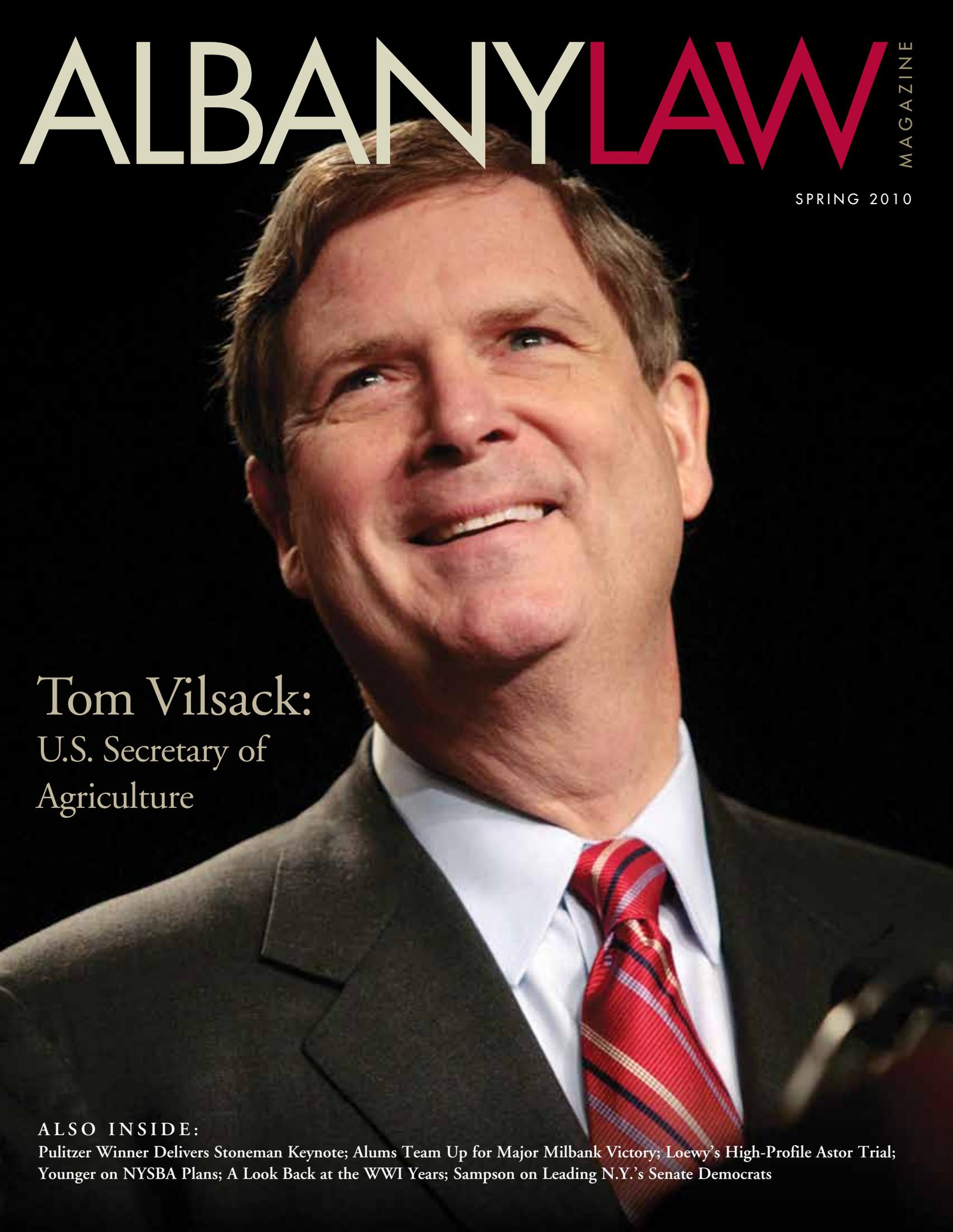


ALBANY LAW MAGAZINE

SPRING 2010

A close-up portrait of Tom Vilsack, a middle-aged man with short brown hair, smiling and looking slightly upwards and to the left. He is wearing a dark suit jacket, a light blue dress shirt, and a red and blue striped tie. The background is dark and out of focus.

Tom Vilsack: U.S. Secretary of Agriculture

ALSO INSIDE:

Pulitzer Winner Delivers Stoneman Keynote; Alums Team Up for Major Milbank Victory; Loewy's High-Profile Astor Trial; Younger on NYSBA Plans; A Look Back at the WWI Years; Sampson on Leading N.Y.'s Senate Democrats

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INBRIEF

Appointments Bolster Albany Law School Faculty



Professor Breger



Professor Chung



Professor Cords



Professor Heverly

Professor Melissa Breger, professor of law, was previously a clinical professor of law and director of Albany Law's Family Violence Litigation Clinic. Previously she taught in the University of Michigan Law School Child Advocacy Law Clinic, as well as practiced family law in a variety of agencies in New York City, most notably the Legal Aid Society, Juvenile Rights Division, Brooklyn office. Professor Breger, the recipient of the 2005 Shanara Gilbert Award from the American Association of Law Schools, earned her law degree at the University of Michigan Law School.

