through a combination of legal cases and “lots of advocacy by families of incarcerated people and other advocates for incarcerated people.”

While he said that restrictions on solitary confinement have emerged, conditions in prisons and jails are still very poor, and that despite a push for changes, “most experiences for incarcerated people are dehumanizing.”

Reinert said fewer people should be placed in prisons and jails for less time. Those who work in these facilities, he added, must understand that their primary job is to create a safe and humane environment.

“There also have to be more opportunities for incarcerated people to engage with their communities and families and more opportunity for pro-social and educational programming,” he said.

Reinert, who writes extensively about prisons, said his litigation experience and his scholarship inform his teaching.

“My teaching is informed by my practice experience, but the expertise I develop through teaching also informs my practice—there are some cases where my expertise in procedure is essential to achieving a good outcome in the litigation,” he said. “And of course, the same is true of my scholarship—some of it is informed by my practice and teaching, some of it isn’t, and the work I do as a scholar certainly influences what I do as a teacher and practitioner.”

“There also have to be more opportunities for incarcerated people to engage with their communities and families and more opportunity for pro-social and educational programming.”

— PROFESSOR ALEXANDER REINERT

Civil Rights Clinic Wins Historic Louisiana Case Ending Solitary Confinement of Individuals Awaiting Death Sentences



SHOULD AN INCARCERATED PERSON who has been sentenced to death be required to live out the rest of his or her life in solitary confinement? Not according to the Cardozo Civil Rights Clinic, which recently won a historic settlement changing policy in Louisiana prisons.

Not long ago, individuals on death row at Louisiana State Penitentiary at Angola were held in “permanent solitary confinement,” which meant they had no contact with other prisoners or even guards, often for years, while they waited out appeals. Prison officials deemed such individuals too dangerous to come together with others under any circumstances, even if they had no violent history while incarcerated.

That policy changed in 2021 when Professor Betsy Ginsberg led the Civil Rights Clinic to a historic settlement of a class action lawsuit on their behalf. Ginsberg founded and directs the clinic, which works on cases that involve police misconduct and the constitutional and statutory rights of incarcerated individuals in federal court.

When Ginsberg and students from the Civil Rights Clinic visited the Angola prison system, death row individuals were held in permanent solitary confinement and allowed one hour of outdoor recreation in solitary cages per day. Their meals were served inside their cells.

“Solitary confinement—even for limited periods of time—has such a significant detrimental impact on the mental and physical health of the people who are held in these conditions,” Ginsberg said. “Many of our clients on Louisiana’s death row had been held in isolated conditions for decades and were experiencing tremendous harm.”

According to Ginsberg, the United Nations has put forth recommendations calling for the prohibition of solitary confinement lasting more than 15 days because of the harmful effects of isolation. Many of the individuals Ginsberg and her clinic represented in their class action suit had remained in solitary confinement for decades.

The settlement by the clinic and prison officials entitled people on death row to a minimum of four hours of congregative time seven days per week, at least five hours per week

of group outdoor recreation as well as allowing religious worship with others and contact with visitors. Since the implementation of the settlement, prison officials at Angola have recognized that congregative out-of-cell time is beneficial for everyone, including staff, and they have expanded the hours of outdoor recreation and tier time.

As part of the settlement, the clinic’s clients can now enroll in GED courses and other academic programs in a group setting. A grassy space was created, and people can sit together with others for one meal each day.

Ginsberg challenges corrections officials who believe that people who have been convicted of serious crimes are



dangerous and must be held in restrictive conditions. “This thinking isn’t based on any evidence and simply isn’t true,” she said. “Some corrections officials and experts in corrections have noted that people sentenced to death are not more likely than people placed in the general prison population to behave violently. In fact, they have been shown to be less violent overall.”

It remains to be seen whether this victory, coupled with other lawsuits concerning prison conditions across the country, will lead to a reduction of harsh punishments in jails and prisons.

Ginsberg said when prison officials and other policy makers understand that punishments and practices like solitary confinement do not make prisons safer, it can help achieve change.

In fact, prior to Ginsberg and her clinic’s victory in

Louisiana, changes were made in Missouri, North Carolina and Colorado. There, people who are sentenced to death are not automatically placed in solitary confinement. In Missouri, they are housed in the general population.

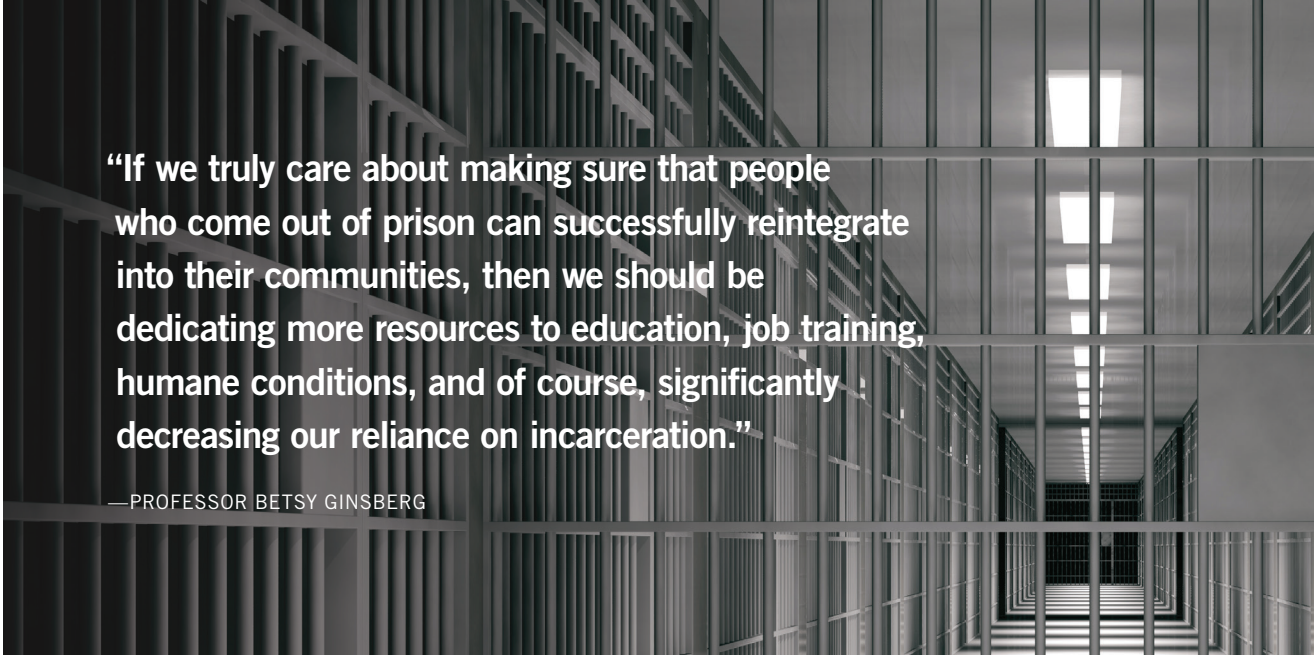
“The prison officials who oversaw the changes in those systems and who run those systems are on record saying that not only is solitary not necessary, but things are better for everyone without it,” Ginsberg said.

Easing restrictions on incarcerated individuals spending time with one another was only one accomplishment of Ginsberg and her clinic. In 2022, with the New York Civil Liberties Union, Ginsberg and the clinic filed and won a

read while in prison as transformative.

“If we truly care about making sure that people who come out of prison can successfully reintegrate into their communities, then we should be dedicating more resources to education, job training, humane conditions, and of course, significantly decreasing our reliance on incarceration,” she said.

Ginsberg is optimistic about improving prison conditions because there is greater awareness now than there was when she began doing this work more than 20 years ago. She said steps have been taken to address reducing the country’s overreliance on mass incarceration, at closing



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—PROFESSOR BETSY GINSBERG

federal lawsuit in which they challenged the New York State Department of Corrections and Community Supervision’s ban on the book *Blood in the Water: The Attica Prison Uprising of 1971 and Its Legacy*. As a result of that lawsuit, New York State is now allowing incarcerated people access to the Pulitzer Prize-winning book, written by Heather Ann Thompson. Published in 2016, it is an account of the time that nearly 1,300 incarcerated individuals took control of Attica Correctional Facility and protested mistreatment. The conditions that led to the uprising and the brutal assault ordered by the governor to end it have been the subject of many historical accounts.

While different prisons have varying policies on what reading materials prisoners are allowed to have, Ginsberg said many policies are overly restrictive. She has spoken to many incarcerated people who describe the books they

prisons and jails and exposing and correcting harsh conditions.

As a new generation of professionals—current and future law students—prepares to take on these challenges, Ginsberg said they should push back against the existing system that she described as “completely broken.”

She said that students who want to practice in criminal justice reform and civil rights should get as much experience as possible and take clinics while in law school that deal with criminal defense and civil rights issues. Additionally, Ginsberg said it is important to listen to those who were harmed by the criminal legal system.

“Most importantly, I think future lawyers must understand that their role will not necessarily be as leaders of these movements, but as critical supporters through legal representation and counsel,” she said. ■

Protecting Human Rights in India, Brazil, Argentina and the U.S. **A CLIHHR focus on preventing identity-based violence.**

BY SUZI MORALES



The Benjamin B. Ferencz Human Rights and Atrocity Prevention Clinic goes beyond surface-level assumptions about human rights. This academic year faculty and students have worked on six projects spanning continents and bridging gaps between conventional wisdom and the lived experiences of individuals facing human rights violations. Professor Jocelyn Getgen Kestenbaum, director of the Cardozo Law Institute in Holocaust and Human Rights (CLIHHR),

spearheads these efforts. Working with Ramya Jawahar Kudelkallu, clinical fellow and visiting instructor, the clinic conducted workshops in India, went to Brazil to help fight land grabs against indigenous people and engaged in legal support for Native Americans facing violence and discrimination here in New York, among other initiatives. The Indian collaboration with a local collective is one example of how the clinic works to prevent violence and discrimination, in this case

against women sex workers. When westerners hear the term sex workers they envision exploited victims of human trafficking, often presumed to be without agency or autonomy. Mention human resources and labor law, and one probably thinks of unions or non-compete agreements. Rarely do you hear about applying labor rights to protect sex workers from violence and exploitation. But that is at the heart of the clinic's efforts at preventing large-scale violence against women sex



Kestenbaum

workers in India. This training is only one initiative of the clinic that alters the ongoing debate over human rights challenging conventional wisdom.

Institute's roots in Holocaust restitution

The clinic is part of the Cardozo Law Institute in Holocaust and Human Rights (CLIHHR, pronounced "clear"). Founded in 2005 with a Holocaust claims settlement award, CLIHHR aims to strengthen laws, norms and institutions to prevent mass atrocities and bolster human rights protections. In addition to the work of the clinic, the institute also serves as a "think tank" on scholarship and theory of human rights and atrocity prevention.

Getgen Kestenbaum is a human rights scholar and advocate with a dual degree in public health and law. In 2020, Jawahar Kudekallu, a U.S. and Indian-educated human rights lawyer, joined CLIHHR as the Telford Taylor Human Rights Visiting Instructor. They co-teach the clinic and work with students and the legal community to change the conversation around human rights law and practice.

The clinic and the 'Western gaze'

Each year, the clinic accepts up to 12 students for the fall semester, most of whom enroll in an advanced session during the spring semester to see their projects through. Students participate in weekly seminars and clinical work. The seminars focus not only on the basics of international human rights law but also on critical thinking and practical skills like research and fact finding.

During conversations with clinic students, the phrase "Western gaze," which serves as shorthand for the biases inherent in a Western, Eurocentric legal system, comes up frequently. The clinic challenges students to examine their biases as U.S. law students and how their own privileges—which can be based on wealth, gender, geography and more—shape their views on human rights.

