Debate Surrounding Gun Control and the Second Amendment to be Addressed at GLC Conference

A conference on firearms regulation and the Second Amendment will take place on October 18-19, 2007, at Albany Law School. “Firearms, the Militia, and Safe Cities: Merging History, Constitutional Law, and Public Policy” is being co-sponsored by the Government Law Center, The Albany Government Law Review, and Ohio State University. The program is being organized by Professor Paul Finkelman, the President William McKinley Distinguished Professor of Law and Public Policy and Senior Fellow in the Government Law Center at Albany Law School.

The conference could hardly come at a more opportune time. In March of this year, the United States Court of Appeals for the District of Columbia in Parker v. District of Columbia, 478 F.3d 370 (D.C. Cir 2007), struck down the District of Columbia’s three decade old gun control law. This law barred the registration of most handguns, the carrying of pistols without a license, and also required all lawfully owned firearms be kept unloaded and disassembled or bound by a trigger lock.

The Second Circuit by a 2-1 vote found that the District of Columbia law violated the Second Amendment. The majority opinion concluded that “the Second Amendment protects an individual right to keep and bear arms. . . . Despite the importance of the Second Amendment's civic purpose, however, the activities it protects are not limited to militia service, nor is an individual’s enjoyment of the right contingent upon his or her continued or intermittent enrollment in the militia.”

The dissenting judge found that the Second Amendment did not apply to the District of Columbia since it was a federal enclave and not a state. In May, the District of Columbia circuit court denied the District’s petition for rehearing en banc. The District currently intends to appeal the circuit court decision to the Supreme Court.

The conference will include discussions of public policy issues, in part stemming from the recent decision in the D.C. Circuit Court of Appeals in Parker v. District of Columbia. It will also focus on historical issues, including the relationship between the Second Amendment and the militia in early America; gun safety from the standpoint of public health; and many other topics.

Leading academic scholars and other experts will participate in the conference, including Dennis W. Archer, Chairman of Dickinson Wright, PLLC (see insert); Matthew Bennett, Vice President of Public Affairs, Third-Way; Carl Bogus, Professor of Law, Roger Williams Law School; Saul Cornell, Director of the Second Amendment Research Center, The Ohio State University; Brandon Denning, Associate Professor, Cumberland School of Law at Samford University; Paul Finkelman, President William McKinley Distinguished Professor of Law and Public Policy, Albany Law School; Leslie F. Goldstein, Judge Hugh M. Morris Professor of Political Science and International Relations, University of Delaware; Joshua Horwitz, Executive Director, The Coalition to Stop Gun Violence; David Konig, Professor of History, Washington University at St. Louis; Sanford Levinson, W. St. John Garwood and W. St. John Garwood Jr. Centennial Chair, University of Texas Law School; Timothy D. Lytton, Professor of Law, Albany Law School; Robert J. Spitzer, Distinguished Service Professor, SUNY Cortland; Stephen Teret, Professor of Public Health, Johns Hopkins School of Public Health; and Mark Tushnet, William Nelson Cromwell Professor of Law, Harvard Law School.

For information about the conference, contact Kelly Ashe at the Government Law Center at (518) 445-2329 or kashe@albanylaw.edu.

Former Mayor of Detroit to Deliver Crawford Lecture at Gun Control Symposium

Dennis W. Archer, Chairman of Dickinson Wright, PLLC and former mayor of Detroit, will present the 2007 Edwin L. Crawford Memorial Lecture on Municipal Law on October 19, 2007 as part of the GLC’s Conference on Gun Control and the Second Amendment. Mr. Archer will address enforcement strategies in the operation and sale of firearms in major urban centers in the United States.

Mr. Archer served as former president of the American Bar Association (2003-2004), as Mayor of Detroit (1994-2001) and as a justice on the Michigan Supreme Court (1985 to 1993). In his last year as a Michigan Supreme Court justice, he was named “most respected judge in Michigan” by Michigan Lawyers Weekly. He also became president of the National League of Cities during his last year as Mayor of Detroit. In October, 2004, Archer was appointed as legal guardian for civil rights activist Rosa Parks. That same year, he was appointed to the Western Michigan University Board of Trustees by Michigan Governor Jennifer M. Granholm to serve an eight year term ending December 31, 2012. Archer earned a B.S. in Education from Western Michigan University and taught learning disabled children in Detroit Public Schools from 1965-1970. He earned a Juris Doctor from the Detroit College of Law in 1970.

Focusing on current issues affecting local government, The Crawford Lecture was established in 1996 to honor the memory of Edwin L. Crawford, the former executive director of the New York State Association of Counties. Previous lecturers have included several distinguished public servants, academics, and lawyers.
From the Director

Usually when I write this fall column, I reflect on the changes at the Government Law Center which are often triggered by our third-year research assistants graduating and the welcoming of the new class.

This year, however, the changes in all three independently elected offices—the Attorney General, the Comptroller and the Governor—spawned a number of changes at the Center. A number of our lawyers were appropriately lured into public service (and for some, it was back into public service) to pursue outstanding opportunities with the Comptroller, with executive branch agencies and with the judiciary. As a result, in August we were joined by Amy Lavine ’07 who has assumed the position of staff attorney. Amy is working on a host of Government Law Center initiatives in the areas of ethics, public authorities, environment and community development (a more detailed article with Amy’s background appears in this issue of the newsletter). We were also fortunate to retain the legal expertise of Paul Sieloff, Esq. who assisted Paul Moore with various aspects of the Shared Municipal Services Initiative project.

As you read this message, I will undoubtedly be buried under stacks of land use statutes, cases and books as I take a sabbatical for the fall semester to work on the 5th edition of Anderson’s American Law of Zoning. To ensure a smooth transition for the six months, Albany Law School President and Dean Thomas F. Guernsey has appointed Bennett Liebman, Esq. to serve as a Visiting Professor and Acting Director of the Government Law Center. Many of you know Bennett as the founding Coordinator of our Racing & Gaming Law Program and from his many years of service in State government in both the executive and legislative branches. We have worked together closely this spring to develop a dynamic agenda of fall initiatives as described in more detail throughout this publication. As I write this column during my last week in the office until January 1, 2008, it feels a bit strange to realize that after 17 years I will not be coming to the Government Law Center office every day. I am excited about the time away to pursue a concentrated research and writing effort, and I thank Dean Guernsey for this opportunity.

Professor Paul Finkelman, the William McKinley Distinguished Professor in Law & Public Policy, has been instrumental in working with the Government Law Center to broaden the depth and reach of our research agenda and programming. With his assistance, the Government Law Center served as a co-sponsor of a program celebrating the lifetime of contributions of Alan Dershowitz to the law and society. Professor Finkelman and I have been appointed to serve as co-faculty advisors to an exciting new Albany Law School publication, The Albany Government Law Review; and the Center is working with Professor Finkelman on an October symposium focusing on the Second Amendment.

We hope that you will join us during the 2007-08 academic year at one or more of our programs. As always, your suggestions and feedback are welcome.