Professor Christine Chung, assistant professor of law, was most recently assistant clinical professor of law and director of Albany Law's Securities Arbitration Clinic. She is also co-director of the joint Albany Law School-University at Albany Center for Financial Market Regulation, and her article "From Lily Bart to the Boom Boom Room: How Wall Street's Social and Cultural

Response to Women Has Shaped Securities Regulation" was recently published in the *Harvard Journal of Law & Gender*. Prior to joining the law school faculty in 2007 Professor Chung was a partner at Goodwin Procter LLP, where she was a member of the firm's securities and white-collar crime practice groups. She earned her law degree from Harvard Law School.

Professor Danshera Cords, professor of law, was most recently a professor of law at Capital University Law School in Columbus, Ohio. She is a frequent speaker on the topics of collection due process and tax procedure, and she has published articles on procedural fairness and efficient tax collection in the *Brigham Young University Law Review*, *University of Cincinnati Law Review*, *Vermont Law Review* and the *St. Louis University Law Journal*. Before joining Capital's law faculty in 2002, Professor Cords was an attorney-advisor to The Hon. Maurice B. Foley of the U.S. Tax Court in Washington, D.C.

She earned her law degree at Seattle University School of Law, and her LL.M. in taxation from New York University School of Law.

Professor Robert Heverly, assistant professor of law, was most recently a visiting professor of law at Michigan State University College of Law. His research and teaching interests span property and land use law, intellectual property and copyright law, and cyberspace and communications law. Previously, he was Lecturer in Law and Director of the LL.M. Programme in Information, Technology and Intellectual Property at the Norwich Law School of the University of East Anglia (UEA) in Norwich, England, and Fellow with the Information Society Project at Yale Law School, where he retains an affiliation as a faculty fellow. Professor Heverly, an Albany Law graduate, served as Assistant Director of Albany Law School's Government Law Center from 1992 to 2001. He earned his LL.M. from Yale Law School.

New Library Director

A school library must reflect the culture of the school. Helane Davis looks forward to understanding the needs of the faculty and students after she starts this July as director of the Schaffer Law Library, when associate dean and library director Robert Begg ends his 27 years at the school.

Davis is preparing to leave her post managing the University of Kentucky's law library. "The library of an



Helane Davis

independent, stand-alone school must be more things to more people than a law library within a larger university," Davis explained. "The goal is to support the unique research, curriculum and culture of the school and community."

At her Kentucky library she relies on a larger university system for cross-over subjects on the social sciences and business areas, for example. "Given its independence, Albany Law's collection is larger, broader, and in some spots, deeper."

"Every academic setting is

ctor Named

distinct,” she said. “I’m looking forward to overseeing and advancing an already-strong library program.”

Before Kentucky, Davis worked at Seattle University’s law library from 2002 to 2005, and at Howard University’s law library from 1999 to 2002.

She has a Bachelor of Arts from Northwestern University, her J.D. from the University of Iowa, and her Master of Library and Information Science from the University of Washington.

She started her career as a Westlaw Reference Attorney at West Publishing (now Thomson Reuters Legal) in Minnesota, and worked for West in a variety of roles from 1986 to 1996 before relocating to Gainesville, Fla., and the University of Florida library.

“The first thing people here ask me is, ‘Aren’t you going to be freezing in Albany?’” Like any true student of library science, Davis researched her way through the situation, comparing monthly and weekly temperature averages against Minnesota and Kentucky.

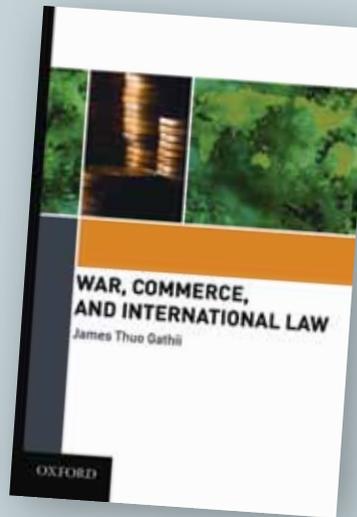
“I’m tenacious when it comes to finding answers,” she said, laughing. “I’ve determined that Albany weather is not nearly as cold as everyone in Kentucky believes. It’s also not nearly as cold as Minnesota. I’m looking forward to it.”

Professor’s Book Looks at Commerce in War Zones, Examines Rights of Occupying Powers

Professor James Thuo Gathii’s new book, *War, Commerce, and International Law* (Oxford University Press) examines the laws regulating historical and contemporary conflicts—including Blackwater in Iraq and “blood diamonds” in Africa’s Congo—arguing that the rules are applied differently and unfairly across the globe.

Recent wars and conflicts have once again challenged the rights of protecting private property and commercial contracts during and after armed conflict. Gathii challenges the international rights of invading and occupying powers. Are residents of war-torn countries given the same protection from international commercial laws that foreign investors enjoy? Who decides cases over contested resources during or after armed conflict

Are residents of war-torn countries given the same protection from international commercial laws that foreign investors enjoy?



and on what legal authority?