"Our law actually is not neutral and has a particular worldview that benefits and privileges mostly cis white male property owners and subjugates pretty much all other identities in varied and compounding ways," Getgen Kestenbaum said.

Each of the six projects the clinic undertook during the 2022-23 academic year included conducting research, cooperating with community organizations with which CLIHHR often partners and exploring frameworks for advocacy. The projects focused on historically marginalized groups, including Indigenous peoples, religious and gender minorities and urban low-income populations. Two of the projects culminated in international trips to India and Argentina.

Protecting Indian sex workers from violence and exploitation

Samantha Velez '24 was one of the students working on the training program for sex workers in India. She said she came into the project with preconceived notions of morality and questioned why someone would choose sex work over a different

job. Velez assumed some degree of coercion was inevitably involved in the decision. After spending the fall semester conducting extensive research on the sex work industry and country-level laws governing it, she said, “The evolution of my attitudes and understanding has been really amazing.”

In the spring semester, Velez found herself—along with her clinic partner and Professor Getgen Kestenbaum—at the front of a room she likened to a church basement or community center, speaking through a translator to around 50 sex workers in Bangalore. During the workshop, which was co-hosted by local sex workers advocacy collective Sadhana Mahila Sangha (SMS), the clinic team taught attendees about their rights and the current legal status of sex

under human rights and labor law frameworks.

According to Jawahar Kudekallu, clinic students sometimes question whether helping sex workers promotes human trafficking. To the contrary, she said that training sex workers in their legal rights helps to prevent them from being targets of human traffickers.

Jawahar Kudekallu said Indian law around sex work is in flux. In 2022, the Supreme Court of India ruled that sex workers are entitled to dignity and life and issued a set of directives that mandates freedom from violence for them.

While the law in India does not criminalize sex workers, it criminalizes much of the other activity around sex work, such as solicitation. This is often referred to as the “Swedish Model” of criminalization. Jawahar Kudekallu said this

“Our goal is to engage over the long term on **complex legal problems** requiring **sustained collaborative efforts** toward local, community-driven solutions.”

—PROFESSOR JOCELYN GETGEN KESTENBAUM

workers around the world. The team also facilitated group breakout sessions and conversations with sex workers about their experiences.

During one breakout session, attendees followed prompts about work and life experiences and the legal lessons from the training to create collages documenting their experiences and their hopes for the future. Velez recalled that one woman's collage featured pictures of candles and drawings of her family, representing how the woman said she feels cold, alone in her struggle to claim her rights, but her family keeps her warm and gives her strength to keep fighting.

The day after the workshop, the clinic group visited a bus stop where sex work and other street-based labor is often conducted. Some of the women there had attended the workshop the day before.

“We didn't really expect too much engagement in terms of community sharing and storytelling, but a lot of the women really wanted to share their stories,” Velez said. “Hearing the stories of the women made all of our research very real and come full circle.”

At the end of the semester, the clinic team sent a training manual containing further details on the global legal framework to SMS to help further its education and advocacy efforts.

Jawahar Kudekallu is careful to distinguish between what the clinic's work on behalf of sex workers is and what it isn't. The project focuses on assisting individuals who voluntarily engage in sex work, who have little protection

legal framework leads to marginalization of and institutionalized violence against sex workers. A recent report from SMS states that sex workers often face violence from law enforcement as well as trauma in state-run shelters where they are often placed.

Noting that sex work is the oldest profession, Velez said that it “is going to be there, whether you want to restrict or not, so you want to ensure that people have their rights and are protected. People have the right to live in dignity and shouldn't be stigmatized for their choice, their profession.”

A crisis in our backyard

The clinic's projects also contest the assumption that modern human rights challenges take place only outside the United States.

Shortly after Getgen Kestenbaum came to Cardozo, she began building relationships with Native communities in Manhattan.

“The agenda was let's start talking about what it might look like to have some kind of relationship,” she said. “And my understanding was, this is how you begin the process of decolonizing a space, by engaging in a relationship with those who are the colonized peoples and ask them what they want.”

Since then, those relationships have led to several collaborations, large and small.

During the 2022–23 academic year, the clinic worked with the Manhattan-based nonprofit Lenape Center to understand the scope of the missing and murdered Indigenous persons (MMIP) crisis in the greater New York City area, which is part of the Lenapehoking, the Lenape homeland. The clinic has also assisted with Freedom of Information requests and conducting training on data collection with Indigenous-led collaborating partner organizations.

While Native people are victims of violent crime at higher rates than other populations, Getgen Kestenbaum said that awareness and information about the problem—particularly as it relates to Native women, girls and two-spirit individuals—is very low.

“Native women’s bodies have always been these sites of violence at extraordinarily high rates and disproportionate rates to the rest of the population,” said. “And so, it really is something that once you dig in and you understand the issue, you see very much the insidious discrimination and the inaction on the part of the government that perpetuate this ongoing crisis.”

Getgen Kestenbaum contrasts the MMIP situation with the disappearance and discovery of the body of Gabby Petito, a white woman killed by her fiancé in 2021 in a Wyoming national forest. While federal and local officials rushed to investigate Petito’s disappearance, Getgen Kestenbaum noted that hundreds of Native women have gone missing in the same vicinity over decades.

“Native women disappear in the data, they disappear in the press,” she said. “The press doesn’t cover these issues. And [they disappear] in real life.”

Through the Freedom of Information requests and other collaborative advocacy efforts, the clinic hopes to help define the problem and make Indigenous victims and their families visible.

Samantha Lauring ’24 was one of the two clinic students who helped file Freedom of Information requests in counties throughout New York.

One of the misconceptions Lauring bumped up against was around the process itself. She said Freedom of Information requests that are supposedly designed so that ordinary citizens can use the process can instead be extremely complicated even for someone with legal training.

“The law should be a tool to help, and I think a lot of people have found that the opposite is the case,” Lauring said. “That kind of surprised me; I always thought of the law as a tool.”

The complexity of the system can be a contributing factor in what some activists have called “data genocide” and “invisibilization” of Native victims of violence.

Lauring said her team found that data on the racial and ethnic backgrounds of missing and murdered people often isn’t kept, or Indigenous individuals are misclassified, downplaying the magnitude of the problem. In addition to

analyzing the data the team members found—or didn’t find—they created recommendations for policy changes on data collection.

Ongoing work of the clinic with Indigenous People in Argentina

The clinic’s other international trip in the spring of 2023 illustrates CLIHHR’s ongoing efforts to build local partnerships. During a visit to Buenos Aires, Argentina, Getgen Kestenbaum and clinic students met with a number of local organizations to facilitate conversations around issues of corporate extraction of resources, particularly in urban areas where low-income Indigenous people live. The Cardozo team hopes to facilitate relationships that could eventually blossom into long-term partnerships.

The clinic’s other projects for the 2022–23 academic year include helping to defend Indigenous land claims in Brazil against exploitation of natural resources, preparing a practice guide for human rights lawyers representing refugees to Bangladesh from Myanmar’s Muslim Rohingya minority and providing recommendations for the revision of a United Nations policy framework tool on atrocity prevention.

The clinic’s projects each semester are organized to allow student teams to prepare deliverables while they are taking the course, but the work continues long after the academic year is over. At the end of the year, students prepare memos suggesting the next steps for each project.

The long-term nature of CLIHHR’s work is especially evident in its ongoing relationships with partner organizations that are working daily with affected communities.

“We see so often international human rights organizations that partner with local advocates for short-term advocacy projects that align with their funded projects or organizational interests,” Getgen Kestenbaum said. “Our goal is to engage over the long term on complex legal problems requiring sustained collaborative efforts toward local, community-driven solutions. It’s more like marriage than dating.”

Centering voices of victims

In all of its work, CLIHHR works to elevate the voices of affected individuals.

In April 2023, the institute organized a symposium on “Catalyzing Change: Ongwen, Sexual and Gender-Based Crimes, and Intersection.”

The two-day event at Cardozo Law and online was co-sponsored with UN Women and other advocacy groups. In a series of panels, the symposium discussed the conviction

“Once you realize that there’s this crisis,
you can never unsee it. That’s something that I can
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—JILLIAN LEAVEY '24

by the International Criminal Court of Dominic Ongwen, a former Ugandan child soldier turned leader of the militant Lord's Resistance Army (LRA) during civil unrest in northern Uganda in the 1980s and '90s.

CLIHHR and feminist lawyers and scholars submitted four amicus briefs during the appeal of Ongwen's convictions for war crimes and crimes against humanity. The conference included panels discussing the human rights legal framework outlined by amici as well as an opening conversation featuring Patricia Viseur Sellers, the Special Advisor for Gender for the Office of the Prosecutor of the International Criminal Court, and a keynote by Beth Van Schaack, the U.S. Department of State's Ambassador-at-Large for Global Criminal Justice.

The highlights of the event included the discussions featuring survivors. One discussion featured Victoria Nyanjura, who was captured and enslaved by the LRA and gave birth to two children during her captivity. She is the founder and head of Women in Action for Women, which supports survivors of the conflict. She discussed her evolving role as a victim, then survivor, then advocate and emphasized the necessity of bringing women's voices into the conversation.

“NGOs will come, NGOs will go, but these people aren't going anywhere,” Nyanjura said.

Although the institute and clinic work to shine a light on the issues of traditionally marginalized groups, Jawahar Kudekallu and Getgen Kestenbaum are careful to avoid generalization about these groups.

“It's really important for us ... to also not make identities a monolith and not generate this notion that because you occupy an identity, everybody of that identity has a common agenda or a common way of thinking about advocacy and rights,” said Jawahar Kudekallu.

Students also recognize that victims of human rights violations often have suspicions about outside advocates. “We learned how to reject that savior mentality of how to approach going to places where you are not a member of that community and how to do it respectfully,” said clinic student Velez.

Caroline LaPorte, an immediate descendant of the Little River Band of Ottawa Indians and director of a safe housing initiative at the National Indigenous Women's Resource Center, periodically works with CLIHHR on New York Indigenous initiatives. “Indigenous communities are almost exhausted by outside helpers,” she noted.

LaPorte appreciates the work of CLIHHR and clinic students because of the trust built up with Getgen Kestenbaum over many years. “Respect is built in,” she said. “Jocelyn and I have had a relationship for a long time. I trust her; I trust her students.”

Challenging assumptions

Another way CLIHHR works to rewrite the book on assumptions around human rights is to literally rewrite the book. The institute created *Confronting Structural Violence: Law Teaching Guides*, resources to help law professors recognize and confront structural violence and human rights violations in law school curricula. Some of the topics, such as mass incarceration and immigration law, may seem like obvious inclusions in a human rights-centered discussion. But the guides also address the human rights framework and assumptions in topics like intellectual property and corporate law.

If the institute's work changes assumptions, it begins in the clinic's classroom. Jillian Leavey '24, who worked on the Argentina project and researched MMIP issues as a CLIHHR summer fellow in 2022, said the work changed her own viewpoint. Even growing up on Long Island and in proximity to a major urban Indigenous population in New York City, she wasn't aware of the Indigenous communities in the area.

Leavey's work with the clinic helped open her eyes to the presence and diversity of Indigenous communities. “I grew up in an area that all the towns are named after tribes and communities and figures from Indigenous culture and history. There's an Indigenous presence in society all over. It's just we take it for granted,” she said. “And that's part of the invisibilization ... but Indigenous identities existed in the past, existed in the present and will exist in the future.”

Like many of the clinic students, Leavey isn't sure what her future in the legal profession will be. But no matter what she does, she said she'll bring her new lens on human rights and the legal system with her. Now that she's seen her way through some of her own preconceptions, she wants to help others do the same.