Patricia E. Salkin
June 2007

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GLC’s SMSI Technical Assistance Project Extended: Regional Workshops Being Held to Assist Municipalities Considering Cooperative Approaches

The GLC’s Technical Assistance Project, first described in last spring’s Government Law Center Newsletter, is providing various deliverables to the Department of State for improving their technical assistance capacity to help local officials in exploring cooperative approaches to providing services. This project has now been extended and additional information and programs are being developed by the GLC.

The SMSI program, now in its third year, is funded at an appropriation level of $25 million—including $1.3 million allocated to the Department of State to continue development of additional technical assistance capacity.

“We have produced and delivered to the Department of State:
• 15 case studies on various shared service initiatives, as well as a summary of the lessons learned and pitfalls to avoid;
• A technical assistance manual for local officials;
• A prototype of a costing template to help officials analyze the fiscal implications of shared service arrangements; and
• Dozens of studies, articles, statutes and other materials as content for an electronic clearinghouse of information.”

The contract extension will allow the GLC to produce additional case studies and research papers, and continue providing content to the electronic clearinghouse. Coinciding with the 2007-08 SMSI grant funding cycle, the GLC will join with the Department of State and the regional network of academic institutions to offer a full day of personalized help to local officials considering shared service opportunities.

The GLC is organizing this innovative workshop series to take place across the State this fall. Plans are being finalized now for conferences in Buffalo, Rochester, Syracuse, Albany, Binghamton, Potsdam, Plattsburgh, and White Plains. The dates of the conferences will be from late August through early October.

These regional workshops are another concrete example of the benefits accruing from development of the Shared Municipal Services (SMS) Information Network linking together for the first time regional academic institutions, planning organizations, government agencies and local government associations.

“We have proven the usefulness of this approach with our successful collaboration in producing case studies,” said Patricia Salkin, Associate Dean and Director of the GLC, “and we know from our advisory groups just how helpful the full build-out of these capabilities would be in providing a dynamic, web-based technical assistance capacity well beyond what is currently available.”

For additional information please contact Paul Moore, the SMSI Project Director, at (518) 445-3256.

Albany Law School Launches Albany Government Law Review

Dean Thomas F. Guernsey and the faculty at Albany Law School have approved a new scholarly publication, the Albany Government Law Review, which will premiere during the 2007-2008 academic year. Paul Finkelman, the President William McKinley Professor of Law and Public Policy, and Patricia Salkin, Associate Dean and Director of the Government Law Center, are serving as co-faculty advisors to this student-run law review. The inaugural issue will feature a symposium on campaign finance reform and will contain articles written by leading law professors and scholars across the country. The second issue will feature a symposium on gun control and the Second Amendment.

The student editorial board includes: Monique Mazza, Editor-in-Chief; Dallas Young, Executive Editor; Michael Kogut, Managing Editor for Submissions & Note and Comment; Maggie Dougherty, Managing Editor for Symposium; Mark Skanes, Managing Editor for Research & Writing and Note & Comment; Victoria Lagoes, Managing Editor for Technology & Development; Jane Tsamardinos, Managing Editor for Business & Production; and M. Lettie Dickerson, Paige Butler, and William Stohner, Article Editors.

The Government Law Center welcomes this new publication, which replaces the Albany Law Environmental Outlook Journal, and looks forward to opportunities to collaborate with the students and authors as the Law Review develops.

Amy Lavine Appointed as GLC Staff Attorney

A
my Lavine ’07 was appointed to the position of staff attorney at the Government Law Center effective August 1, 2007. A cum laude graduate of Albany Law School, Ms. Lavine was also a member of the Albany Law Journal of Science and Technology. She spent a semester at the University of Paris X in Nanterre, France where she received a Certificate of European and International Legal Studies. While a student at Albany Law School, Ms. Lavine had three articles published, Free Exercise Claims of Incarcerated Indians: Grooming Regulations and Judicial Standards, 8 NYSBA Government Law and Policy Journal 59 (Spring 2006), Measure 37 and a Spoonful of Kelo: A Recipe for Property Rights Activists at the Ballot Box, 38 The Urban Lawyer 1065 (Fall 2006) (co-authored with Patricia Salkin), and Monosodium Glutamate (MSG) and Food Labeling Regulations, 62 Food and Drug Law Journal 349 (2007).

A magna cum laude graduate of Simon’s Rock College of Bard with concentrations in art and ecology, Ms. Lavine received high honors for her senior thesis covering environmental education. At the Government Law Center, Ms. Lavine will work on a range of government law and policy issues including land use and environmental law.
20 Years of Ethics Reform - The Ethics in Government Act Revisited

To celebrate the 20th anniversary of the Ethics in Government Act, the Government Law Center convened a symposium to revisit sweeping reforms and redefine public integrity. More than 100 participants joined President and Dean Thomas F. Guernsey, Associate Dean and GLC Director Patricia Salkin and others in the Dean Alexander Moot Courtroom on March 23, 2007 to explore the roots of the Act, consider its successes and shortcomings, and look toward future opportunities to enhance ethics reform in New York State.

Former Fordham Law School Dean John Feerick opened the program with a keynote address that reflected on his chairmanship of the New York State Commission on Government Integrity, the body that served as the impetus for the Ethics in Government Act. Dean Feerick’s remarks concerning the accomplishments and failings of the Act are important in light of his subsequent appointment by Governor Spitzer to serve as chair of the State Ethics Commission and of the Commission on Public Integrity when that comes into being later in the year.

Evan Davis, now at Cleary Gottlieb but then the Counsel to Governor Cuomo, and Mark Glaser, now at Greenberg Traurig and then Counsel to the Assembly Majority, described the environment in which they worked to develop the legislation that became the Act and offered some suggestions about how the Act might better serve its purposes in the current era. Lise Bang-Jensen, formerly the co-host of Inside Albany, remembered her examinations of many of the principals involved in developing the Act and served as a worthy moderator of this panel.

Elizabeth Moore, also a counsel to Governor Cuomo and the first chair of the State Ethics Commission and now with Nixon Peabody, moderated a panel that assessed the Act’s accomplishments and disappointments as well as additional opportunities for reform. Richard Rifkin, a special counsel to Governor Spitzer and a former Executive Director of the State Ethics Commission, Mark Davies, Executive Director of the New York City Conflicts of Interest Board and formerly the Executive Director of the State Temporary Commission on Local Government Ethics, and Member of the Assembly Kevin Cahill, chair of the Assembly Ethics Committee, each offered important assessments of the Act’s effectiveness and described areas of improvement, while keeping in mind that significant changes are in store under the state’s new ethics legislation.

Cindi Canary, the Executive Director of the Illinois Campaign for Political Reform – the leading advocate for ethics and campaign finance reform in the Land of Lincoln – offered a luncheon keynote that described the landscape nationally. Ms. Canary made clear that New York is not alone either in its efforts to restore public integrity or in its challenges at accomplishing serious comprehensive reform. She focused especially on the weaknesses in state campaign finance laws and the increasing sophistication in the states that are leading to ever increasing amounts of money that diminish public confidence in public officials.