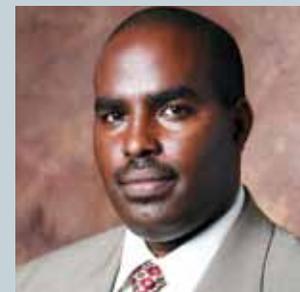
“Although the doctrines and rules of international law relating to war and commerce cover inherent fairness between all states,” writes Gathii, “the application, interpretation, and adjudication of these rules and doctrines carry forward within them the legacy of imperialism and colonial conquest. As globalization and armed conflicts continue to grow and co-exist, these questions are increasingly in the international spotlight.”

Gathii is the Associate Dean for Research and Scholarship and the Governor George E. Pataki Professor of International Commercial Law. He has been on the faculty since 2001. He spent his sabbatical in 2007–2008

in Kenya doing research and Visiting at the University of Nairobi’s Faculty of Law; during that time he also wrote a weekly column for *Business Daily* (Africa). Gathii’s expertise was sought after by international media about the laws governing the pirate activity off the coast of Somalia.

Before joining Albany Law School, Gathii taught at the Rutgers Business School. He was also a Crowe and Dunlevy Visiting International Law Professor at the University of Oklahoma’s College of Law. He received his LL.B. from the University of Nairobi and his LL.M. and S.J.D. from Harvard Law School.

On the back flap of Gathii’s new book, David Kennedy, Harvard Law School professor, wrote, “An important book. This will be an indispensable reference for all those seeking to rethink the ways we are governed at the global level.”



Professor Gathii

Event Honors the Legacy of Seven Faculty Members



Retiring honorees included, standing from left, Harold Dubroff, Norman Deutsch, Peter Preiser and Robert Begg. Sitting, from left, are Joe Baum and Katheryn Katz '70. Not shown is Sandra Stevenson.

When they started teaching at Albany Law School in the 1970s, tuition was \$3,000, there were only 25 full-time faculty members (today there are 50), and the faculty-student ratio was 1:37 (today it is 1:13).

An event earlier this semester honored faculty members Joe Baum, Robert Begg, Norman Deutsch, Harold Dubroff, Sandra Stevenson, Katheryn Katz and Peter Preiser.

“These faculty members have devoted a good portion of their lives to the law school,” President & Dean Thomas F. Guernsey told the crowd of faculty, staff, students, alumni, family and friends. “These are people who have helped shape the heart of the school, who have given the most productive years of their lives to the institution and their students.”

Guernsey speculated, after totaling the combined years and number of students in

each of their classrooms, that together they had an impact on more than 6,100 lawyers in the field today.

Professor Dan Moriarty, the most senior faculty member, offered a few anecdotes about each retiring colleague, some hilarious, all of them genuine.

Board of Trustee Chair E. Stewart Jones was joined at the podium by the honorees to close the event with a champagne toast and present an engraved Albany Law School Chair to each of them. “On behalf of all the faculty, staff, students and alumni, thank you for your service. You have truly enriched the lives of our students and our faculty by giving us your heartiest years of teaching, research and learning. Through your scholarship, through your mentoring, through your role modeling, you have made Albany Law School a special place of learning.”

Albany Law Listed 88th of 180 in New Ranking for Law Schools

Albany Law School ranked 88th among 180 law schools in the recently released *Super Lawyers* U.S. Law School Rankings. The list is based on an analysis of the top five percent of attorneys in the country and the schools from which they graduated.

Published by *Law & Politics*, *Super Lawyers* is an annual listing of each state’s top five percent of attorneys based on

peer recognition and professional achievement.

“The accomplishments of our alumni have always been a source of great pride for the law school,” said Albany Law School President & Dean Thomas Guernsey. “Performing in the top of a ranking system based on the country’s top lawyers strengthens our pride and serves as a testament to the success of our graduates.”

Teaching Jurisprudence through Supreme Court Role Play

In his U.S. Supreme Court Watch class, Professor Stephen Gottlieb assigns each student to play the role of a member at a simulated Supreme Court post-argument case conference. The course focuses on cases not yet argued; the students are required to analyze the work of each justice and address a forthcoming issue not-yet-argued using the jurisprudence of their assigned judge. The class culminates in a presentation of a final paper on the student’s assigned judge.

Professor Gottlieb (third from left) is the Jay and Ruth Caplan Distinguished Professor of Law and author of the book *Morality Imposed: The Rehnquist Court and Liberty in America* (New York University Press, 2000). He is also a frequent commentator on WAMC/Northeast Public Radio on constitutional law and other legal issues. You can read his blog here: ConstitutionalismAndDemocracy.wordpress.com



From left to right are Rachel Walker '10 (playing Alito), David Phifer '10 (Kennedy), Ashley Smith '11 (Roberts), Lisa Pantuso '10 (Ginsburg), and Meg Doody '11 (Thomas).

GLC Launches Public Authorities Information Clearinghouse

Albany Law School's Government Law Center launched a nationwide Public Authorities Information Clearinghouse (PAIC), designed to help government officials, public interest groups and others navigate through the thousands of pages of documents that pertain to the operation and governance of public authority.

"In New York state alone, more than 600 public authorities hold 95 percent of the state's debt, to the tune of \$140 billion," said Professor Patricia Salkin '88, the director of the GLC. "As public authorities continue to become more prevalent in our daily lives, we need the tools to help understand them, including their power to incur debt, the transparency of their operations and their political autonomy."