“Once you realize that there's this crisis, you can never unsee it,” she said. “That's something that I can never really ignore. I'll keep talking.” ■

Cardozo Alumni Defend LGBTQ+ Civil Rights

Five Cardozo alumni shared their stories about fighting for the civil rights of members of the LGBTQ+ community, in a powerful 90-minute talk on Feb. 23rd in the Jacob Burns Moot Courtroom. The attorneys highlighted the evolution of legal battles of their clients, and the challenges faced by lawyers who have dedicated their practice to protecting members of the LGBTQ+ community. Moderated by Dean Leslie and sponsored by OUTLaw the talk gave the 100+ students in the audience a sweeping review of changes in the law, and in society, from the 1980s to the present.

In thanking these Cardozo alumni for sharing their experiences, Dean Leslie concluded, “It is so inspiring to hear from you and to learn how you built your careers, and that you did so at great personal sacrifice.” ➡

Cardozo Alumni Defend LGBTQ+ Civil Rights

Guston



“Most opposing attorneys I work with have never had to address a trans person, let alone had to deal with a transgender counsel.”

Debra Guston '88 is a partner at Guston & Guston LLP, where she has fought for the rights of the LGBTQ+ community for over 30 years. When she started to practice, she was one of only two lawyers in the 50,000-plus New Jersey Bar who identified as lesbian. In those early years, Guston said she represented clients who had never been listened to and never had someone who understood what they were going through. “It was about making my clients comfortable, saying I’m here and I’m uniquely situated to help,” she said. “They needed someone who understood them, someone who has worked with and been a part of this marginalized community.”

Guston has been recognized by the New Jersey State Bar Association for her legislative work on behalf of the Bar, most notably lobbying for the passage of New Jersey’s Gestational Carrier Agreement Act, laws that

extended insurance coverage for fertility treatment and New Jersey’s new Confirmatory Adoption statute. Her practice has evolved to focus on family formation and protection, adoption, custody, and surrogacy, which she called her happy place. “I have had years and years of working with people who are deeply frustrated. It’s a step-by-step fight to give couples more control over their process and their lives.” She said that litigation was not going to change things fast enough, so she has tirelessly worked on lobbying efforts to change parenting laws in New Jersey. A past president of the Academy of Adoption & Assisted Reproduction Attorneys, she has served as president of the Board of Trustees for the ACLU of New Jersey.

Taylor Brown '17 is a staff attorney at the ACLU’s LGBTQ & HIV Project. She was the lead counsel in a successful federal case challenging the exclusion of gender-affirming care in the Georgia State Medicaid Plan under the Equal Protection Act, the Affordable Care Act and the Federal Medicaid Act.

A student in the audience asked Brown about coping with the systemic bias and prejudice inherent in this area of law. Brown said, “it’s sometimes horribly demoralizing to work in a system you can’t always trust.” She said that as a transgender woman, “you have to be proud of who you are, but you have to be safe,” pointing to death threats that have been directed at trans advocates. “Most opposing attorneys I work with have never had to address a trans person, let alone had to deal with a transgender counsel.” Brown also talked about how rewarding it is to work on cases for her community, which she described as poor, Southern and trans. She has fought many

cases in Georgia, including one that expanded medical coverage for transgender people in the state.

Brown



“I have had years and years of working with people who are deeply frustrated. It’s a step-by-step fight to give couples more control over their process and their lives.”

Nina Frank '11 is counsel at Outten & Golden LLP in New York, where she represents individual employees in litigation and negotiation in all areas of employment law. Frank is a member of the Sex Discrimination and Sexual Harassment Practice Group and the Lesbian, Gay, Bisexual, Transgender & Queer (LGBTQ) Workplace Rights Practice Group. One case she spoke about involved a gay man who was sexually assaulted at work and then blamed by his boss for what happened to him. She described a steady drumbeat of cases in the workplace where a client’s rights are simply ignored. “You have

got to be able to get up in the morning and harness your anger and put it to use to really be able to represent that client.” Frank said that her early cases gave her the confidence to advocate for her clients. The lack of consistency and respect shown in office settings no longer surprises her. “I know the law, and I know what I’m doing.”

Frank works on a robust docket of LGBTQ+ cases, and says that for her clients, “there is an unmet need for LGBTQ people to go where they are understood.” Many clients couldn’t find a lawyer who understood how something like sexual harassment can affect someone in the community. “There are not too many firms out there with the lawyers who are asking the right questions to support these clients.”

Frank



“You have got to be able to get up in the morning and harness your anger and put it to use to really be able to represent that client.”

Starr



“I am not seeking rights for someone, I’m seeking recognition of rights. We have rights!”

Jason Starr ’10 has over 15 years of experience as an attorney, educator and strategist in the fight for human rights. He is the former and founding director of litigation and current senior strategist at the Human Rights Campaign, the nation’s largest LGBTQ+ civil rights membership organization.

When faced with the hard work of fighting for civil rights, he reminds himself that “I am not seeking rights for someone, I’m seeking *recognition* of rights. We have rights! We are born with them. I didn’t create these problems, and I can’t own the problem because someone else decided to be a bigot.”

Ryan H. Nelson ’11 is an assistant professor of law at South Texas College of Law Houston. His areas of expertise include Civil Procedure, Employment Law and Discrimination, and LGBTQ+ Legal Issues. “I

knew that I wanted to be a teacher,” he said. “Professor Ed Stein really helped me, encouraging me to write legal articles while I was working as an associate at a law firm,” and later to earn an LL.M. and then take a one-year unpaid fellowship at Harvard in pursuit of his dream. Nelson’s teaching in Texas provides him an opportunity every day to support students from marginalized backgrounds who struggle with fears about the impact on their careers of coming out. He advises them to be action-oriented asking, “what do you want to do with that information, and what are the goals you wish it to support? If you have the privilege of deciding to be visible, decide what your action will do for you.”

He said that whenever he is in conversations with colleagues or students, “I come out as queer as soon as possible, usually by talking about my husband.”

Nelson



“Professor Ed Stein really helped me, encouraging me to write legal articles while I was working as an associate at a law firm.”

Cardozo Celebrates the Class of 2023

Yeshiva University President
Rabbi Dr. Ari Berman



Judge Joseph Greenaway
with Dean Melanie Leslie



Sophie Dizengoff '23
and her father, Ira
Dizengoff, Chair of
the Cardozo Board of
Overseers



Associate Dean of Students
Jenn Kim, received the
Best Administrator Award



CARDOZO SCHOOL OF LAW celebrated the Class of 2023, whose graduates embarked upon their academic journey in the midst of the pandemic, during its graduation ceremony at Lincoln Center on June 5.

Dean Melanie Leslie noted that the accomplishments of the class members were nothing short of extraordinary, given that the graduates had to adapt to remote classes.

"Graduating from law school is always an impressive achievement," Leslie said. "But what this class has accomplished today is momentous."

She highlighted student achievements including those in criminal justice, which ranged from obtaining clemency for clients to settling a lawsuit to end solitary confinement for those on death row in Louisiana.

Many of these successes were made possible because of the collaboration among the graduates, she said.

Although relationships among students took time to grow because they were working remotely, they quickly came together once classes were held in person. Rather than viewing each other as competitors, Leslie said students were urged to see classmates as resources and co-collaborators.

Leslie advised the graduates to "bring open hearts and curious minds to each new encounter—and have the humility to learn from everyone you meet."

The keynote speaker was the Hon. Joseph Greenaway Jr., who served as a circuit judge of the United States Court of Appeals for the Third Circuit. He reflected on his career and highlighted the three principles he strives to live by: pursue excellence, challenge yourself and find your fun.

He recalled his parents as hard workers, instilling in him that "the pursuit of excellence is a lifelong pursuit."

Greenaway told the graduates that St. Jérôme's motto, "Good, better, best. Never let it rest. 'Til, your good is better and your better is best," has always resonated with him as he believes in continuous improvement.

Greenaway also said it's important to challenge oneself. He said one may face several difficulties, but personal and professional growth "go hand in hand."

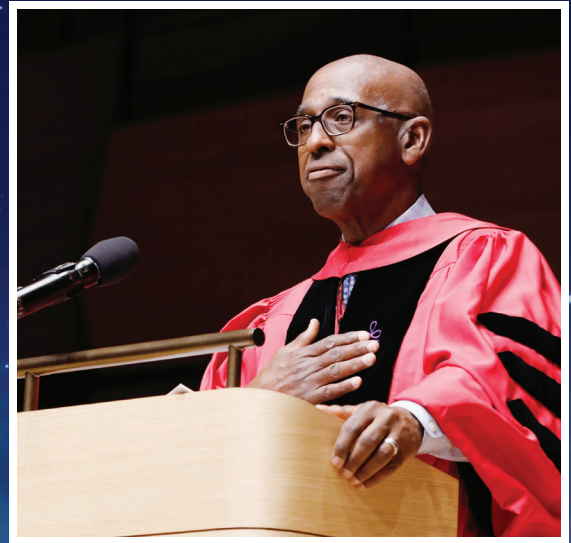
Greenaway wrapped up his remarks by encouraging the graduates to find their fun, sharing that one of the joys he has found is in triathlons.

"We all need passions besides the law," he said. "Give yourself those respites."

LL.M. class speaker Xènia Campàs Gené acknowledged that for many of her fellow classmates, coming to New York to pursue their degree was not only a dream but also a risk. She said she hopes the class will embrace uncertainty and persevere through challenges.

J.D. class speaker Talia Heller pointed out that in ancient biblical Hebrew, there is no word for "history."

"It means what came before us, our own past and in the past of our ancestors, it's actually all a part of us right now,"



she said. "Everything that happened before is connected to us. We're just a continuation of a big, messy, wild story."

When the president of Yeshiva University, Rabbi Dr. Ari Berman, addressed the class, he discussed a life lesson he learned while on a call with his daughter during a flight. He said he was unable to speak to her without disturbing his fellow passengers, so she spoke to both sides of the conversation, carrying on what he might say to her in response to what she said.

"I realized that my daughter is carrying my voice in her heart, and she can hear me even when I am not present," Berman said.

Although he recently lost his father, Berman said he has carried his father's voice with him and shares it with his children.

"It's essential to remember throughout your life, not just what's in your heart, but who is in your heart," Berman said.

Professors were also honored during the graduation ceremony. "With so many of us starting law school alone in a brand-new city, or even coming back to school after being in the workforce, it is the kindness and support from faculty and staff that we will remember most," said Student Bar Association President Hannah Petitti, who presented the awards.

Among the winners were Best First Year Professor Myriam Gilles, Best Professor Jessica Roth, Best Adjunct Professor Brian Farkas, Best Administrator Jennifer Kim, who is the dean of students, and Outstanding Assistance to the Student Body Stephen Iannaccone, who serves as the director of academic success.

Student Achievements

Mark Whitlock Scholarship

Ilona Ehrlich '23 and Shelley Wu '23 received the Mark Whitlock Scholarship.

Ehrlich was a member of the Divorce Mediation Clinic, a 1L senator of the Student Bar Association and president of the Jewish Law Students Association. Ehrlich also was the editor-in-chief of the Alternative Dispute Resolution Competition Honor Society and created the Cardozo Invitational Negotiation on Entertainment, Media and Art Competition. Her peers noted her passion for the community, calling her a “bright light in our class all three years.”

Wu led a number of student associations, including the Asian Pacific American Law Students Association (APALSA) as its academic chair. She hosted programming that supported 1L APALSA members as they acclimated to law school. Additionally, Wu was the treasurer of If/When/How, the co-coordinator for the Courtroom Advocates Project, a student leader for the Asian American Bar Association and a Gates Scholars Ambassador. She was also the submissions editor and podcast editor for Cardozo Law Review and the co-president of the Cardozo Mentorship Program. One of Wu's nominators said she “truly wants to do the best for Cardozo students and the legal community as a whole.”