A roundtable on the next steps for New York was moderated by Karl Sleight, now at Harris Beach but until recently the executive director of the State Ethics Commission. Blair Horner, who had just left NYPIRG to serve as the special advisor on policy and public integrity for State Attorney General Andrew Cuomo; David Grandeau, the executive director of the Temporary State Commission on Lobbying; Barbara Bartoletti, the director of government relations for the State League of Women Voters; Jim Hennerty, deputy director for contract administration for CSEA; and Patrick Brown, a former first assistant counsel to Governor Cuomo and now at Brown, McMahon & Weinraub, each gave a spirited assessment of the new ethics law and suggested that additional reforms will be necessary to accomplish the purposes identified 20 years ago, especially in campaign finance.

Luke Bierman, a fellow in government law and policy at the GLC, closed the program by reviewing the goals and purposes attendant the Ethics in Government Act and suggesting that the comments and observations of those participating on the panels and in the audience will inform the direction of the new legislation as we understand it through implementation and no doubt further improvements.

This symposium provided an excellent example of how the Government Law Center serves the law school’s many constituencies – students, faculty, local lawyers, public officials and of course the development of the law through service, scholarship and teaching. As improving public integrity remains a priority in the state, especially through the agendas of the state’s four statewide elected officials, the Government Law Center will continue to serve its constituencies in helpful ways, as this symposium reflects.
Edward W. McClenathan ’08 Receives Sandman Fellowship for 2007

Edward W. McClenathan, class of ’08, has been selected as the recipient of the Government Law Center’s Edgar & Margaret Sandman Fellowship for 2007. Established in 1993, the Fellowship provides Albany Law students the opportunity to explore an area of elder law in depth for a year, present findings at a stakeholders’ roundtable discussion, and publish a report to educate law and policy makers and advocates in New York State and across the country on a particular issue.

For this year’s Fellowship, Ed has been focusing on Kinship Care Navigator Programs. Kinship Care refers to the relationship between children and their non-parent caregivers. According to Census figures, over 6.5 million children are being raised by non-parent relatives or non-relatives. New York State alone has over 400,000 of these children. Often, the caregivers in these relationships have little knowledge of their legal rights and do not know where to turn for assistance in raising these children. Kinship Care Navigator Programs are designed to assist these families in accessing the legal and support resources they need to give these children an equal footing while growing up.

Ed is engaged in a comprehensive examination of Kinship Care Navigator Programs implemented by other states to discern effective and efficient techniques, and to highlight any areas of opportunity for improvement. His initial findings were presented to an invitation only roundtable on July 18, 2007 that included stakeholders and experts in the field, for their feedback and critique. He will produce a final report in late 2007.

Raised in the Rochester, NY area, Ed most recently lived in the Village of Fairport, NY before moving to Albany for law school. He credits his success in law school to strong support from his wife, Brigid, son, Blaine (9), and daughter, Ellery (9 mos.). Ed is in the accelerated program at Albany Law and anticipates graduating in December of 2007 with dual concentrations in Environmental Law and Government Administration and Regulation.

While in law school, Ed has been a research assistant at the Government Law Center, a teaching assistant for the first year course Introduction to Lawyering, and he has represented the Law School at the Regional ABA Negotiation Competition in New York City. Ed’s publication, entitled “Land Use Implications of Casinos and Racinos on Local Governments in New York,” appears in the Winter ’07 edition of the Urban Lawyer.

This year’s Fellowship is supported by the Kincare Support Project with funding provided by the New York Life and AARP Foundations.

For more information about the Sandman Fellowship program, contact Rose Mary Bailly, Esq. at rbail@albanylaw.edu or (518) 472-5858.

New Guidebooks Provide Legal Information, Other Resources to State’s Kincare Providers

Throughout 2007, the Kincare Support Program (in cooperation with AARP) has worked with other advocates to present needed changes in kinship policies and laws to the executive and legislative branches of government. In addition, a kinship guide to applying for public assistance has been completed. For years, service providers have voiced concerns with the state application. This new guide provides clear directions and background information to help kin care providers.

Gerald Wallace, Kincare Program Coordinator, is also working closely with the newly funded statewide Kinship Navigator at Catholic Family Center in Rochester, and his team is providing legal information and legal fact sheets to the Navigator, which is funded by the New York State Office of Children and Family Services. The project also developed county specific publications that offer legal information as well as local resources. By the end of May, publications for more than half of the counties were in print.

The project is funding the 2007 Edgar & Margaret Sandman Fellowship, with the intention of leveraging the Fellow’s findings into a collaborative effort to educate policy makers on best practices in kinship care and on the best “navigator” programs. The results of this research, as well as other research performed by interns at the Government Law Center, will be presented in November at the third statewide kinship conference at the Crowne Plaza in Albany. A more detailed description of the 2007 Sandman Fellowship appears in the article at left.

In addition, the 2007 Siena College Pre-Law Summer Fellows, Peitra Baio and Tim Hannigan, are researching kinship caregiver services in New York State. Under the direction of Mr. Wallace, they are surveying both public and private agencies in order to map the scope and range of services. The information in their report will identify statewide availability of services and current program needs.

For more information about the GLC’s Kincare initiatives, contact Gerald Wallace at gwall@albanylaw.edu or (518) 445-3266.
The Government Law Center on Friday March 16, 2007 conducted an all day program at Albany Law School focusing on the status of Indian gaming in New York State. Ten inches of snow did not deter attendance at the program or any of the speakers from participating in the program entitled, “Surging or Pausing: the State of Indian Gaming in New York.”

Speakers from across the nation spoke on a variety of topics in the four panel sessions. The issue of the Indian land claims in New York after the Court of Appeals for the Second Circuit in Cayuga Indian Nation v. Pataki, 413 F.3d 266 (2d Cir. 2005) cert. denied 126 S. Ct. 2021 (2006), was discussed by panelists David Schraver, Esq. of Nixon Peabody, LLP, Don Miller, Esq., representing the Stockbridge-Munsee Community Band of Mohican Indians, Arlinda Locklear, Esq., representing the Oneida Tribe of Indians of Wisconsin, and Joseph Heath, Esq., the General Counsel of the Onondaga Nation.

The issues involving the distinctions between Class II and Class III gaming were discussed by Michael Gross, Esq., of the National Indian Gaming Commission and V. Heather Sibbison, Esq., of Patton Boggs LLP. During the course of this session, Mr. Gross revealed to the audience that the Bureau of Indian Affairs had agreed to reexamine its initial 1993 approval of the Turning Stone casino of the Oneida Nation.

At the first afternoon session, four panelists discussed the issue of tribes taking land into trust. The speakers were Keller George of the Oneida Nation’s Men’s Council, Paula Hart, Esq., Deputy Director of the Office of Indian Gaming Management, Virginia Boylan, Esq., of Drinker, Biddle, and S. John Campanile, Esq., Madison County Attorney.

In the final panel of the day, a number of current and former government attorneys discussed negotiating intergovernmental agreements. The panelists were Richard Rifkin, Esq., Special Counsel to Governor Eliot Spitzer, Patrick Brown, Esq., of Brown, McMahon & Weinraub and Richard Rifkin, Esq., Special Counsel to Gov. Spitzer, participate in the March conference on Indian gaming.

The sessions were moderated by Robert Batson, Government Lawyer in Residence at the Government Law Center and Bennett Liebman, Coordinator of the Racing and Gaming Law Program of the Government Law Center.