Currently, the web site indexes hundreds of books, academic publications, pieces of legislation, court cases, reports, videos and news articles. The site contains a state-by-state index of content which will continue to expand.

The GLC has partnered on the project with Whiteman Osterman & Hanna, led by Scott Fein, a partner at the firm.

Students Organize to Raise the Bar Collectively with "Bring It Up 10"



Yana Siganur '10 signs her name to the pledge.

A student-driven initiative to increase bar passage rate launched this spring when student leaders asked classmates to sign a pledge that commits them to intensive preparation for the exam and support of each other.

The initiative challenges the student to accept the responsibility to oneself and the class, but also includes lighter fare, like Bar Trivia nights led by faculty, and tips on managing your life—and the people in your life—while studying all summer.

Consortium Moves to Albany Law

The New England Law Library Consortium (NELLCO), a nonprofit association of academic, private and government law libraries, has relocated its main office to the second floor of the Albany Law School Schaffer Law Library.

NELLCO is comprised of 25 full members located in the Northeast, including Harvard Law School, Columbia Law School and Yale Law School, as well as 65 additional affiliate members located throughout the United States. The Consortium facilitates collaborative acquisitions, database licensing networking, inter-library loans, and professional development opportunities for member libraries.



PANEL EXAMINES CAPITAL REGION'S LAG IN NUMBER OF WOMEN JUDGES

A panel of judges in March talked about the lack of women on the bar and bench of upstate New York. The event followed a report released that month showing that the Capital District lags far behind the rest of the state and nation in the appointment and election of women to the bench. From left to right are: Kate McGuirl '04, Assistant Corporate Counsel, City of Schenectady; Pershia Wilkins, Director, Diversity Office, Albany Law School; Ricja Rice '05; Patricia Rodriguez, Esq.; Karen Peters, Justice, N.Y. State Appellate Division, Third Judicial Department; George King '73, Inspector General, N.Y. State Comptroller's Office; Victoria Graffeo '77, Associate Judge, N.Y. Court of Appeals; Elizabeth Garry '90, Justice, N.Y. State Appellate Division, Third Judicial Department; Rachel Krester, Albany City Court Judge; Helena Heath-Roland, Albany City Court Judge.

EVENTS

DAY



KATE STONEMAN

Pulitzer Prize Winner Delivers Keynote on the Slaves of

Annette Gordon-Reed told a full Dean Alexander Moot Courtroom on March 25 that history has told the story of the slave generically—as “monoliths”—while history gives the slave owner a full, descriptive, personal life.

Gordon-Reed, the 16th Kate Stoneman Keynote speaker, who won a 2009 Pulitzer Prize in History for her book *The Hemingses of Monticello: An American Family* (W.W. Norton, 2008), said she wrote the book to talk about slaves as individuals—the plight of a slave mother separated from her children, the slaves’ relationships in the fields, the “privileged” but isolated role as housekeeper or cook.

“I wanted to bring it down to a person, so we can make the connection what it would be like to be in that type of situation,” Gordon-Reed said, emphasizing that the Heminges are an American family: “This is an American story.”

The book details the family’s slavery experience with Thomas Jefferson, and the relationship between Sally Hemings and Jefferson. Recent DNA tests after the book support the idea that Hemings bore him several children, and that they had a relationship that spanned several decades.

Emcee Miriam Netter ’72 presented Gordon-Reed with the Kate Stoneman Award, given annually to individuals



Annette Gordon-Reed

who are committed to actively seeking change and expanding opportunities for women.

Barbara Cottrell ’84, an Assistant U.S. Attorney for the Northern District of New York, and Dale Skivington ’79, Assistant General Counsel, Vice President and Director of International and Employment Law Legal Staffs at Eastman Kodak, also received Kate Stoneman Awards.

Krupa Shah ’10, an intern for Cottrell, presented her award, calling her “an incredible mentor—she spent a lot of time with me.”

Professor Deborah Mann ’79, presented the Stoneman

Award to her law school classmate Skivington. Mann talked about their time together in England, and the leadership role Skivington has sustained fostering the careers of women at Kodak.

The awards are presented in honor of Kate Stoneman, the first woman admitted to practice law in New York state and the first female graduate of Albany Law School in 1898. Previous winners span a variety of public and private practitioners, judges, and law professors.

To view a video of the event, go to www.albanylaw.edu/stonemanvideo.

Thomas Jefferson



Award winner Barbara Cottrell '84 (left) with Krupa Shah '10.



Award winner Dale Skivington '79 (right) with Professor Mann '79.



Frances Pickin Florio stands next to a dress worn by Kate Stoneman, her great-great-great aunt. Ms. Pickin Florio, from Randolph, N.J., attended her first Kate Stoneman Day this year after discovering the Law School's Web site and learning about the school's commitment to preserving the legacy—and honoring the tenacity—of her aunt. Ms. Pickin Florio donated the dress and two new portraits of Stoneman to the school. The purple pin-striped taffeta dress has pearl-lescent coated buttons, with a dove tail and cotton needle lace collar. Remarkably well preserved, it will soon be on display in the 1928 Building.

STONEMAN'S WILL REVEALS A BEQUEST FOR ALBANY LAW SCHOOL

Kate Stoneman died in 1925 at the age of 84, a long life for that era, considering the years she spent fighting social change and working full time as a teacher and lawyer.