Ruth Bader Ginsburg Memorial Scholarship

Shelley Wu '23 was awarded the Ruth Bader Ginsburg Memorial Scholarship by the New York State Bar Association. Wu's application letter touched on advocacy she started as a child when she helped her Chinese immigrant parents navigate the barriers they were met with in America. She worked as a paralegal in the Child Abuse and Domestic Violence Units of the New York County

District Attorney's office. It was there that she became inspired to work as an attorney and fight for women's rights and gender equality.

American Immigration Lawyers Association DEI Scholarship

Anda Totoreanu '23 was awarded the American Immigration Lawyers Association's Diversity, Equity and Inclusion Law Student Scholarship. She, along with other students from the Kathryn O. Greenberg Immigration Justice Clinic, represented a client who was unjustly deported decades ago. The clinic filed a motion in state court and was successful in vacating the unlawful convictions that led to the deportation. Another motion was filed before the Board of Immigration Appeals that vacated the deportation order, restoring the client's lawful status in the United States and allowing him to reunite with his family.

STUDENTS ATTEND SEC ADVOCACY CLINICS SUMMIT

David Fleschner '24, Kayla Gonik '23, Grace Huang '24, Max Kleiner '24, Zaira Rojas-Navarro '24, Rita Tewolde '24, Aryan Vavila '23 and AJ Wei '23, who participated in Cardozo's Securities Arbitration Clinic, took part in the SEC Investor Advocacy Clinic Summit. They spoke with the commissioners and staff, discussing the important work law students do when they provide free legal representation and other resources to harmed investors engaged in disputes with financial professionals. Rojas-Navarro gave a presentation at the public portion of the meeting, while Tewolde, Huang and Wei gave presentations at the summit.

STUDENTS AID ASYLUM-SEEKING FAMILIES

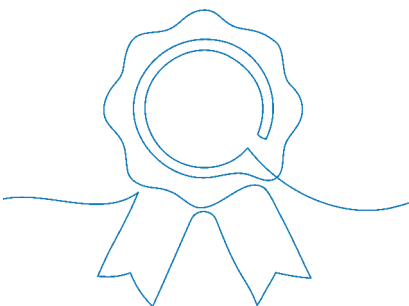
Students and faculty members working with the Kathryn O. Greenberg Immigration Justice Clinic helped newly arrived migrants who were bused from Texas to a high school in midtown Manhattan. Partnering with the non-profit service organization Project Rousseau, the nine students worked under the supervision of Immigration Justice Clinic Co-Director Lindsay Nash, visiting Professor Mauricio Noroña and clinical teaching fellow Elsi Wu. Noroña and several bilingual students organized a “Know Your Rights” workshop for about 20 families and another team worked with translators and met with families under supervision to advise and help screen them for pro bono representation.



Cara Hernandez, left, and Frances Grail-Bingham holding their CLEA Outstanding Clinic Team Awards

CLEA Outstanding Clinic Team Award

Frances Grail-Bingham '24 and Cara Hernandez '24, students in the Kathryn O. Greenberg Immigration Justice Clinic, received the CLEA Outstanding Clinic Team Award for successfully representing an elderly, long-term U.S. resident in his merits (trial-type) hearing before the New York Immigration Court. For the client and his U.S.-citizen wife, deportation would have meant severe illness and possibly even death. He is her sole caretaker, providing life-sustaining support, and, because of his own need for medical care, he would face almost certain death if removed to his country of origin. Despite these factors, winning discretionary relief from deportation was difficult due to the client's "aggravated felony" conviction.



Grail-Bingham and Hernandez conducted extensive factual and legal investigations, secured and prepared field-leading expert witnesses and prepared an evidentiary submission that, at trial, their opposing counsel described as "the best ... seen in 20 years of practice." They used the full range of holistic lawyering skills to help their client and his wife meet their legal and non-legal needs, earn their client's trust and prepare their client and his wife to testify—and be cross-examined—about the most difficult moments of their lives. The Immigration and Customs Enforcement attorney acquiesced partway through, waiving appeal.

CLEA Outstanding Externship Student Award

Hye Jin Koh '24 received the CLEA award for her work in the Public Sector Externship with field work at the Second Circuit Civil Appeals Mediation Program (CAMP). Koh harnessed a lesson that she learned as an orchestral musician trained at The Juilliard School and Yale—what she described in a journal entry as "being incredibly curious about how

to produce the most resonant sound." She helped mediators wade through the cacophony of arguments to encourage a settlement. Koh completed projects at CAMP and pushed for more attention to overlooked pro se litigants. Professor Betsy Ginsberg said she demonstrated excellence in the seminar, and her journal entries explored the legal, ethical and strategic issues raised at CAMP through lessons she learned from reading about the lives of Justice Sonia Sotomayor and other legal luminaries. In class, she spoke of her love of learning and her commitment to finding a compassionate and meaningful work environment at CAMP and beyond. She has contributed to the community through her work as a judicial intern in the Bronx, a legal assistant at a company encouraging venture capital accessibility and an orchestral musician who moves audiences.

Cardozo's externship program is one of the largest in the nation

“ I had the opportunity to develop a wide range of skills during my time at the Healthcare Reform Clinic—legal analysis, research, and experience in finding creative solutions to unforeseen challenges. These newfound skills have given me a sense of empowerment and confidence in tackling future projects. ”

—SAMUEL SILVERMAN 3L

Externship: Northwell Health
Plans to pursue a career in the industry of house counsel

Alumni Reunions in Paris and Tel Aviv






In April, 95 Cardozo alumni from around the world joined Dean Melanie Leslie and Associate Dean Val Myteberi in Paris and Tel Aviv, reviving ties and building new connections.

In Paris, 70 alumni had a cocktail dinner at the historic home of Victor Hugo in Place des Vosges, where a French historian gave a talk about the French Revolution and the literary and political works of one of the most famous French writers.

Attendees also had brunch, which was sponsored by Jack Jia, '20, a partner at the Hylands Law Firm in Beijing, and took a cruise on the Seine.

The Paris trip allowed Cardozo lawyers working throughout Europe and Asia to reflect on their law school days in Greenwich Village and to catch up.

In Tel Aviv, 25 Israeli alumni gathered at the home of Karen Sinai, JD '04, welcoming Dean Leslie and Professor Andrea Schneider and sharing news and updates.

"These alumni gatherings further strengthen our community, and we look forward to many more of these wonderful events in the future," said Myteberi. "The achievements and success of our alumni continue to shape what we do at Cardozo. These alumni are true changemakers, groundbreakers and leaders in their fields. They inspire us." 

Alumni Reunions *at Home*





The first in-person reunion since the pandemic was held over four days last November and included a Distinguished Lecture Series, Broadway events and a reception with Dean Melanie Leslie '91.

Cardozo alumni from class years ending in 2, 3, 7 and 8 reunited, reconnected and reminisced at Homecoming 2022. It was an emotional and joyous occasion, marking a long-awaited return after the onset of the COVID-19 pandemic. Cardozo alumni are deeply grateful to our presenting sponsor, Seeger Weiss LLP, and to the bronze sponsors, Cole Schotz P.C., Marc Lieberstein '92 and Kilpatrick Townsend & Stockton LLP, and Meltzer, Lippe, Goldstein & Breitstone, LLP. Their generosity helped make this a warm and festive community building event.

Dean Leslie welcomed alumni back to campus at the Annual Alumni Association Meeting: RISE UP for Cardozo. The dean spoke about the triumph of Cardozo in the context of the pandemic and the importance of the Rise Up for Cardozo Campaign. Alumni are invited to help meet the goal of raising \$50 million for the law school in honor of its 50th anniversary in 2026. So far \$37 million has been raised in the campaign's four pillar categories: Empowering students, nurturing faculty, elevating the campus and transforming clinics.

Attendees at the reunion events had many opportunities to wine and dine together, plus the chance to see Moulin Rouge on Broadway and to hear from the cast of Wicked.

A distinguished lecture series was offered for alumni to enjoy the memory of academic life at the law school. The first of the speakers was Professor Felix Wu, who is now the vice dean and who is also the director of the Cardozo Data Law Initiative. He spoke about the trademark infringement case of MetaBirkins, a case in which Hermes claimed the NFT was a violation of the fashion company's famous Birkin handbags.

Next, Professor Kate Shaw, ABC News Supreme Court analyst and co-host of the podcast Strict Scrutiny, provided insight into the Supreme Court's 2022 Term. Shaw outlined key cases and legal theories that underlie the momentous changes in direction of the Court.

On the final day of reunion, Professor Edward Zelinsky rounded out the lecture series with a talk entitled Taxing Interstate Remote Work After Covid.

The final event of the reunion was at City Winery New York where alumni were able to enjoy the Dean's Cocktail Party with an open bar, food and music from the Cool Rulers. 🍷





Ken Weiner '95

DEALING WITH THE MOST COMPLEX CULTURAL PROPERTY ISSUES IN THE ART WORLD

Ken Weiner '95, chief communications officer and senior vice president of external affairs for The Metropolitan Museum of Art, is among the Cardozo alumni who have used their degrees to advance in non-legal fields. After graduating from Cardozo, he worked as a staff attorney and communications director at the Brennan Center for Justice, and he has held high-power communications jobs at some of the most prestigious organizations in the country, including The New York Public Library and now at The Met.

His legal training has helped him become a respected problem solver. Notably, he has played a leadership role in how The Met responds to one of the art world's most vexing challenges: what to do about works of art that have problematic histories and may have been improperly acquired. The Met announced earlier this year that it will systematically review a set of works in its collection. The new plan will increase provenance research resources to enable the museum to make decisions about individual pieces of art. The Met, and many other museums, have made headlines for having art seized by the Manhattan District Attorney's Office. However, in recent years, The Met made headlines for returning sculptures to several countries, including Nigeria, Nepal and India. Weiner has been in the middle of it all.

Q. This spring The Met announced a comprehensive, and some would say pioneering, new plan to address the issue of artworks that were illegally or unethically obtained by art dealers and then were gifted to or purchased by the museum. What can you say about the plan? Why has The Met taken on these complex legal, ethical and cultural issues?

A. The Met is a leader in the museum field—we are the largest art museum in the world, we have a collection of 1.5 million objects spanning over 5,000 years of human creativity, and we are the top tourist attraction in New York City. With this role comes great responsibilities and visibility. On cultural property, The Met has a long, and proud, history of research, transparency and collaboration. The museum's recent initiative seeks to communicate that the landscape of

Alumni Spotlight

cultural property has changed, and in response, we will invest in more research, and, importantly, we will take whatever time is needed to figure out the road ahead.

Q. You have worked as VP and chief communications officer at The Met since 2017. How has your training as a lawyer informed the way you think about and frame the issue of the provenance of art—both the legal and the ethical issues involved in this area?

A. My legal training is with me throughout every workday—writing, analyzing, developing strategies, and, most important, finding a way forward. Unlike our peer institutions—the Louvre, The British Museum, the Prado and other amazing museums—The Met was founded without a building or even a single piece of art. Each of the over 1.5 million objects in the museum came here as gifts or purchases over the past 153 years. And each has its own history. Just as no two lawsuits have the precise same set of facts, no two pieces of art have the same history. So, it's important to both identify guiding principles and to apply these principles with care to individual cases. My legal education—and particularly my Cardozo legal training—embedded in me the habit of constantly referring back to the mission and values of the nonprofit institutions I've worked for and letting those values drive our decisions. Almost 2,000 people work at The Met to bring art to lives and lives to art. Of course, cultural property is a very complex topic. We are in many

cases trying to make sense out of thousands of years of ownership and complex histories—through our own research and in conversation with external scholars and source communities—but if we are guided by the idea that we want to do what's best for the art and our institution, we will arrive at the right place.

Q. This plan appears to represent a milestone at The Met and in the art world. As a member of the leadership of the museum, what was your role in developing a forward-looking approach among curators, administrators, board members and the GC's office?