The Racing and Gaming Law Program held its seventh annual Saratoga Institute on Tuesday August 7, 2007 at the Gideon Putnam Hotel in Saratoga Springs. The day long CLE program brought together leading experts to discuss the most topical issues in racing and gambling facing New York State and the nation.

This year’s program again tackled the issue of how best to award the thoroughbred racing franchise in New York. Richard Rifkin, the Special Counsel to Governor Spitzer, discussed the Spitzer administration’s approach to this issue. Also speaking on this panel was Frank Mauro of the Fiscal Policy Institute who reviewed the renewal of the racing franchise in 1983, and Jack Knowlton, managing partner of Sackatoga Stable and a member of the Ad Hoc Committee on the Future of Racing.

There was a focus on the national issues affecting horse racing. Jay Hickey, the president of the American Horse Council discussed the major equine issues in Washington. Dr. Don Catlin of the Anti-Doping Research Institute in Los Angeles spoke about the efforts to test for performance enhancing drugs in horse racing.

Other panels discussed the overall integrity in horse racing, regulatory and legislative developments in New York racing, the effect of video lottery terminals on horse racing, the tension between the federal Wire Act and the Unlawful Internet Gambling Enforcement Act, and the 30th anniversary of the Interstate Horse Racing Act.

Additionally, the early morning pre-Institute program featured Dr. Jerry Bilinski, the co-chairperson of the Advisory Committee of the Racing and Gaming Law Program, asking a panel of some of the most knowledgeable personalities in racing what they would do if they ran racing.

Other speakers were Dino Amoroso, Nassau OTB, Raymond Belliotti, SUNY Fredonia, Stan Bergstein, Harness Tracks of America, Ira Block, New York City OTB, Steve Bochnak, New York State Assembly, Patrick Connors, Albany Law School, Steven Crist, Daily Racing Form, Bill Finley, New York Times, James Gallagher, New York Thoroughbred Horsemen’s Association, Jeff Gural, Newmark and Co., Hon. Daniel Hogan, Chairman of the State Racing and Wagering Board, Jon McCluskey, New York State Senate, Robert Penchina, Levine Sullivan Koch and Schulz, Dick Powell, Racing Consultant, and Karl Sleight, Harris Beach PLLC.

Support was provided to the Racing and Gaming Program and the Saratoga Institute by Jeff Gural, Charles Hayward, Kenneth L. Shapiro and Edward P. Swyer.
GLC Hosts Discussion of Affordable Housing in Albany County

Together with Albany County Executive Michael Breslin, the Government Law Center hosted an invitation breakfast roundtable on May 24, 2007 for local government officials throughout the county to discuss the affordable housing problem in the region. This program came on the heels of an announcement by Executive Breslin that the County would provide seed funding for a County Housing Trust Fund. Rocco Ferraro, AICP, Executive Director of the Capital District Regional Planning Commission, provided a demographic overview of housing trends highlighting the number of homeowners and the number of renters in each municipality within the county. He showed the difference in housing costs (both purchase price and rent) in each municipality from 1990 to 2000, and then showed staggering statistics for the number of people spending more than 30% of their household income of housing in 2000 for all income levels and then for those with incomes of less than $35,000. Countywide, 62.4% of renters with incomes less than $35,000 spend more than 30% of their income on housing costs. As of mid-May 2007, with 1,100 single-family homes for sale in the County, only 136 were listed for sale for under $150,000. This means that unless workers earned more than $50,000 per year, it would be a stretch, if not an impossibility, to purchase one of those homes.

Architect Kathleen Dorgan, of Dorgan Architecture & Planning, followed with a presentation on ways in which local officials can work with developers to attain affordable housing designs. GLC Director Patricia Salkin then shared ideas on how local officials can use zoning and land use controls to promote affordable housing and workforce housing within each city, town and village in the County. She discussed the use of the comprehensive land use plan, and pointed out examples of recently adopted plans by local municipalities that do call for a housing mix to accommodate varied income levels. Accessory dwelling units and the use of incentive zoning were other techniques Salkin focused on.

Susan Cotner, Executive Director of the Affordable Housing Partnership, and Bob Radliff, Executive Director of the Capital District Community Loan Fund, also addressed the opportunities presented by the County’s actions in creating an Affordable Housing Trust Fund, and they joined County Executive Breslin in urging municipalities in the County to participate and to pass legislative resolutions indicating an intent to work together to address the housing crisis.

Roundtable attendees included Members of Assembly Bob Reilly and Tim Gordon, Town Supervisors Mary Brizzell (Colonie), Jack Cunningham (Bethlehem), Ron Hotaling (Coeymans), Kevin Crosier (Berne), and Ken Runion (Guilderland). Mayors John McDonald (Cohoes), Bob Conway ( Voorheesville), Frank Leak (Colonie) and Bob Carlson (Watervliet) also participated. Other municipalities were represented by legislators and/or key staff designees. Local government officials and the non-profit sector are actively seeking creative funding opportunities to assist with the housing challenges that currently face the county.

Climate Change: Legal Issues of Alternative Energies Discussed Last Spring

The Government Law Center co-sponsored the Fifth Annual Environmental Outlook Symposium at Albany Law School on April 18, 2007. The program addressed the use of alternative energy technology to help state and local government in New York make the transition to an economy that reduces the emission of greenhouse gases in light of the various law and policy challenges.

Judith Enck, Deputy Secretary for Environment, opened the conference and discussed Governor Spitzer’s agenda for addressing climate change. These initiatives include a new office of climate change, energy efficiency measures, and a new Article X proposal. She also mentioned that the recent decisions from the Supreme Court in Massachusetts v. EPA and Duke Energy have validated efforts thus far.

The first panel offered an introduction to alternative energy and addressed kinetic in-stream hydropower. Moderated by Albany Law School Visiting Professor Greg Sergienko, the panel featured Catherine Hill, Esq. of Whiteman Osterman & Hanna who presented the introduction; Joseph Sayer from the New York State Energy and Research Development Authority (NYSERDA) who addressed NYSERDA’s efforts and collaboration with the kinetic in-stream hydropower project in the East River in New York City; and Gilbert Sperling, Esq., General Counsel of Verdant Power, Inc., who discussed the legal issues his company faces in the East River with the kinetic in-stream hydropower project.

The second panel examined solar and wind energy. Moderated by Associate Dean of Albany Law School and Director of the Government Law Center Patricia Salkin, the panel featured Richard Perez, a research professor from the Atmospheric Sciences Research Center, who has made significant contributions in the field of solar energy; Douglas H. Ward, Esq. of Young Sommer Ward Zirngen Baker & Moore, who addressed wind energy; and Professor Joan Leary Matthews of Albany Law School, who also addressed wind energy.

The third panel, moderated by Professor of Law and Associate Dean of Albany Law School Gregory Mandel, featured Ruth Horton of NYSERDA who discussed alternative fuels in the transportation sector; N. Jonathan Peress of LeBoeuf, Lamb, Greene & MacRae who addressed the role of energy efficiency in climate change initiatives; and Professor David R. Hodas of Widener University School of Law who presented the idea of choosing between coal, wind, gas and energy efficiency for a new energy supply.