While much of her life was spent championing causes centered around women's rights, she managed to gather a considerable sum of money, leaving more than \$43,000 in her will, valued today around \$520,000.

"To the Albany Law School, the sum of One Hundred Dollars (\$100.)," she wrote, three years before her death, while living at 134 South Swan Street in Albany. The value of that amount is more than \$1200 today.

She gave \$10,000 to the children of her late brother George.

She gave \$10,000 to the children of her brother Byron. Here the will notes the whereabouts of each niece and nephew—"Ruth Stoneman Long, wife of Dr. Long of Buffalo...Bertha

Stoneman, now teaching in South Africa..."

She names other nieces and nephews and their occupations, but omits others. For example, Kate Long is the wife of the Dean of North Western University, and Clara Stoneman Harris is the wife of a Cornell Professor.

She gives a few people \$1,000 each, including the district attorney of Jamestown, Edward Booty.

To her niece, Ruth Stoneman Long, "all my wearing apparel and bedding." It was Ruth's great-great-great niece, Frances Pickin Florio, who attended this year's Kate Stoneman Day and gave Kate's dress to the school.

Stoneman's will goes on to bequeath a number of specific items like her silverware to a niece, her photos to her sister, and a Persian rug to another niece, to name a few.

Two witnesses signed the will: Kate's neighbor Harriet E. Prentice, and Arthur Andrews, another Albany resident.

NOTABLE SIBLINGS

It's worth noting that Kate Stoneman's siblings also proved ambitious and successful, at least two who created their own legacies.

Her oldest brother, George Stoneman Jr., was a California governor and, before that, a Union general in the Civil War. The classic song by The Band, "The Night they Drove Old Dixie Down," refers to him in the second line:

*Virgil Caine is the name and I served
on the Danville train
'Til Stoneman's cavalry came and tore up
the tracks again*

The song tells the story from a Confederate soldier's voice. Ironically the singer, southerner Levon Helm, currently resides and still performs in upstate New York.

Another brother, John, attended Albany Law School and was admitted to the New York Bar in 1855. Surely this had some impact on Kate, who wouldn't earn such membership for another 31 years, at the age of 45, only after being forced to change state law because the N.Y. State Supreme Court rejected her original application for being a woman. —DS



Former Governor, Now U.S. Secretary, Vilsack Still Seems Proudest of His Law Degree

Flanked by media, Vilsack examines rice plants during his visit to the Philippines last year.

For all his accomplishments—two-term governor, presidential candidate, and now U.S. Secretary of Agriculture—Thomas Vilsack '75 seems most proud of his status as a lawyer. In fact, that's the one title he hopes to sustain, he told a group of Albany Law alumni at a Washington, D.C., event in March, a few hours after leaving a cabinet meeting with President Obama at the White House and before that, a meeting with a national group of pork farmers.

"I still get my CLE credits every year; I will keep my license until the day I die," he said. "This is an incredible life and country for someone like

me to have this position and it all started because of an Albany Law School education. It gave me the tools to be a skilled lawyer. That is the gift the school gave to me. And those tools led me on this path."

Overseeing the fifth largest federal department—100,000 employees and \$77 billion—Vilsack said he likes to pinch himself often. "During cabinet meetings we sit in order of ascendancy to replacing the president, should anything happen to him. I'm eighth."

Vilsack's uncanny "regular guy" disposition disarms everyone he meets. He talks about his rugby days at Albany Law School and his perfect cheeseburger on Air Force

One with the same relaxed tone he uses to describe managing the U.S.D.A.'s food program that puts food on the table for 38 million impoverished U.S. residents.

A native of Pittsburgh, Vilsack attended Albany Law after graduating from Hamilton College, where he met his Iowan wife Christie. After Albany, which he talks about fondly, he and his wife went to Iowa, where he practiced law in his father-in-law's small firm. Active in Mount Pleasant activity, Vilsack was encouraged to run for mayor after the standing mayor was killed. After two terms, he ran for and served two terms as a state senator. In 1989, he

“At the end of the conversation, the President said, ‘You’re my guy. You’re my Secretary of Agriculture.’”

became Iowa’s first democratic governor in 32 years.

Through his career, Vilsack has stayed involved with Albany Law School, his most recent visit in October 2007 which included a day on campus talking to students and administrators, and that evening accepting the Distinguished Alumni Award at the Barrister Ball.

THE DAUNTING JOB

Vilsack shared some insight around Cabinet-meeting banter, the name-plate on his Secretary chair, and the president. “When I was called to Chicago to interview for this position, I was very surprised. At the end of the conversation, the President said, ‘You’re my guy. You’re my Secretary of Agriculture.’”

Vilsack’s Department inevitably touches every corner of American life, including jobs, immigration, nutrition, health care and agribusiness. He’ll tell you that 17 million U.S. children do not eat enough every day, due to poverty, and that for many, the school lunch and breakfast programs provide their most nutritional meals of the day. Vilsack talked about making corn-based ethanol a more efficient fuel, bringing broadband to rural communities to connect them

to a new economy, demanding more stringent rules for food labeling, and addressing the nation’s over-use of salt and sugar.