A. Everything at The Met takes a village. It all begins with our leadership—in our case our president, Dan Weiss, and our director, Max Hollein, who often share that we are all merely custodians at this point in time for The Met. As an organization and an art collection, the museum is a perpetual institution—that is, one that will be here for future generations. As the leader of our external affairs group, of course, my job is to steward our brand. The headlines about museums and the change in landscape around cultural property land me at the table with our curatorial leadership and counsel's office in how to navigate this topic. Like many areas of The Met, cultural property invokes many important issues: What are our legal responsibilities; what is our responsibility to the individual art objects, their source communities and the collection overall; and how, if at all, do these issues affect public affairs and public relations? So,

together, our curators, lawyers and communications leaders are forging the path ahead. Often my contribution is to put a fine point on the external environment. Recently *The New York Times* had a headline, not in the arts or news section, but in the travel section, that read “When a Visit to the Museum Becomes an Ethical Dilemma.” My role is to cast a spotlight on that headline and make sure our leaders appreciate both the scope and urgency of what's at stake here, and then to support the work of our team in our next steps.

Q. Did you study intellectual property law when you were at Cardozo, and how did your legal training help you analyze and deal with one of the most complex challenges facing museums around the world?

A. I studied a bit of IP, a bit of media and a bit of labor; I never took an art history class in undergrad. An additional help is that I am a news junkie. I am constantly taking in *The New York Times*, *Washington Post*, *New York Post* and a mountain of magazines that drives my wife crazy. I say that to express my view that there is an abundance of expertise right under all of our noses. To navigate this environment, I use my legal training, my news obsessions, and I also draw heavily from my prior training as a community organizer. There are many people who can write and analyze a challenge or opportunity; fewer can build a plan to navigate the road ahead, and I owe that to community organizing.

continued

Q. You went to Cardozo at a time when Dean Monroe Price was establishing many of the programs the school is known for, and I know he was a patron of the arts. Did he have an important influence on you?

A. Monroe influences anyone in his path! I was interested in telecommunications policy and took a fantastic class with Monroe. From a paper I wrote for his class, I eked out an op-ed in the *New York Law Journal*. It was an important first break, and just out of law school I got a job writing for a policy leader and then penned an op-ed for *The New York Times*, which helped me land my first real post-law school job as the first staff attorney at the newly formed Brennan Center for Justice at NYU School of Law. Which is a long way of saying: Law school is a time to follow your intellectual interests, and good things will happen.

Q. Cardozo's FAME Center for Fashion, Arts, Media and Entertainment has become a hub for issues facing creative industries and nonprofits with respect to IP. We graduate many lawyers each year going into creative fields. What's your advice for them?

A. It has been wonderful to watch Cardozo thrive. The depth and breadth of the amazing work going on in New York in the arts/cultural/fashion space is an inspiration. I tell recent grads to be proactive in their searches. Choose your 10 favorite institutions or brands and find someone at each to have a cup of coffee with. Ignore the nos and the silence. The legal profession is much more varied than meets the eye. There's great legal and nonlegal work out there—go find it.

Q. What's the most fun you have working at The Met, and don't forget to mention the Met Gala!

A. I believe that it's always important to have one or more passion projects if you're in a role that can be a grind.

When the museum reopened after being closed for five months for COVID (we hadn't been closed longer than three days in more than a hundred years) it was a great joy, and the effort to bring our visitors back has continued with campaigns aimed at New Yorkers. My team created Date Night at The Met, which leans on the simple notion that the museum is here for a wonderful night out—some art, a beverage, perhaps some music—which is the reason so many of us are in New York after all. The initiative has doubled visitor levels and brought in a much more diverse and younger audience.

Employee communications is also part of my group, and I love connecting staff with a mission. We launched a great franchise called Tuesday Tours, where a Met curator gives a 30-minute tour every Tuesday morning. Beyond that, I'm a stimulation addict, so for me the varied crazy challenges and opportunities that come through the door are essential to my work life.

Q. Tell us about The Gala!

A. I sent you an invite, and you didn't show! Kidding. The Gala for our team is an opportunity to advance art and the overall Met mission. There are a small handful of national media moments anywhere at this scale. As a museum professional, the fact that this spectacle marks the opening of a new exhibition is incredibly encouraging. It's truly remarkable that the parade of celebrities and cultural leaders is not for an awards show or for a sports game. It's to celebrate art and culture and benefit The Met, and the impact is widespread—case in point: A week after this year's Gala, a high school theater class in a small town in Mississippi created replicas of Met paintings for their high school prom. The Gala is a great New York moment, and, perhaps more importantly, it makes an impact many miles away from Fifth Avenue. ■



Rick Perkal '81

Rick Perkal '81 is the chief executive officer and managing partner of Firelight Capital Partners, a private equity firm that focuses on consumer brands. After graduating from one of the earliest classes of the law school, he went on to secure a clerkship for a New York State Supreme Court Judge. Over time, he grew his career, later going on to serve as senior managing director with Irving Place Capital, where he focused on investments in the consumer and retail sectors, and as senior partner with Kirkland & Ellis LLP, where he headed the corporate practice of the firm's Washington, D.C. office.

Rick has also served on various boards, including the board for The Vitamin Shoppe. In addition to working in the law and business field, Rick has also found time to give back to Cardozo. He is a member of the Board of Overseers and served as its chair of the nominating committee.

Q: How did your law degree from Cardozo help you in your business career managing private equity funds?

A: I think that my path to private equity may have been a little more unusual than most people's (and I don't mean that in a good way). My father had been a small-town lawyer in Bay Shore, New York, and I had always dreamed of following in his

footsteps. However, I had not been the most dedicated college student, so unfortunately, my efforts and my dreams did not align. Shortly after graduating, a friend told me about this young law school called the Benjamin N. Cardozo School of Law; he was applying and suggested I should as well. Cardozo gave me, as an undeserving individual, the opportunity to enroll and it challenged me to succeed. Being justifiably terrified, given my lack of any study habits, forced me to work harder than ever to avoid failing. I guess that worked since I made law review.

However, graduating from a young law school, even with my law review pedigree, made it extremely difficult to secure employment as a lawyer. Through grit and tenacity, I ultimately landed a clerkship for a New York State Supreme Court Judge. It was that first job that I parlayed a year and a half later into a position as an associate at a mid-sized New York City law firm. From there, I spent many years as a senior partner at Kirkland & Ellis, running a mergers and acquisitions practice group. While running this M&A law group, my entrepreneurial urge led my wife and me to found the country's first chain of children's hair salons, Cartoon Cuts, which she still runs 32 years later. Several years later, I also founded the country's first laser eye surgery chain, which was later successfully sold to a public company.

This is a long-winded way of telling you that all this prepared me for entering the private equity arena



with Bear Stearns Merchant Banking (BSMB) in 2000 as a partner, and ultimately running the Consumer Vertical. BSMB—which transitioned to Irving Place Capital (IPC) after the Bear Stearns merger with JP Morgan—raised and managed over \$5 billion of equity capital. Once IPC began winding down in 2015, I started my own private equity fund, Firelight Capital Partners (FCP), which focuses on lower middle-market, branded consumer companies.

My Cardozo experience not only gave me a terrific grounding in legal principles, but it provided me with a way to approach and solve issues using logic and common sense. I have used these learnings in every situation and position that I have had throughout my career.

Q: You refer to yourself in one article as “a deal junkie.” What is it you love about what you do?

A: I love learning each day about new businesses that come across my desk, and I admire the creativity that so many people have in building their companies. I really enjoy working with successful founders, helping them take their businesses to another level through the capabilities that my firm, FCP, can provide. We bring e-commerce expertise, operational excellence, talent acquisition, channel growth, geographic expansion and differentiated business strategies to our portfolio of consumer companies. Together, with our partner Yard NYC, we also provide branding and marketing roadmaps, which are critical for the growth of a consumer product business.

Q: How do you define a good board, and what should companies be seeking from board governance?

A: I believe the best boards are comprised of individuals whose backgrounds are extremely complementary to the company they serve. For example, when I led the

acquisition of Vitamin Shoppe in 2002, I assembled a board of directors, each of whom brought a different skill set, to help the management team successfully grow the company from a Northeast-based retailer into a vibrant omnichannel national retailer. When we took the company public on the New York Stock Exchange in 2009, the company's revenue had quadrupled.

Q: For Cardozo you have also played a role in bringing people and resources together. What was your role on the Cardozo board?

A: I was vice chairman for a few years, and for the past few years, I was the chair of the nominating committee.

Q: How have you seen the school grow in the years since you joined the board?

A: The school has added incredible talent to the faculty, significantly advanced the caliber of the student body, developed numerous clinics and internship programs, and established a national reputation.

Q: Did your experience as a student inform the way you think about being on the Cardozo board?

A: As I previously mentioned, Cardozo gave me the chance that I probably didn't deserve, so joining the board was the least I could do to give back. I am not sure I will ever be able to repay the school for the opportunity it afforded me.

Q: What advice do you have for current law students who are interested in business?

A: Take the right courses like Corporate Law, Tax, Commercial Law, Contract Drafting, Corporate Finance, Intellectual Property and Negotiation Theory and Skills. In addition, make sure you develop a passion for business. Also, I would recommend subscribing to The Wall Street Journal to follow the markets. ■



Justice Dianne T. Renwick '86

Justice Dianne T. Renwick '86 was named Presiding Justice of the New York State Supreme Court, Appellate Division, First Department by Gov. Kathy Hochul in June, making her the first woman of color to lead the court. She served as the acting presiding justice of the court since March. Justice Renwick got her start in her legal career as a staff attorney for the Legal Aid Society's Criminal Defense Division in the Bronx. She was appointed as a New York City Housing Court Judge in 1997 before being elected to the civil court that same year. In 2008, Gov. David Patterson appointed Justice Renwick to

the Appellate Division, First Department.

An active alumna, Justice Renwick is a longtime member of Cardozo's Board of Overseers and will be stepping into the chair position of the board's nominating committee.

Q: First off, congratulations on your appointment by Gov. Hochul to the new role as Presiding Justice of the First Department. How does that feel, and what are your goals as you take on this new role?

A: Thank you very much. It's a distinct honor and privilege to serve in this important role, and I'm extraordinarily grateful for the opportunity to lead one of the preeminent intermediary appellate courts in the country. I also feel so grateful to have

been recognized by the governor and to have her confidence

As far as goals are concerned, of course, I intend to maintain the efficiency with which we decide appeals and other matters that come before us. The adage, "justice delayed is justice denied," is true. It's important to render decisions as promptly as possible without sacrificing the accurate application and interpretation of the law. The Appellate Division, First Department is known for its efficiency. Over the years, it has become a hallmark of the court, and over the last several months, I've maintained it. Fortunately, the governor recently appointed three new justices to the First Department, which helps us to continue to deliver timely justice.

Additionally, we are a collegial court, and it has been wonderful to welcome the new justices into the fold. It's important to our deliberative process that we respect one another as we seek to resolve the thorny legal issues we confront, regardless of whether we agree with one another on an issue. Being a collegial court is helpful in this respect, and it's enjoyable to work with people whom I respect in cultivating ways to continue that sense of camaraderie.

Although COVID may be here to stay, even with our vaccines and precautions, our official COVID protocols have been lifted. So we have reconfigured our courtroom to its pre-COVID status. This brings the lawyers closer to the bench, reestablishing the traditional relationship between the judges and the lawyers who argue cases before us. In the beginning of October, I reinstituted the much missed in-person admission ceremonies for new attorneys. Candidates for admission to the bar were looking forward to the wonderful opportunity to take their oaths of office surrounded by their families, fellow incoming lawyers and the majesty of our landmarked courtroom.