The final panel discussed government response to climate change. Moderated by Professor Joan Leary Matthews of Albany Law School, the panel featured Franz T. Litz, Esq. of the New York State Department of Environmental Conservation who addressed the Regional Greenhouse Gas Initiative; Peter R. Keane, Esq. of NYSERDA who addressed New York State’s Renewable Portfolio Standard; and Stephen Filler, Esq. who discussed the use of state and local laws to promote sustainability.
The Spring 2007 issue of the Government, Law and Policy Journal examines current and future issues surrounding Kelo v. City of New London (2005), a case decided by the Supreme Court of the United States upholding the use of eminent domain to transfer land from one private owner to another to further economic development. Although the decision elicited strong opposition, the articles in this issue make clear that Kelo did not represent new law. Despite the fact that the Court was merely following the current trend of cases, the Kelo decision and the reaction that ensued offers an opportunity to assess the state of eminent domain law in New York and whether changes to the law are warranted. In fact, Vincent Buzard, past President of the NYSBA, appointed a special Task Force on Eminent Domain to study the issue and to make recommendations to the Association leadership regarding an appropriate response to the issue resulting from the Kelo backlash.

Jon N. Santemma, Esq., and David C. Wilkes, Esq., CRE, FRICS, were special guest editors of the issue. Santemma is of counsel to the Tax Certiorari and Condemnation Law Practice Group of the firm of Jaspan, Schelsinger and Hoffman with over 35 years of experience in tax certiorari and condemnation law. David Wilkes, from the firm of Huff Wilkes, is an international real estate advisor, concentrating in property taxation and local government finance, complex property valuation, eminent domain, and emerging market tax and mortgage finance, including Islamic law-compliant mortgages.

The student editorial staff for the issue was: Executive Editor Michael Pendell ’07, and Luke Davignon ’07, Margaret Lavery ’07, Joshua Luce ’07, Mark Myers ’07, Olivia Nix ’07, William Robertson ’07, and Mark Simoni ’08.

Many noted scholars contributed to the current issue which examines the complex law of eminent domain and its future implications in light of the Kelo decision (see insert of articles and authors at right).
Michael J. Burgess, Director of the New York State Office for Aging, will deliver the fifth annual Nancy M. Sills ’76 Memorial Lecture at Senior Citizens’ Law Day on October 27, 2007 at Albany Law School. Mr. Burgess will address contemporary issues on aging that are of significance to older adults, their children, and care providers.

The Lecture opens Senior Citizens’ Law Day and was established in memory of Nancy M. Sills ’76, a prominent attorney and annual law day speaker, by her husband, Dr. Stephen Sills. Senior Citizens’ Law Day, now in its 14th year, is a free community educational program organized by the Government Law Center. This year’s event will include approximately forty workshops that will educate seniors and inform younger members of the community who are helping their parents deal with many issues that often come with age.

Mr. Burgess had served as the Executive Director for the New York State Alliance for Retired Americans since 2004 and prior to that, he served as Executive Director for the New York Statewide Senior Action Council. From 1989 to 1996, Mr. Burgess was Director of the Non-Profit Resource Center. He also was Executive Director for the Statewide Emergency Network for Social and Economic Security. Mr. Burgess previously worked for the Office for the Aging as a Policy Analyst, from 1981 to 1982, and as a Consultant for several non-profit organizations from 1982 to 1987. He received a B.A. from St. Lawrence University.

For the second year, the GLC will partner with the Elder Law Section of the New York State Bar Association to offer the Pro Bono Senior Clinic in conjunction with Senior Citizens’ Law Day. Attendees will have the opportunity to sign up on site at the event to speak with practicing elder law attorneys about legal issues, free of charge, for 15 minutes. A list of referral attorneys for follow-up information will be made available to participants.

Sponsors of this year’s program to date are: Cohoes Savings Bank Foundation; Times Union; Albany County Department for Aging, Michael G. Breslin, Albany County Executive; New York State Office for the Aging; State of New York Unified Court System, Office of Court Administration; City of Albany, Office of Mayor Gerald D. Jennings; CSEA, Inc; Retired Public Employees Association, Inc.; Velocity Print Solutions; Arria Shaker; Avila; Bountiful Bread; The Eddy; Senior Services of Albany, Inc.; and Stewart’s Shops.

Past Sills lecturers include the former lieutenant governor, Mary O. Donohue; Albany Law School Professor Harold Dubroff; and Ann DiSarro, former Executive Director of Senior Services of Albany, Inc.

For more information about Senior Citizens’ Law Day or the Nancy M. Sills ’76 Memorial Lecture, contact the Government Law Center at (518) 445–3358.
Non-Profits at the Crossroads: A Summit for Board Members and Staff a Great Success

On June 15th the GLC’s Non-Profit Legal Assistance and Education Program held its conference, “Non-Profits at the Crossroads: A Summit for Board Members and Staff.” The approximately 75 attendees, who came from the Capital Region as well as the Southern Tier and Western New York, represented non-profit organization leaders, including board members, staff and interested attorneys. The day was divided into two parts, with the morning dedicated to the non-profit basics and the afternoon spent exploring current issues facing the non-profit sector. The final panel of the day offered conference goers an opportunity to learn more about the conference co-sponsors and how the co-sponsoring organizations may be of help in the future to the attendees and their respective organizations.

The two morning sessions involved the GLC’s Non-Profit Program Student Fellows, Deanna Scesny ’09 and Byron Fogan ’08, The Fellows—with the guidance of David Watson, Esq. ’91, Counsel to the Council of Community Services of NYS, and John J. Santacroce, Esq. ’88, Program Coordinator of the GLC’s Non-Profit Program—gave presentations based on their research and observation of not-for-profits during the past year.

After lunch, Professor Judith Saidel of the University at Albany, Center for Woman in Government and Civil Society provided all in attendance with a sociological research-based presentation of the “Crossroads” theme and its relevance to not-for-profit leaders. The keynote address enhanced the earlier presentations’ message about the importance of the individual leaders to non-profits and the daunting responsibilities non-profit directors often are confronted with in their role as non-profit leaders.

The two afternoon sessions were timely and relevant with the panelists exploring issues of Public Accountability and Lobbying versus Advocacy. Nathan Courtney, Esq., Assistant Attorney General in the Charities Bureau, and Timothy S. Hart, Esq., CPA, O’Connell and Aronowitz, P.C., were able to distill much of the complex rules and regulations that the New York State Attorney General and the Internal Revenue Service enforce and provide the attendees with a general understanding of the regulatory playing field. The question and answer session was vibrant and, as with the following session, quite useful in clarifying issues important to the attendees. Kay Guinane, Esq., OMB Watch in Washington, D.C., and Ralph P. Miccio, Esq. ’73, Counsel to the NYS Temporary Commission on Lobbying, provided useful guidance to help attendees navigate the always difficult terrain of non-profit lobbying and advocacy regulatory concepts.