“American farmers are the most productive, most efficient farmers in the world,” Vilsack said. Consequently, there are fewer farmers producing more food, leading to abundant job loss over the last two decades. “We need to overlay a new, innovative economy for these rural farmers. The president has a vision of a carbon-free or carbon-reduced economy. This will be a tremendous opportunity for rural America.”

ADVICE TO NEW GRADS

Asked to offer some advice to new graduates and current students in the audience participating in a Semester in Government in D.C., Vilsack encouraged them to volunteer in the community—“if I didn’t volunteer, I would never have run for mayor”—and to also consider the “noble work of public service. It’s a good place to start, establish relationships and refine your skills.”

Noting his two sons are lawyers, he gave one last piece of advice: “It’s a great life being a lawyer. Be proud and enjoy it.”

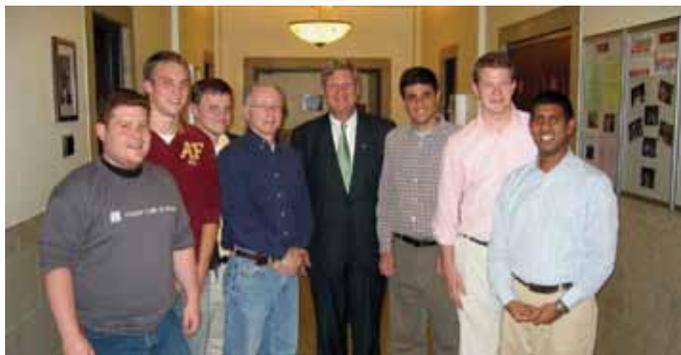


Vilsack exits Air Force One with President Obama in March 2010.

AP Photo



Vilsack speaking to Albany Law alumni at a March reception in Washington, D.C.



Vilsack on campus with students in 2007, when he received the Distinguished Alumni Award.

AP Photo

Loewy, Alumna in Residence, Shares Account of Astor Case

For 25 years Elizabeth Loewy '84 has prosecuted all kinds of cases in the Manhattan District Attorney's Office, including petty crime, domestic violence, sex crimes and homicide. But none had thrust her into the spotlight like the recent five-month long trial, involving the late legendary New York City philanthropist Brooke Astor.

"Despite what some might think, the Astor case was not all that different from other elder abuse prosecutions," Loewy told a crowded room of students, faculty and outside visitors while on campus in February, "except that it involved a well-known victim, large sums of money—more than \$30 million—and high profile witnesses" including Henry Kissinger and Barbara Walters.

"In that the trial received considerable coverage in the press, I am hopeful that we raised awareness about the issue of elder abuse, the fact that its symptoms are often hidden and that it can happen to anyone," she explained. "Believe it or not, people often characterize the abuse of an elder by relatives as a 'family matter,' which is similar to the response we'd sometimes hear on domestic violence cases 15 years ago. When children physically or financially abuse their parents or grandparents, people need to understand that this is criminal activity. There is no exception in the assault or larceny statutes for relatives—even if that relative is the sole beneficiary in Mother's will."

Loewy, the 2010 Alumna in Residence, spent the day



2010 Alumna in Residence, Elizabeth Loewy '84, speaking to students.

visiting classrooms, meeting with students, faculty and state-level leaders before delivering a talk on her experience heading Manhattan's Elder Abuse Unit, where she oversees some 600 cases a year.

Loewy talked about her work in the office of District Attorney Cyrus R. Vance, describing the genesis of the Elder Abuse Unit and the various types of cases they handle. The Scheme to Defraud, Grand Larceny, Conspiracy and Forgery charges against Mrs. Astor's son, Anthony Marshall, and a New York attorney named Francis Morrissey, resulted in a conviction after a trial in which 70 witnesses were called to the stand.

Loewy told students that law school was not an easy road for her, and that she questioned at times whether she



Loewy spent time chatting with students one-on-one, offering career advice.



Loewy delivers opening arguments in Manhattan Supreme Court in the trial of Anthony Marshall, son of late Brooke Astor, on April 27, 2009.

had made the right decision in pursuing a legal career. After working in a law firm and still feeling restless, she interned for a summer at the Manhattan District Attorney's Office, under the recently retired 90-year-old Robert M. Morgenthau. She said she was inspired immediately and never looked back. She encouraged students who might not be a right fit for a law firm to consider a career in public service.

Loewy has a family—a husband and two children—and despite her work load, manages to stay connected to the Law School. In fact, she co-authored a book with Rose Mary Bailly, Special Counsel to the Aging Law & Policy Program of Albany Law's Government Law Center, entitled *Financial Exploitation of the Elderly: Abuse of Trust in the Golden Years* (Civic Research Institute, 2007).

New York's Chief Judge and Manhattan's New D.A. Examine Wrongful Convictions

When New York's Chief Judge Jonathan Lippman asked panel members for one wish—one sentence—to improve wrongful convictions, Manhattan District Attorney Cyrus Vance Jr. responded without hesitating: "More support for ex-offenders," citing a 39 percent recidivism rate.

The panel was part of a two-hour symposium that identified deep-rooted decades-old problems and called for solutions at every level of the judicial process.

With 100,000 cases every year and 10,000 indictments, Vance said his office moves "a lot of volume." Asked by Lippman to make one change, the former defense lawyer said he would "exercise discipline on the front end" to avoid heading down wrong paths later on in the process.