In addition to maintaining our productivity and reestablishing traditions of the court post-pandemic, I hope to strengthen the court in other important ways as well. As the chair of the court's Anti-bias Committee since 2020, I've largely focused on highlighting the artistry of our 123-year-old building while also contextualizing it within the 21st century. Until this year, only sculptures of male lawgivers adorned the roof of our building. For over 120 years, there were statues of men, commissioned by men, sculpted by men. This year, for the first time in the court's history, we installed a sculpture of a woman, by a woman, award-winning artist Shahzia Sikander. The sculpture, *NOW*,

symbolically puts women on equal footing with the male lawgivers on our roof for the first time in the court's 123-year history. I also intend to contextualize the court's artwork by putting Roger Taney, the author of the infamous Dred Scott decision, in proper perspective with, among other things, an accurate historical explanation of his retrograde decision.

Finally, I am planning on instituting a civic education initiative at our court. It's important to engage young people in civic education to maintain and strengthen our democracy. Through legal lessons and concrete examples, I hope to develop a program that will illustrate the important role that jurors, attorneys and judges play in our legal system. I also want to encourage young people to pursue careers in the legal system or simply to become more informed and involved citizens.

Q: You have been an outspoken champion of diversity in the legal profession and at Cardozo. As someone who has blazed a trail and broken barriers throughout your career, what is your message to those in the law who have been underrepresented—whether they be women of color, those who are LGBTQ or members of any marginalized group?

A: I am pleased that the Cardozo community is one that welcomes women, people of color and people from the LGBTQ community. As a result, over the years, there are now many more of us in significant legal and leadership positions. I think it's wonderful that young people now can see more individuals from more diverse groups in these roles. That's extraordinarily important.

These increased numbers of women, people of color and LGBTQ people in the legal profession and the faculty also mean that there is a larger pool of mentors for law students. Mentorship for law students

and young lawyers is crucial. While it's important that we have more diverse lawyers who can mentor, the key is to find a mentor you can relate to and who is supportive of you, regardless of whether you share a similar background. I encourage students and young attorneys to be proactive in seeking the support of a mentor and not necessarily wait for someone to come to them.

Of course, I'd advise any student to persevere no matter the challenge. There's a quote from Maya Angelou, which is very similar to what my mother would tell me: "You may encounter many defeats, but you must not be defeated. When you encounter defeats, you find out who you are, what you can rise up from." It's important for law students to understand that success might not always come as easily in their legal education or even in their career as perhaps it did at an earlier time in their lives. Success comes from assessing the obstacles and thinking about new ways to tackle them. That might include seeking the guidance of a fellow student, a professor or another attorney or joining a bar association, depending on where you are on your legal journey.

Q: You are also stepping into a new role on the Board of Overseers at the law school as chair of the nominating committee. What qualities do you seek in those who have such an important impact on the law school?

A: Inclusion is such an integral component of Cardozo's present and future success. Increasingly, we hear it in the dialogue, and we see it in the programming. I seek to bring on board candidates from varied perspectives and backgrounds who are committed to Cardozo and our students. I'm hoping that members of the Cardozo community, alumni, parents and people who believe in the law school's mission and clinical work, will consider supporting the

law school. Bringing diverse voices and perspectives to the board is essential. Ultimately, I am confident that the board will continue to support the law school in educating a community of future lawyers who are dedicated to seeking equal treatment under the law for their clients and promoting a more just and inclusive society.

Q: How would you like to see the law school grow as it approaches its 50th year?

A: I have no doubt that if the school could do in the next 50 years what it has done in the last 50, we would be at the top of the charts because it has just progressed so admirably. We've had so many impressive deans, who through their leadership and stewardship, have advanced Cardozo's stature in the legal world. Dean Melanie Leslie, the first woman and the first Cardozo graduate to hold this position, is a trailblazer who has been doing an outstanding job. I would like to see a continuation of the excellent advances that have been made—strong effective growth, creating innovative courses and clinics that are responsive to new areas of the law, keeping the finger on the pulse of what's at the forefront of the law and the legal conversation and maintaining a stellar faculty.

What has also brought us to this point is that Cardozo Law School's faculty has been superb from its inception. The faculty has always been innovative, engaged and committed to the students. To its credit, Cardozo has fostered a strong, dedicated faculty and that has helped the school to make great strides in developing cutting-edge programs and clinics and continuing to turn out lawyers who are well prepared to handle new legal challenges ahead. Cardozo Law School has always been at the vanguard of legal scholarship. The Perlmutter Center for Legal Justice is certainly a wonderful

example of how this innovative thinking continues.

We need to continue Cardozo's progress with a diverse, supportive board and a similarly diverse, engaging faculty who continue to provide an excellent legal education to its students.

Q: Before you became a judge, you were a defense attorney and then an NYC Housing Court Judge. I'm curious to know about the transition, how your earlier legal career prepared you to be a judge. How much does the experience of sitting on the bench differ from any other?

A: Practicing at the Legal Aid Society's state Criminal Defense Division and then at its Federal Defender Unit (now the Federal Defenders) were instrumental in shaping my career. For that, I have to thank Cardozo's Criminal Defense Clinic, in particular, Barry Scheck and Larry Vogelmann, and the Appellate Law Clinic, for giving me valuable and practical legal experience, which sparked my desire to seek a position at the Legal Aid Society upon graduation.

Practicing in state and federal court, observing judges year after year, over the course of ten years, prepared me for the transition to the bench.

Of course, there are some major differences between being a practicing attorney and a judge. As a lawyer, I was an advocate. I represented criminal defendants who had been charged with crimes in federal court.



My objective was to ensure that their rights were protected. The transition to housing court judge meant I had to be neutral. My role as a judge was to render justice fairly and impartially and to allow each litigant who appeared before me an opportunity to be heard. That's a totally different perspective. In Housing Court in 1997, I had to walk a fine line of remaining neutral as a judge and yet ensuring that there was fairness in the proceedings in an environment where the majority of tenants had no legal representation and the opposing parties were almost always represented by lawyers.

The biggest difference, though, is in a judge's ability to shape the law. There's tremendous responsibility, particularly as an appellate judge, in being able to clarify the law for the bench and bar and improve the jurisprudence of New York State. It has been rewarding and gratifying to have the opportunity to contribute to that process in a fair and just manner.

Q: I can imagine you sit on a wide range of cases, some of them involving high-profile individuals like former president Donald Trump. As you prepare for the variety of cases, do you find that the different cases require a different approach or type of preparation?

A: For every case, no matter the litigant or the type of case, I, as does every justice, take a very careful examination of the law and the facts before rendering a decision. That remains the same regardless of the case or whose name appears in the caption. What changes is the level of complexity of a case. Whether it's a civil service employee, an actor, a lawyer or the president, they all deserve due process and equal treatment under the law.

The First Department hears very high-profile cases involving famous people and notable companies that routinely come before the court. That

will always be the case as our court sits in what is arguably the financial and cultural capital of the world. Nevertheless, the personalities involved have nothing to do with our approach to fairly and efficiently resolving the issues that we are called upon to decide. We focus on accurately applying the law to the facts of each case and clarifying the law for the bench and bar.

Q: How did your Cardozo education prepare you for your career? What are some of the most important lessons you learned throughout law school that shaped your pathway?

A: The whole law school experience prepared me for my legal career. Cardozo had innovative clinics run by excellent professors and still does. I am grateful for that. In addition to learning in class how to think analytically by case law analysis, clinics provide the opportunity to gain experience in the practical application of the law. The Clinical Defense and Appellate Law clinics provided me with the opportunity to gain experience in the practical application of the law and inspired me to pursue a career in criminal defense.

Overall, Cardozo reinforced the lessons of preparedness, determination and focus that I learned earlier in life.

The excellent education I received at Cardozo was founded on the strong, supportive faculty, innovative clinics and engaged student body. Cardozo then and now has a thriving community that really helps support each other and helps to develop the best legal minds as a result.

Q: As you went through law school, were you thinking that you might someday be a judge, holding such a critical position?

A: No, not at all. When I went to law school, there were mostly white male judges, lawyers and professors. So I didn't envision myself as a judge. At the time, especially after participating

in the clinics, I was focused on being an excellent litigator, not a judge.

I had an older female cousin who was a successful lawyer. She was a role model who provided me with the incentive and confidence that I could be a lawyer, but I never really thought about being a judge early on. Practicing law in front of judges, however, humanizes them. Watching them go through their daily routine of presiding over trials, sentencing defendants and rendering decisions made me believe that I could do it, too. So after a few years of practice, I sought out mentors to help me reach that goal.

Thankfully, there were accomplished lawyers and judges who were willing to mentor me. The late Sterling Johnson Jr., the second African American judge appointed to the Eastern District of New York, became a lasting mentor to me throughout my legal and judicial career.

In recent times, we have made progress in the sense that there are many more judges of diverse backgrounds on the bench. Having a more diverse community of judges and lawyers gives students the confidence to know that they can attain such positions as well. I'm grateful to be in such a role where I can inspire younger people to believe that they can rise to the heights of their profession.

Q: Can you tell me about your volunteer history with Cardozo and why you feel it is important to be active with the school post-graduation?

A: For those of us who have had successful careers, I think it's important to support the students who are presently in the school through mentorship and other support. There are multiple ways to contribute: taking on interns, hiring students for part-time or full-time positions, speaking engagements and providing financial support to the school.

Over the years, I've contributed by

hosting Cardozo interns at the different courts in which I've worked, and the students have been excellent. I've also mentored students and spoken at the school to different groups and for different events. As well, I've been involved in the Black, Asian & Latino Law Students Association (BALLSA) alumni and Cardozo alumni group events and as a Trustee.

I think it's important to give back in whatever way we can. We all have valuable experiences to share with all students. That's how we can best strengthen our community.

Q: What advice do you have for current law students?

A: Start with the mindset that if you put in the necessary time and effort, you will succeed. In that regard, visit your professors as often as necessary for clarification of material. Seek out mentors at your earliest opportunity. Take as many writing courses as you can to develop and hone your writing skills. Involve yourself in clinics that interest you if there's an opportunity to do so.

A career in law can be extraordinarily gratifying, regardless of whether you are working on social justice issues or in large firms. Legal issues are fascinating, so go in whatever direction interests you. Also, be as focused as possible when in law school. If you dedicate yourself to learning the fundamental skills taught in law school, it will provide you with a wonderful opportunity and springboard into a great legal career.

Remember, opportunities may present themselves when we least expect them. One should be prepared with the knowledge, skills and attitude to embrace the opportunity when it arises. It may not always be exactly what you envisioned, but sometimes walking through an unexpected door can provide you the opportunity of a lifetime. ■

CLASSnotes

Class of 1981

Marilyn B. Chinitz was featured in the Blank Rome's Attorney Spotlight blog. Chinitz is a Partner in the firm's Matrimonial & Family Law group.

Daniel Reingold, CEO and President of RiverSpring Living, received the Dr. Herbert Shore Award of Honor.

Class of 1982

Rosalind Lichter traveled to Amman, Jordan with the U.S. Department of State as a Fulbright Specialist to teach entertainment law to local lawyers.

Class of 1984

Lisa Sarnoff Gochman's memoir, "At the Altar of the Appellate Gods: Arguing before the US Supreme Court," was published by *Indiana University Press*.

Class of 1985

Then-State Sen. **Anna Kaplan** sponsored the Holocaust Education Bill, which ensures that New York State schools are providing a high-quality education on the subject.

Edward S. Robbins joined Stok Kon + Braverman as Of Counsel.

Class of 1986

Stacey Babson Kaplan was promoted to Senior Vice President, Chief Sustainability and Compliance Officer of Terex Corp.

Class of 1987

Janice Grubin, a Partner at Barclay Damon, where she is the Restructuring, Bankruptcy & Creditors' Rights Practice Area co-chair, was named a 2022 New York Metro Super Lawyers honoree.