The last panel of the day provided an opportunity for the conference co-sponsors—University at Albany Center for Woman in Government and Civil Society, the Community Foundation of the Capital Region, the Council of Community Services of NYS, and the Albany-Colonie Regional Chamber of Commerce’s Tech Valley Non-Profit Council—to describe their respective organization’s role in the region’s non-profit industry and to provide contact resources for the not-for-profit leaders. The early feedback from the attendees indicated that the conference more than met their expectations and provided useful information and insights that will help non-profit leaders improve the conduct of their organizational governance responsibilities now and into the future. For more information about the conference, contact John Santacroce, Esq. at jsant@albanylaw.edu.

Educating the Public Sector Workforce

The Government Law Center continues to be sought out to provide a variety of customized training programs for public sector workforce employees. Through contracts with the Governor’s Office of Regulatory Reform, New York State and Local Retirement System, New York State Department of Motor Vehicles, New York State Office of Children & Family Services, the Public Development Program of Rockefeller College, and The Waterfront Commission of New York, the GLC presented more than 25 diverse courses, conferences and teleconferences in the following areas: Investigative Interviewing, How to Testify in Court, Evidence Refresher for Administrative Law Judges, Rulemaking Overview for SAPA and Executive Order No. 20, Administrative Law Update for Lawyers, Current Topics in Government Law, Drafting and Interpreting Statutes and Regulations for Non-Lawyers, Ethics for Government Attorneys, State and Federal Legislative Update, Trial Skills, White Collar Crime, NYS Not-for-Profit Corporation Law, Workers’ Compensation Issues for Attorneys, Environmental Review for Attorneys, Kinship Care, and How to Deal with Difficult People. Many of these courses carry Continuing Legal Education credit and are offered in collaboration with the Albany Law School Institute for Legal Studies. Course faculty include Albany Law School faculty, area practitioners and ALS alumni.

The GLC will present a two-day training program for ALJs and Hearing Officers working at the NYS Department of Motor Vehicles on September 18-19.

To find out more about Government Law Center training initiatives, contact Barbara A. Mabel, GLC Assistant Director, at (518) 445-2327 or bmabe@albanylaw.edu.
Warren M. Anderson ’40 Memorialized with Fellowship at the GLC

Albany Law School alumnus and GLC Advisory Board member, Warren M. Anderson ’40, passed away on June 1, 2007. Better known in government circles as a popular majority leader of the New York State Senate from 1973 to 1988, Senator Anderson, also known as “Andy” to his friends, was a remarkable public servant. First elected to the Senate in 1953, he is credited with advancing numerous public policies across the state, promoting economic development and infrastructure (including the famous I-88 named in his honor) and working with all constituencies regardless of party affiliation and background. The Associated Press noted that, “Warren Anderson is remembered as a true statesman and consensus builder whose people skills transcended partisan politics.” Governor Spitzer remarked that Warren Anderson was a legend.

The Government Law Center is grateful for the support and time the Senator spent with our staff and students helping to shape research and program topic agendas. Even as his health presented travel challenges for him, he consistently made an effort to participate in discussions via telephone, and when that was not possible, he routinely communicated with staff by mail and fax. GLC Director Patricia Salkin noted that, “Senator Anderson was a true mentor, a role model and a friend. He was a teacher to all who interacted with him.”

Just before his death, with the help of his law firm, Hinman, Howard & Kattell, Albany Law School announced an effort to raise funds to endow the Warren M. Anderson ’40 graduate fellowship at the Government Law Center. A number of law firms from the Binghamton area have contributed leadership gifts to begin the fund. The Government Law Center invites contributions to this special endowment to carry on the spirit and ideals of the Warren M. Anderson legacy.

Warren M. Anderson ’40 Graduate Fellowship in Government Administration and Regulation at the Government Law Center

I/we would like to make a pledge in memory of Sen. Warren M. Anderson ’40 to the Warren M. Anderson ’40 Graduate Fellowship in Government Administration and Regulation.

☐ Enclosed is my gift of $___________.
  Checks made payable to Albany Law School
  Credit card gifts - Visa and MasterCard are accepted

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    ☐ Monthly ☐ Quarterly ☐ Semi-annually

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In March 2007, the Government Law Center co-sponsored a special Women’s History Month program with the Women in Government Task Force of the Capital District Women’s Bar Association and the Albany Law School Women’s Law Caucus. The program featured a viewing of the documentary, “Raising the Bar: Pioneering Women in the Attorney General’s Office.” The event was also hosted by Patricia Martinelli, Esq. (General Counsel to the New York State Office of Mental Retardation and Developmental Disabilities), the show’s writer and director. The documentary was produced by Francine James, Esq. (Secretary to the Governor for Appointments).

The documentary chronicles the struggles and triumphs of women attorneys in the Department of Law, beginning with the first woman Deputy Attorney General who was hired in 1932. It tells the story of the adversity that these pioneering women faced in the workplace, not only to gender bias, but in many instances, due to discrimination based upon race or religion. The documentary highlights the achievements that these women, nevertheless, attained and the instances in which their tenure in the Attorney General’s Office helped springboard them into prominent positions as judges, professors and practicing attorneys.

The guest of honor at the program was Shirley Adelson-Siegel. While serving in the Attorney General’s Office, she organized, and later became the head of, the Civil Rights Bureau. In the mid-1970’s, she briefed and argued numerous appeals in defense of the state Legislature relative to the State’s fiscal crisis. In 1979, at the request of then Attorney General Robert Abrams, Ms. Adelson-Siegel became the New York State Solicitor General, a position that she held until her retirement from state service in 1982. Ms. Adelson-Siegel also served as General Counsel of the New York City Housing and Development Administration and as an appointee of former New York City mayor David Dinkins to the Conflict of Interest Board of the City of New York. Following the documentary, Ms. Adelson-Siegel delivered a wonderful and inspiring presentation.
Laura Yang, Associate Professor at the Shanghai Institute of Foreign Trade, who is also affiliated with the Shanghai WTO Consultation Center, gave a luncheon presentation last May at Albany Law School on recent changes in property law in China. In March 2004, the Fourth Amendment to the Constitution of China was approved which provides certain property rights protections to citizens. Specifically, Article 13 of the Constitution was amended to read in part, “Citizens’ lawful private property is inviolable” and “The State, in accordance, protects the rights of citizens to private property and to its inheritance.” In addition, it provides that, “The State may, in the public interest and in accordance with law, expropriate or requisition private property for its use and shall make compensation for the private property expropriated or requisitioned.”

Professor Yang explained other constitutional changes to the country’s property and tax laws. She noted that the property law intends to offer the same protection for private and public property—a recognition of the private sector’s rise since the start of economic reforms in the late 1970s—and that China is still in the first stage of socialism.

Albany Law School faculty members Professors Wendy Davis, James Gathii and Nancy Ota attended the presentation. In addition, faculty from The Sage Colleges and North Adams College of Liberal Arts participated. Professor Yang, a visiting scholar at Massachusetts College of Liberal Arts in North Adams, invited interest in student and faculty exchanges with her Institute.