"We know the issues that create wrongful convictions." Vance used the forum—where 250 students and visitors packed the Dean Alexander Moot Courtroom—to announce a new Conviction Integrity Program that will create a Conviction Integrity chief, an internal committee and an external advisory panel.

Author Amy Bach, who wrote *Ordinary Justice: How America Holds Court*, called the courts the most "unexamined institution in America," noting that our schools and utilities are monitored and examined far better than our judicial system.

Coerced confessions, unreliable witnesses, mishandling of evidence, overzealous law

enforcement and bad science were among the areas called out as known problems.

James Acker, a professor from University of Albany's School of Criminal Justice, quoted a report from 1932 that identified these same issues to emphasize the inaction surrounding wrongful convictions. "There is still a lot we



Chief Justice Lippman (left) with Manhattan D.A. Vance listen to Prof. Acker.

don't know about the causes of wrongful convictions."

Panelists agreed that a human system cannot be a perfect system, but it can improve, particularly given New York's high ranking against other states for wrongful convictions and executions.

It's hard for the players in the system to have perspective on this topic, said Stephen Saloom, Policy Director for the Innocence Project. The stakeholders—criminal defense, police, criminal labs, prosecutors and judges—all have pressures

to perform their roles, and there are many reasons, political and otherwise, that they don't come together. "It's an adversarial system, it's a battle, and people are not used to talking to each other about commonalities."

Saloom added that when any part of the system breaks down, the system breaks. "We

have a crisis in indigent defense. So we have a crises in justice."

The program was The Fourth Annual Chief Judge Lawrence H. Cooke State Constitutional Commentary Symposium, hosted by the *Albany Law Review*. Saul M. Kassin, Ph.D., Professor of Psychology, John Jay College of Criminal Justice, also served on the panel. Student Jillian Kasow '10, Executive Editor for State Constitutional Commentary, led the event with Professor Vincent Bonventre.



Law Review Editor Matt Laroche '10.

LAW REVIEW LEADERS LAUNCH NEW INITIATIVES

This year the *Albany Law Review* published its first issue of the annual New York Appeals. The new journal will run articles that cover high-profile decisions, conflicts among the various departments in the appellate division, and other issues facing practitioners.

On another front, the *Law Review* started its bi-annual e-newsletter that goes to 1,200 *Law Review* alumni, which reports on the group's activity as well as profiles its leaders and goals. If interested in receiving this newsletter, send an email to lawreview@albanylaw.edu.

The 68 journal members—40 associate editors (2Ls), 15 senior editors (3Ls) and 13 editorial board members—were led this year by editor-in-chief Matt Laroche '10.

The January 2010 *Albany Law Review*—Issue 73.1—featured a lead article by Gerald Caplan called "Legal Autopsies: Assessing the Performance of Judges and Lawyers through the Window of Leading Contract Cases." Its flagship symposium last year focused on financial market regulating, titled, "Main Street, Wall Street and K Street: Regulating Financial Institutions in New York and Beyond."

A reception in April, hosted by Dan S. Grossman '78 at Willkie Farr & Gallagher, New York City, brought together accomplished students and alumni to celebrate the tradition of the *Law Review*.

ALOOKBACK

Albany Law in the Great War

By Robert Emery

It's good practice to exercise one's historical imagination as a matter of historical relativism to place oneself in the climate of opinion of a past time. In April 1917, when requesting that Congress declare war on Germany, President Wilson stated:

...right is more precious than peace, and we shall fight for the things which we have always carried nearest our hearts, for democracy, ... for the rights and liberties of small nations, for a universal dominion of right....

Place yourself in a time when the vast majority of Americans wholeheartedly agreed with President Wilson, when the slogan "the world must be made safe for democracy" really meant something. One must do this if the attitude of the Albany Law School community toward World War I is to be understood.

Four-hundred-and-fifty-two Albany Law students and alumni served in the Army or Navy during the Great War; of these 40 were wounded, 11 died. One-hundred-and-thirty-six Albany Law enlistees attained commissioned rank. These numbers alone are enough to suggest the enthusiastic response Albany Law made to the President's declaration.

President Wilson had been reelected in November 1916 on the slogan "he kept us out



Graduation June 1917, at Madison Barracks, N.Y. It is likely that this photo includes Union College students too.

of war," and in early 1917 the United States was still a neutral nation. Some 250 students attended classes in the old Albany Law School building (located on State Street). The LL.B. course was three years long (undergraduate degree not required for admission); tuition \$130 a year. Almost all the 15 faculty members were active practitioners, who taught only part-time; but given that Albany Law ranked first among New York law schools in bar passage, they must have

been pretty effective instructors. The most popular student hangouts were Garrity's Corner saloon on Hudson Avenue (beer, 50 cents per large pitcher) and Keeler's on Broadway (the latter also being a principle watering place for the local bar, where law students and part-time law professors intermingled).