Class of 1988

Mike Schiff was appointed to the Florida Private Wealth Forum Advisory Board.

Victoria Hamilton Takayesu was appointed as Corporation Counsel by Maui Mayor-elect Richard Bissen. For over 20 years, Takayesu has worked at the State of Hawaii's Department of the Attorney General, where she has led the Child Support Enforcement Branch on Maui.

Class of 1990

Chris Seeger, a member of Cardozo's Board of Overseers and Founding Partner at Seeger Weiss LLP, received *The National Law Journal's* Elite Trial Lawyers Lifetime Achievement Award.

Class of 1991

William Jaffe opened the Law Office of William B. Jaffe, PLLC, a civil rights firm that focuses on education law and advocacy in Washington, D.C. Jaffe has worked most of his career in nonprofits and government, and the firm addresses a pressing need in D.C., with education being one of the nation's biggest challenges.

Class of 1992

Jennifer Weiss-Wolf was named the Executive Director of the Birnbaum Women's Leadership Network at NYU Law.

Class of 1993

Moshe Horn joined Simmons Hanly Conroy's New York office as a Partner to help spearhead the expansion of the firm's litigation capabilities in asbestos, mass tort and class action practices.

William S. Kogan joined Leech Tishman as a Partner in the Corporate and International Practice Groups.

Class of 1994

Loren Rosenberg Lightman joined Becker & Poliakoff PA as a Shareholder in the New Jersey office.

Class of 1995

Sara E. Meyers, a Partner at Enea, Scanlan & Sirignano, LLP, was certified as an elder law attorney by the National Elder Law Foundation as accredited by the American Bar Association. Meyers has spent over 25 years educating and protecting the rights of seniors, the disabled and their families.

Gregory Wong joined Blank Rome as Of Counsel, focusing on real estate litigation and commercial disputes.

Class of 1996

Neil Koren was named Managing Partner at Shartsis Friese LLP in San Francisco.

Scott Stern joined Sheppard Mullin Richter & Hampton LLP as a Partner in the Real Estate, Energy, Land Use & Environmental Practice Group in New York.

David Valente was promoted to Senior Vice President at FirstService Residential's Manhattan Condo/Co-op Property Management Division.

Class of 1997

Sami B. Groff joined Nixon Peabody as a Partner, focusing on environmental issues within real estate finance and business transactions, as well as environmental litigation.

Paul Keller joined Crowell & Moring in the intellectual property team in New York, bringing in-depth IP litigation experience in patent and trade secret matters.

Class of 1998

Gregory G. Plotko has joined Barnes & Thornburg LLP as a partner in the firm's New York office in the Finance, Insolvency and Restructuring department.

Kurt Sanger, a former Deputy General Counsel with U.S. Cyber Command, was appointed as a Cybersecurity Expert at Batten.

Class of 1999

Manan "Mike" Shah was appointed to the Board of Visitors of the Colin Powell School for Civic and Global Leadership at The City College of New York.

Class of 2000

Jenifer J. Foley co-founded a new divorce firm, Alter Wolff Foley & Stutman LLP.

Class of 2001

Aliya J. Nelson, a Partner at Greenspoon Marder LLP's New York Office, was named President of the U.S. Cannabis Business Chamber of Commerce, which works with and advocates for players in the cannabis industry to further development and growth.

Marc Simon was named in *Variety* magazine's 2023 Legal Impact Report spotlighting Hollywood's Top Entertainment Dealmakers and Litigators. Simon is the Chair of Entertainment & Sports Law Department at Fox Rothschild LLP.

Class of 2002

U.S. Rep. Grace Meng introduced a bill in Congress advocating for Diwali, the festival of lights, to be recognized as a federal holiday.

Rachel Posner was appointed to Chief Growth Officer at Kroll, based in New York. In this newly created role, she will be responsible for global client development and account management strategy and will oversee the strategic expansion of key partnerships.

Class of 2003

Matthew R. Chait has been named Managing Partner of Shutts & Bowen LLP's West Palm Beach office.

Lauren Gershuny was elevated to Partner at Genova Burns LLC.

Viking Tao was named as a Shareholder at Polsinelli based in the firm's Dallas office. Tao joins the firm's Corporate and Transactional practice group, part of Polsinelli's highly regarded national Business Department.

Class of 2004

Gillian Kessler was elected Partner at Morrison Cohen LLP in the Real Estate Practice, where her clients, including purchasers, sellers, owners, investors and lenders, rely on her counsel on an array of commercial real estate matters, including single asset and portfolio acquisitions and sales.

Class of 2005

Brian Bank, a Partner at Rivkin Radler, was named one of the 2022 New York Metro Super Lawyers®/Rising Stars.

Wan Chieh Lee was named a Fellow of the Leadership Council on Legal Diversity.

Jason M. Rockman joined Womble Bond Dickinson as a Partner in its expanding Patent Prosecution and Litigation practice.

Class of 2007

Jeff R. Friedman was appointed Co-Chair of the Arnall Golden Gregory LLP Private Equity practice group.

Pam Swidler was promoted to Chief Legal Officer, Chief Compliance Officer and Corporate Secretary of WeWork.

Class of 2008

Ezra S. Greenberg joined Stearns Weaver Miller's Miami office as a Shareholder in the Litigation Department.

Class of 2009

Anya F. Endsley, a Partner at Verrill Dana LLP, graduated from The American College of Trust and Estate Counsel's (ACTEC) New England Fellows Institute.

Alina Grinman was elected Partner at Morrison Cohen LLP in the Executive Compensation & Employee Benefits Practice, where she represents public and private company CEOs and senior executives in negotiating and drafting compensation and employment arrangements, as well as in connection with M&A transactions, IPOs, financing arrangements and securities offerings.

Ipek Seniz Yakut was elected Partner at Latham & Watkins, where she is a member of the Banking Practice and Finance Department. Yakut represents private equity sponsors and their portfolio companies and other borrowers, including public companies, on complex leveraged finance transactions ranging from acquisitions to refinancings, and she provides strategic advice to companies in connection with restructuring and special situations transactions.

Lily Zhang joined Jones Day as a Partner in the Intellectual Property Practice.

Aaron Zises joined NewEdge Wealth, LLC as Principal,

where he will continue to work with ultra-high net-worth individuals and families on identifying innovative ways to manage the complex demands of their wealth, including asset diversification and investment strategies, wealth strategy planning, tax and estate planning and legacy planning.

Class of 2010

David Kim was profiled in *The Korea Times*.

Jennifer Newman Sharp was appointed Head of Legal & Business Affairs and General Counsel at Exceleeration Music, based in New York.

David T. Sirotkin joined Morelli Law Firm as Partner.

Class of 2011

David Allen was elevated to Partner at Finn Dixon & Herling, where he is an advocate and advisor in federal criminal and regulatory investigations, complex civil matters and internal investigations.

Kaveri Arora was promoted to Partner at Pryor Cashman, where she is a member of the Litigation, Intellectual Property, and Media + Entertainment Groups. She represents clients in a diverse range of intellectual property and complex commercial litigation matters.

Michelle Ernst was elected to Partner in the Latham & Watkins New York office, where she is a member of the Intellectual Property Litigation Practice and Litigation & Trial Department. She focuses on

patent litigation and strategic counseling in the pharmaceutical, life sciences and biotechnology industries.

Benjamin Jaffe joined Pryor Cashman as Partner in the Media + Entertainment Group and will co-chair its Digital Media Practice.

Sam Schiffer, a Partner at Taft Stettinius & Hollister LLP, was named a member of the 2022 class of "Leaders in the Law" by *Michigan Lawyers Weekly*.

Eric Victorson was elevated to Partner at Sullivan & Worcester LLP.

Class of 2012

Megan Bahas, who practices Labor and Employment Law in Barclay Damon's Buffalo office, was named in the 2024 edition of the *Best Lawyers: Ones to Watch in America*.

Yonit Caplow was elevated to Partner at Dilworth Paxson in the Bankruptcy & Insolvency and Litigation Practice Group, New York.

Elizabeth Cha was promoted to Partner at Eversheds Sutherland, where she counsels clients on state and local taxation matters, including tax structuring and planning. She regularly advises on a range of tax types such as income, franchise, sales and use and property taxes.

Jocqui Kaup was elected Partner at Wilson Sonsini Goodrich & Rosati, where she focuses on corporate and securities matters for emerging-growth companies and venture capital and private equity firms in equity and debt financing transactions and mergers and acquisitions. She also advises on strategic alliances, spinouts, recapitalizations and other corporate reorganizations.

Lauren Zimmerman was named Partner at Selendy Gay Elsberg, where she is a litigator who has worked on several trial teams. Her practice focuses on complex civil litigation, class actions and white-collar criminal defense, including corporate and regulatory internal investigations.

Class of 2013

Simon Elkharrat was promoted to Partner at Fried Frank, where he represents owners, developers, financial institutions, institutional investors and REITs in complex commercial real estate transactions.

Sarah Gremminger was elevated to Partner at Dilworth Paxson in the Trusts & Estates Practice Group, Cherry Hill, New Jersey.

Lindsay G. Korotkin was elevated to Partner at ArentFox Schiff.

Marissa B. Lewis was promoted to Partner at Mitchell Silberberg & Knupp LLP, where she practices in the intellectual property litigation and trademark prosecution groups.

Sam Solomon served as Deputy Director for Policy and Justice Operations at the New York City Mayor's Office of Criminal Justice from September 2022 to September 2023.

Deana Stein was elevated to Partner at Benesch Law.

Class of 2014

Harry Kaplan was promoted to Special Counsel at Fried Frank, where he focuses on the representation of major financial institutions, investment advisers and institutional investors on a range of matters.

Allison Netto was named Senior Vice President at Bridge Bank's Business Escrow Services

Group, where she leads business development efforts in New York City.

Bianca Costa Rodriguez was promoted to Partner at Windels Marx.

Frank S. Rosenfield was elevated to Partner at Goldberg Segalla.

Justin Vine was promoted to Partner at Morris, Manning & Martin, LLP, where he specializes in closing complex transactions for institutional clients.

Class of 2015

Alexander Avellan joined Lindabury, McCormick, Estabrook & Cooper, P.C. at the firm's Westfield, New Jersey office. He is a member of Lindabury's Labor & Employment and Litigation practice groups as well as the automotive and construction industry teams.

David Casagrande was promoted to Partner at Forchelli Deegan Terrana in the newly formed Securities Litigation and Regulation practice group.

Eric S. Marder was promoted to Partner at Reed Smith LLP in the firm's Entertainment and Media group.

Kara Weiss joined Visa Inc. as Counsel, Global Deals and Visa Business Solutions. She advises cross-functional teams to support product and service sales and development initiatives.

Class of 2016

Tatsuya Adachi joined Leason Ellis as an Associate in the Litigation Practice Group. He is a hands-on legal strategist, risk evaluator and courtroom advocate in IP disputes relating to copyrights and trademarks from pre-litigation investigation through trial and appeal.

Alexander R. Morelli joined Morelli Law Firm as Partner.

Alexander Newman joined Blank Rome as an Associate, where he focuses on commercial litigation in state and federal courts, representing clients ranging from individuals to large corporations at every stage of complex business disputes in litigation, arbitration and mediation.

Class of 2017

Phillip Ensler won the November 2022 election to the Alabama State House of Representatives, becoming the first Jewish candidate to win a seat in Montgomery in nearly 50 years.

TaLona Holbert was recognized by *Crain's 40 Under 40* for her litigation successes as well as for her pro bono work defending vulnerable members of society, including survivors of domestic abuse and students with disabilities.

Class of 2020

Andrea Coppola joined FLB Law as an Associate.

Akinyele Jordan joined Sloss Eckhouse Dasti Haynes LawCo as an Associate Attorney.