Dershowitz has been an articulate defender of Israel and an opponent of anti-Semitism, but he has also openly criticized Israeli policies toward the Palestinians. A realist, as well as an idealistic defender of rights, Dershowitz offers creative and controversial solutions to real world problems. He is a strong and vocal opponent of torture under any circumstances. But, concluding that the U.S. government will use torture, he has argued for “torture warrants,” which would force the nation to come face-to-face with its own policies. Similarly, Dershowitz is a strong advocate of free speech. But, when his own university tried to suppress some student speech, Dershowitz demanded the school draw up a “speech code.” As he discussed in his own presentation at the conference, the school found it impossible to do this, and thus speech remained more protected than it was before.

The conference was organized by Paul Finkelman, Albany Law School’s new President McKinley Distinguished Professor of Law and Public Policy. Finkelman is also a Senior Fellow in the Government Law Center. In addition to Finkelman and Dean Tom Guernsey, speakers at the conference included: Irwin Cotler, Member of Canada’s Parliament and former Minister of Justice and Attorney General of Canada; Akhil Reed Amar, Southmayd Professor of Law, Yale Law School; Martin Belsky, Professor of Law and Former Dean, University of Tulsa College of Law, and Former Dean, Albany Law School; Garrett Epps, Orlando John & Marian H. Hollis Professor of Law, University of Oregon School of Law; Cecil Hunt, Associate Professor of Law, John Marshall Law School; John T. Parry, Associate Professor of Law, Lewis & Clark Law School; Renee Redman, Director, American Civil Liberties Union of Connecticut; Nicholas Rostow, University Counsel and Vice Chancellor for Legal Affairs, State University of New York; and Abraham Wagner, Professor of International & Public Affairs, Columbia University Law School.

The last presentation at the conference was an hour long talk by Dershowitz describing his own career. In introducing Dershowitz, Professor Finkelman read a letter from Dershowitz’s former research assistant, Governor Eliot Spitzer, who thanked his former professor for “a lifetime of inspiration” and described him as “someone whose invaluable work has blazed paths of judicial equality and social progress.”

For a podcast of the event, visit http://podcasts.classcaster.org and type “Dershowitz” in the Search Box at top right.
Government Law Network

Join Now and be a Part of the Government Law Experience

The Government Law Center created the Government Law Network to build upon the established relationships and programming that have made it a national model. Several hundred people working in government and involved in governance issues already are members. And now you are invited to join.

Advantages of Membership

Membership in the Government Law Network—the only such network in New York—offers significant benefits, including:

- Invitations to special events, such as “member-only” networking breakfasts featuring major leaders in government. At previous events, members have had the opportunity to talk with the New York State Comptroller, agency commissioners and counsel to the legislative leadership.
- Access to programs developed by the GLC. Network members receive announcements of every GLC event on law and policy topics such as aging, racing and gaming, environment, land use, government ethics, lobbying law, administrative law, municipal law, and citizen oversight of law enforcement.
- Opportunities to order many of the GLC’s groundbreaking reports, conferences and seminar proceedings and law day handbooks free of charge.

Who is in the Network?

The Network includes:

- Attorneys
- Elected officials at all levels of government
- Corporate government relations specialists
- Legislative and executive staff
- Business organizations
- Statewide associations
- Advocacy groups
- And all others who would benefit from the programs and contacts

Now is the Time to Join

Join now and take full advantage of a year of the GLC’s outstanding innovative programming on a growing list of law and policy topics. Over the next 12 months, you will be invited to attend an exclusive Government Law Networking Breakfast limited to members only, plus many other important conferences, lectures on seminars on topics of current debate.

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Membership is structured at different levels to allow for a variety of expressions of support for the work of the Government Law Center. Benefits are the same at each level, except that the higher levels receive more prominent recognition when announced in the GLC newsletter, Albany Law School report of gifts, and other select publications.

Available Memberships Include:

- Network Underwriter $1,000
- Network Patron $500
- Network Sponsor $250
- Network Member $100
- Network Associate $50

For More Information, please contact the Government Law Center (518) 445-2329 (phone); (518) 445-2303 (fax) or visit the GLC’s website at www.albanylaw.edu/glc.

The GLC Welcomes New and Renewing Government Law Network Members

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I am interested. Please send me more information on the GLC.

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Please mail completed form to:
Government Law Network
Government Law Center, Albany Law School
80 New Scotland Ave., Albany, NY 12208-3494
In June, Patricia Salkin was presented the Distinguished Member Award by the Capital District Women’s Bar Association at their annual dinner. This summer, Salkin also was reappointed to the Committee on Legislation and Policy of the New York State Bar Association; Town of Bethlehem Supervisor Jack Cunningham appointed her to the Comprehensive Plan Oversight Committee, established to examine the progress that has been made since the adoption of the Town’s Comprehensive Plan two years ago; American Planning Association President Robert B. Hunter, FAICP, re-appointed her as Chair of the Association’s Amicus Curiae Committee for another one year term; and she was appointed Chair of a special Association Task Force on Town and Village Justice Courts by Kate Grant Madigan, President of the New York State Bar Association.

Salkin contributed Chapter 4, entitled “Sustainability at the Edge: The Opportunity and Responsibility of Local Governments to Most Effectively Plan for Natural Disaster Mitigation,” in Losing Ground: A Nation to Most Effectively Plan for Natural Disaster and Responsibility of Local Governments “Sustainability at the Edge: The Opportunity to Most Effectively Plan for Natural Disaster and Responsibility of Local Governments.”

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On March 27, at the invitation of the Town of Ramapo, Salkin addressed a group of local elected officials and municipal attorneys throughout Rockland County on the Religious Land Use and Institutionalized Persons Act (RLUIPA). She was back in Rockland County in July 2007 at the invitation of the United Jewish Federation to again address RLUIPA issues. On March 29 and 30, she spoke at Howard University School of Law on the subject of environmental justice and local land use planning and zoning. In April, Salkin delivered presentations during the Annual Meeting of the American Planning Association on regulating home-based businesses, environmental justice, ethics, and hot topics for planning commissioners. She gave a presentation on April 23 to the International Municipal Lawyers Association in Washington, DC, on the government attorney-client privilege, and on April 27, she spoke to the New York State Association of County Administrators on ethics issues for county officials. On May 16, Salkin spoke in Cooperstown at the annual meeting of the New York State Association of Counties where, together with Karl Sleight, Esq., she delivered a presentation on government ethics. On June 27, Salkin moderated the American Planning Association’s annual land use law national audio-conference. Salkin was on a panel during the August Annual Meeting of the American Bar Association in San Francisco where she spoke about the pending release of the new Model State Administrative Procedures Act. The panel was co-sponsored by the Administrative Law Section and the State and Local Government Law Section. Salkin also served on the faculty for the August ALI-ABA Land Use Institute in San Francisco where she delivered presentations on: RLUIPA, ethics and land use, community benefit agreements, environmental justice and land use, and a federal legislative update on proposals that impact local land use planning and zoning. Salkin was the guest speaker on the WRCR “Law & You” radio show in Rockland County on April 7, where she discussed The Religious Land Use and Institutionalized Persons Act. In June, she appeared as a guest on Susan Arbetter’s new television show, NY Now (WMHT) where she was interviewed on eminent domain. Salkin also appeared in August as a guest on “It’s an Age Thing,” broadcast on WMHT, where she discussed how land use planning and zoning issues impact aging friendly communities. Salkin is a member of the faculty of the 2007 ALI-ABA Land Use Institute where she presented a lecture on environmental justice, community benefit agreements, the Religious Land Use and Institutionalized Persons Act and ethics. The Institute took place on August 16-18 in San Francisco.