Pranav Katti joined Barclay Damon as an Associate, working in the Intellectual Property Litigation and Patents & Prosecution Practice Areas.

Class of 2021

Taylor Dumpson was honored as a "Uniter" at The White House's "United We Stand Summit" to counter hate-fueled violence.

Jannah B. Eichenbaum joined Hall Booth Smith, P.C. as an Associate in the White Plains office, where she focuses on the defense of medical malpractice and general liability matters.

IN MEMORIAM

Benjamin B. Ferencz

Cardozo School of Law and Yeshiva University mourn **Benjamin B. Ferencz**, the last surviving prosecutor of the Nuremberg trials and a deeply passionate supporter of Cardozo, who died on April 7 at an assisted-living center in Boynton Beach, Fla. He was 103.

Ferencz oversaw the largest trial of Nazi war criminals, negotiated reparations for concentration camp victims and became one of the founders of the International Criminal Court. He spoke frequently at Cardozo about the use of law in international human rights struggles.

He gave a substantial donation to the law school for the **Benjamin B. Ferencz Human Rights and Atrocity Prevention Clinic** within the **Cardozo Law Institute in Holocaust and Human Rights**.

Ferencz's connection to Cardozo is a personal one, forged through his relationship with one of the school's founding faculty members, Telford Taylor, who was the lead prosecutor in the Nuremberg trials and a towering figure on the international stage.

"As a man who helped develop the legal doctrine of crimes against humanity and who was known for his frequent saying 'law not war,' we owe so much to Ben Ferencz," said Dean Melanie Leslie. "Today, we mourn the passage of a giant in the field of international law and human rights and a dear friend of Cardozo who cared deeply for our law students and supported their legal education in pursuit of peace and justice. Cardozo Law School and Yeshiva University are filled with gratitude to Ben Ferencz for his consistent support of our human-rights programs."

As a lead prosecutor of the Nuremberg trials, Ferencz brought to justice leaders of Nazi Germany who planned, carried out and participated in the Holocaust. Following Nuremberg, he continued in Germany and then in the United States to fight for and set up reparations programs. His book *Less than Slaves*, co-authored with Telford, de-



scribes his efforts to secure compensation for the forced labor of concentration camp inmates. As one of the founders of the International Criminal Court, he helped create the machinery to hold governments accountable for war crimes. Ferencz made the end of war his life's work.

Ferencz saw the devastation of World War II up close as a soldier in the U.S. Army. Near the end of the war, he was assigned to a team that set up a war-crimes branch and collected evidence. As part of that work, he went to Nazi concentration camps as they were being liberated. The Nuremberg trials

gave legitimacy to the concept that the world could prosecute those in governments who had committed atrocities against their own citizens and citizens from other countries.

On April 11, 2016, Cardozo students of the Cardozo Journal of Conflict Resolution awarded Ferencz the International Advocate for Peace Award and had the privilege of hearing him describe his work in detail, including the story of bailing out of a burning airplane over war-torn Berlin while on a flight to the Nuremberg trials.

Ferencz uncovered the existence of Nazi *Einsatzgruppen*, execution squads who went ahead of German military advances and murdered 1 million Jewish civilians. As a result, twenty-two Nazi leaders were convicted, and 14 received death sentences.

Ferencz urged students to keep up the fight, saying, "You have to think outside the box. You cannot accept the traditional thinking. Challenge everything. You have to have fire in the belly, and you must be determined and to keep on going, no matter what."

Ferencz's leadership in the struggle to find alternatives to war over the decades was noted by Cardozo students when they presented him with the International Advocate for Peace Award. ■

"As a man who helped develop the legal doctrine of crimes against humanity and who was known for his frequent saying 'law not war,' we owe so much to Ben Ferencz."

— DEAN MELANIE LESLIE

IN MEMORIAM

Professor Mitchell Engler



The Cardozo community mourns the loss of Mitchell Engler, a professor of law at the school for 23 years who died on November 4, 2022 at age 58.

"Mitch loved teaching and influenced generations of Cardozo students, who will remember him as passionate, extraordinarily kind and dedicated to them," said Dean

Melanie Leslie. "He spent hours refining new approaches to teaching and was relentlessly encouraging to students who were struggling. We will miss him deeply."

Engler's scholarship centered on tax policy. He combined his extraordinary skills as a tax lawyer with a serious interest in policy issues to create a substantial body of work. He wrote important and interesting articles on major subjects that speak to the core of how the federal government should fairly

and effectively tax the public. He explored how we could change from an income tax to a consumption tax and how that tax could be made progressive. He also considered ways of fundamentally reforming our corporate income tax. Engler lent his deep understanding of current law and his creative mind to advancing proposals for reform on big-picture issues that are extremely complex. His papers appeared in a number of journals, including *Columbia Business Law Review*, *Notre Dame Law Review* and *Washington Law Review*, as well as *Tax Law Review*. In addition to his academic career, Engler worked for five years as an associate at Fried, Frank, Harris, Shriver & Jacobson. In recent years, the subjects he examined included marriage penalty relief after Obergefell, inconsistencies in contract damages law and a corporate consumption tax.

A dedicated teacher, Engler received a Best Professor award at Cardozo in 2005. He held a J.D. and an LL.M. from N.Y.U. Law School, where he was an adjunct professor for many years. 📌

A Tribute to Professor Engler from a Former Student

Teachers have a profound impact on their students, both positively and negatively. Mitch Engler profoundly positively impacted my life.

Professor Engler was above all else a kind and generous person. But he was a damn good teacher too.

*Professor Engler was the antithesis of an old school intimidating law school professor you may have seen in the movies (i.e. *The Paper Chase*). Sure, he kept the tradition of the Socratic method alive, but he used and perfected it to his advantage, which was to teach in a positive and encouraging learning environment. But Mitch went above simply tinkering with old teaching methods, he creatively came up with new and unique methods to make the law school classroom a fun and interactive experience. He used games like *Wheel-of-Fortune* and *Jeopardy* to make difficult legal concepts more digestible and varied his voice octave throughout the lecture to keep the classroom and lecture alive. He was quick on his feet too. If he sensed that a concept had fallen flat, he would come up with a second and third way of explaining it so that it was understandable to all.*

Of course, Professor Engler was a brilliant legal scholar who published and thought about more holistic legal issues, but more importantly, at least for me as a student, he could simply teach. And that's not a simple task.

Mitch had a sense of humor and an infectious smile. He encouraged students and rooted for us. I often felt like he was

my coach more than just a professor. Who will ever forget his emphatic "ABSOLUTELY" when a student correctly responded to a classroom question. He wasn't afraid to bring basketball analogies to tax or contracts concepts, used phrases like "it's not a slam dunk" and made what can at times feel like a stuffy and intimidating environment, a fun and lighthearted experience. I always looked forward to his lectures (often two hours long)!

Professor Engler was generous with his time. He was welcoming during office hours and took time to explain things. When you left his office, there was a sense of shared joy in teaching and learning. You never felt like you were taking his time away from more important legal pursuits. He displayed as much enthusiasm pulling a pen and scrap paper to walk through a 1L contracts example as he did writing a law review article. That's unique. Inspired by his contracts class, I went on to write and publish my 2L journal note discussing the intersection of contract law and baseball. Professor Engler took time to direct and guide me with helpful legal resources and helpfully allowed me to think and talk through some of the points I wanted to write about.

Law school is intimidating. I'm a first-generation college graduate, which made the experience of law school all the more unknown. I sometimes felt and, in fact, was in uncharted waters. But Professor Engler really eased that unease, and I will be forever grateful for that.

Rest in peace, Professor Engler.

Aaron Bretter '18, Senior Associate,
Mergers & Acquisitions Tax at PwC

RISE UP TOGETHER!

THE CAMPAIGN FOR CARDOZO SCHOOL OF LAW

Celebrate Cardozo's upcoming 50th anniversary milestone by supporting our goal of raising \$50 million by 2026 through the dynamic Rise Up for Cardozo comprehensive campaign.



We are already more than halfway to our goal, with \$37 million raised to date. With your invaluable support, Cardozo's legacy of distinctive legal education in the heart of vibrant New York City will continue to flourish.

This campaign will fortify Cardozo's position as a pioneer in legal education and uphold our legacy as a diverse and inclusive institution. Your support will help us ensure that the next generation gains unhindered access to the educational tools necessary to make enduring contributions to the world.

We invite all members of the community to participate to demonstrate our commitment to Cardozo. Any contribution, regardless of the amount, makes a substantial impact on the future of the school and will empower us to provide a transformative experience for current students and thereby continue to enhance the reputational value of a Cardozo degree.

Consider a donation to one of our four Campaign priorities:

Empower Students

Fuel the aspirations of students, particularly those with limited familial financial resources, by providing scholarships that help unlock their boundless potential.

Foster Exceptional Faculty

Our faculty members are not only esteemed educators, but also distinguished scholars whose published work and media appearances generate meaningful change. It remains imperative that we continue to attract, recruit and retain the finest faculty to preserve Cardozo's academic distinction.

Elevate Our Campus

Be a catalyst for transformation as we embark on inspiring renovation endeavors to elevate the standards of our facilities and foster a cutting-edge learning environment. Efforts will include re-imagining student spaces to create welcoming areas that lend themselves to serendipitous encounters and academic dialogue, bringing our clinical physical plant up to a standard that matches its legal prowess and establishing a space which can foster greater collegial synergy.

Together, we can ensure Cardozo's legacy and drive toward a future brimming with excellence, innovation and impact.

Transform Cardozo's World-Class Clinics

The generous gifts of our donors will enable a renovation and redesign of the clinic space into an outstanding home for clinical education at Cardozo, while expanding the number of students who can participate in the ongoing, critically important, work of the clinics and expand the clientele.



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riseup.cardozo.yu.edu

RISE UP



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CARDOZOevents

OCTOBER 2

Volunteer Leadership Summit

Alumni Leadership Council,
Campaign Planning Committee and
Parents Council Members

OCTOBER 11

Dean's Council Reception

Cocktail reception recognizing
leadership donors

OCTOBER 11

Book Talk: "Radical Acts of Justice"

A Conversation with Author

Jocelyn Simonson

Professor Kate Levine and
Brooklyn Law School Professor
Jocelyn Simonson

*Sponsored by the Center for Rights
and Justice*

OCTOBER 12

The Bauer Lecture

The Honorable Judge Dale Ho of the
Southern District of New York.

Sponsored by the Cardozo Law Review

OCTOBER 16

Symposium on Professor Michel

**Rosenfeld's book *A Pluralist Theory
of Constitutional Justice***

OCTOBER 16

The Future of Entertainment:

AI Takes the Stage

*Sponsored by the FAME Center and
the Entertainment Law Society*

OCTOBER 17

Black Excellence in the Spotlight:

Legal Insights for Talent

Representation

Sponsored by the FAME Center

OCTOBER 27

Speaker Dr. Abhishek Manu Singhvi

Topic: Same-Sex Marriage in India:
In the Pursuit of Equality and Justice
by the Supreme Court of India

OCTOBER 27

Melnick Symposium: How Should a Multidoor Criminal Courthouse Operate

*Sponsored by the Cardozo Journal
of Conflict Resolution*

NOVEMBER 8

Graduates of the Last Decade (GOLD) Reception

Cardozo graduates of the Classes
of 2014–2023 are invited to
network with fellow alumni and
faculty members

FEBRUARY 2024

BALLSA Celebration

(date to be announced)

Alumni are invited to attend the 14th
annual dinner celebrating excellence
in Cardozo's diverse community

MAY 23, 2024

Cardozo Homecoming 2024

All alumni are invited to reconnect
and reminisce with fellow Cardozo
alumni and faculty members



For a complete list of events:
cardozo.yu.edu/events