Bennett Liebman spoke on the subject of exclusions of patrons and licensees from race-tracks to the joint board of Harness Tracks of America and the Thoroughbred Racing Associations on March 11. He moderated an all day summit meeting of the State’s thoroughbred breeders on March 13. On March 18, Liebman made opening remarks and moderated two panels at the Government Law Center’s conference on Indian Gaming in New York. He gave the GLC’s Anderson Breakfast speech on “The State of New York Racing” on March 20. Liebman delivered an address on March 27 at Monmouth Park in New Jersey to racing stewards in a continuing legal education program run by the University of Louisville. He was interviewed about franchise issues in April on WTEN-TV and Capital News 9. On May 3, Liebman participated in the National Equine Law Conference run by the University of Kentucky College of Law in Lexington, Kentucky. On a panel dealing with the general topic of “Racing on the Wires,” he delivered a speech entitled “The Wire Act and the Interstate Horse Racing Act: How Did We Get Here?” He also spoke about the Spitzer effect on racing and gaming issues at the New York Gaming Summit held on June 21 in Niagara Falls. Liebman was also interviewed about New York State’s thoroughbred racing franchise in June by Capital News 9, Channel 13, and WAMC.

Rose Mary Bailly co-authored (with Elizabeth Loewy, J.D.) a book, entitled Financial Exploitation of the Elderly,
published by the Civic Research Institute in 2007. On May 18, she gave a presentation on “Evidence in Family Violence Cases and Abuse in Later Life: Challenges for Civil, Criminal and Family Proceedings” for the Unified Court System.

**Paul Moore**, along with Kyle Wilber from the Department of State, made a presentation on February 20th at the 2007 Annual Meeting of the Association of Towns on the Shared Municipal Services Incentive grant program. They reported on the status of the GLC’s work to provide regional technical assistance through academic institutions. Moore and Wilber made a similar presentation at the program for the Annual Meeting of the New York Government Finance Officer’s Association on March 30th at the Albany Marriott. **Kenneth Bond**, a member of the GLC Advisory Board, moderated the GFOA program.

**Gerald Wallace** made a series of presentations across the state on kinship care issues, including to: public and private sector officials, Westchester County (January 26); Albany Law School students (January 29); NYSOFA Director and agency personnel (February 15); NYSOCFS Commissioner and agency personnel (February 21); Child Welfare League of America’s National Conference, “Children 2007: Raising Our Voices for Children” (February 28); Director of Health and Human Services, Governor’s Chambers (March 1); Gateway training in Buffalo (March 15); Cornell Cooperative Extension (March 20); New York State Child Abuse Prevention Conference (April 17); NYS OCFS programs in New York City and Albany (March 23 & 24); Ontario County “Parenting a Second Time Around” training (April 26); Syracuse Mini-Summit (April 27); Child Care Council in Plattsburgh and Franklin County (April 30 & May 1); International Kincare Conference (co-sponsored by GLC) (May 6-8); Adoption Conference in Albany (May 11); CLE training (May 15); Training Program for DSS Personnel in Binghamton (May 16); Cornell Cooperative Extension in Fishkill (May 17); Workshop in Southern Tier - Olean (May 22); Training, Buffalo (June 7); and a CLE Training for Greenberg Taurig (June 22). Wallace was a featured speaker at the February national conference of the Child Welfare League of America and he was a plenary speaker at the first international conference on kinship care, “Grandparents Caring for Children: The Global Challenge” held in New York City during May. This conference was the first international forum to host advocates and experts from five continents with the participation of the United Nations.

On April 26, Wallace received the Advocate Award presented by the Kinship Caregiving Program, Catholic Charities Caregivers Support Services at its “Care for Caregivers” 20th Anniversary Celebration. He delivered the keynote address at The Southern Tier Kinship Caregiver Coalition’s Summit, sponsored by Catholic Charities of Buffalo, Kinship Caregiver Program and the Cattaraugus County Department of Aging on June 15.

Wallace’s article, “Grandparents: From Kinship Caregivers to Global Advocates for Children,” was the lead article in the July 2007 issue of Capital Commons Quarterly: a publication of the Albany Guardian Society. On July 19-20, the GLC and the New York State Public Service Commission co-hosted a public forum at Albany Law School featuring experts from across the state who discussed how best to reach Governor Spitzer’s goal of a 15% reduction of the state’s energy usage by the year 2015. The Governor Law Center Prize was awarded to **Melissa Ashline Heil, Corey Auerbach, Annette Hollis**, and **Amy Lavine** at Albany Law School’s commencement ceremonies on May 18, 2007.

Albany Law School students assisting the GLC this summer were: **Jennifer Andriano ’09, Tom Broker ’09, M. Lettie Dickerson ’08, Allegra Edelman ’08, Melissa Ashline Heil ’07, Brad Helmetsie ’08, Laura Kenney ’08, Muhammad Umar Khan ’09, Guang Xiong (Tony) Li, ’08, Jean MacAffer ’08, Peter McCarthy ’09, Ed McClanathan ’08, Matthew Miller ’09, Shalyn Morrison ’08, Ami Orava ’09, Daniel Rosenberg ’09, Julie Sanchirico ’09, Alejandro Taylor ’09, Rob Salkin ’10 and Alex Wilson ’10. Also this summer, **Petra Baio** and Tim Hannigan of the Siena College Legal Fellowship Program, as well as Chris Suriano of Providence College, provided research assistance to the GLC.

The GLC congratulates the following members of the Class of 2007 who worked at the GLC over the past three years: **Melissa Ashline Heil, Benjamin Auerbach, Corey Auerbach, Willow Baer, Jeffrey Banninger, Ryan Callahan, Eric Chapman, Emily Cartright, Megan Christian, Gregory Fassler, Adrienne Foederer, Glinous Gailliard, Jonathan Gunther, Annette Hollis, Stuart Kossar, Matthew Leonardo, Margaret Lavery, Amy Lavine, Braydon MacSteal, Christopher Montalto, Nerisha Talip and Elizabeth Wolf.**

The following students interned in state agencies under the direction of attorneys as part of Albany Law School’s 2007 Summer in Government program, jointly offered by the GLC and the Law Clinic & Justice Center: **Thomas Broker ’09 (Dormitory Authority); Karim Mawani ’09 (Department of Environmental Conservation); Edward McClanathan ’08 (Office of Children and Family Services); Paige Moran ’09 (Department of Education, Office of State Review); Michael Paglialonga ’09 (Department of Labor); Shaun Parkin ’09 (Racing & Wagering Board); Adam Schaible ’08 (Office of Cyber Security); and Nevin Smith ’09 (Department of Education, Office of State Review).** **Robert Batson,** Government Lawyer in Residence, served as the faculty member for the classroom component of this course.

On August 15, the GLC, the Science and Technology Law Center and the Law Clinic & Justice Center hosted a Welcoming Luncheon for the Albany Law School Class of 2010.
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