Congress declared war on Germany on April 6, 1917. Shortly thereafter, the state Court of Appeals adopted a rule to the effect that all

students in their senior law school year who entered military service could after their return be admitted to the bar on motion, and without examination. Much of the senior class flocked to the Recruiting Office. By fall 1918, the student body totaled only 80. Although some undergraduates (first- and second-year students) remained in school, most enrolled in the Students' Army Training Course (SATC), a forerunner of ROTC that allowed students

The state Court of Appeals adopted a rule to the effect that all students in their senior law school year who entered military service could after their return be admitted to the bar on motion, and without examination. Nearly every member of the senior class flocked to the Recruiting Office.

to combine continued study with military training until called up for service. Albany Law's SATC unit was incorporated with that of the State Teachers College—now University at Albany.

Albany Law students and alumni were scattered throughout the United States for purposes of training; some went overseas early through service in the Ambulance Corps; a substantial number saw combat in France as members of the American Expeditionary Force. To take a few names at random, John D. Saunders (class of 1922), U.S. Marine Corps, was wounded three times on the front; Elmer M. Rossman (1921), Field Artillery, was cited three times for service at Belleau Woods; Burrell Hoyt (1921), 27th Infantry Division, was gassed during the October 1918 assault on the Hindenburg Line; Donald H. Grant (1921), 1st Infantry Division, wounded in the Meuse-Argonne offensive in October 1918, received the Conspicuous Service Medal and divisional citations.

When the war came to an abrupt end with the Armistice

of Nov. 11, 1918, some 263 Albany Law students and alumni were on active service, at home and abroad.

Immediately after the Armistice, the Law School administration adopted the policy that any student who enrolled by December 1918 would be given credit for an entire year's attendance. Students on service abroad did not get home until late 1919 (and hence some did not receive their degrees until 1921 or 1922); but many students on home service took advantage of the Law School's policy: spring 1918 enrollment was up to 240.

Today, we tend to see the Great War through the lenses of post-war disillusionment, through, for example, Hemingway's *Farewell to Arms* or Dos Passos' *1919*. If, however, we are to understand the effect of World War I on Albany Law School, we must place ourselves in the wartime climate of opinion, and think as people thought during the war crisis of 1917–1918.

Roberty Emery is the Library's Associate Director and Head of Reference.

Who are they?

The first five alumni to correctly name anyone in either photo win an Albany Law School cap. The first two to correctly name all in either photo, including graduation year, win a Law School sweatshirt.

Submit your answers to Christina Sebastian, Director of Alumni Affairs, at 518-445-3361 or cseba@albanylaw.edu.



Answers from the last issue.



< Top Photo: left to right, Kris Van Lengen '82, Prudence Madden Younger '82, Anne Clark '82, Margaret Comard Lynch '82, Jack Phelan '82, Rita Connerton '82, and David Quinn '82.



< Bottom Photo: left to right, (back) Steven Somlo '72, Robert Stockton '72, Rose Marie Sgarlata '72 and Jay Soloway '72; (front) Thomas Spinrad '72, William Spampinato '72, Frank Tedeschi '72 and Stuart Silbergleit '72.

Sampson '91 Returns to Albany, this Time a Student of Power



Sampson celebrating his graduation in 1991 with Luretha Daniels.

John Sampson '91 marvels at the power handed to him. When appointed first African American chair of the N.Y. Senate Judiciary Committee this year, "that was good enough," he said. But before he could settle in, he was named the Democrat's Conference Leader, considered one of the most powerful positions in the state.

Ironically, in his three years at Albany Law School, he had little interest in government work. He never even entered the Legislative Office Building.

"When I left Albany and moved to Brooklyn, I thought I was gone for good," Sampson said during an interview in his Albany office. The reluctant politician now spends countless hours every week traveling between Albany and Brooklyn.

"It might be a lot of power," he said. "But you can't believe the hype."



Sampson, with Assembly Speaker Sheldon Silver, leaves the Executive Mansion after a meeting with Gov. David Paterson in March.

AP Photo

You have to remember where you came from." While Sampson keeps grounded by spending time in his East Flatbush neighborhood in Brooklyn, he also stays connected to Albany Law's Black Law Students Association, where he showed up on campus last month for a BLSA event.

The Albany Law trustee has planned to be a lawyer since 8th grade, after a run-in with the law. "I was a mischievous kid, but I got focused after that."

He attended Tilden High School in Brooklyn, then Brooklyn College. "I chose Albany Law School to do one thing—study with minimal

Sampson at a BLSA event on campus last month.

distractions."

He joined the Brooklyn firm Alter and Barbaro after law school, where he represented numerous clients on election law issues, work he still does with the firm.

In '96 his East Flatbush neighborhood organized a slate of candidates to challenge the incumbents, and they asked Sampson to run against Sen. Howard Babish.

"I pretty much had no chance, but I worked hard and we won," Sampson recalled.

He still seems awed by his most recent appointment as Conference Leader. "I never asked for this. But they selected me because I don't have an agenda. I don't need this and they know it. They see me as

someone who can bring the different sides together.... I learned in law school that you can only deal with the facts you've been given. That's what I work with."

SCHOOL DAYS

Sampson can talk about Albany Law like it was yesterday. He not only named about a dozen professors he had, he remembers the course, the year, and some exams.

"I was always worried about the bar. I loaded up on bar courses. I couldn't break 50% on the multistate portion during the practice tests," he recalled. "I kept taking practice tests. I did 100 questions every day. Eventually when the test came, I nailed it." Last year he put a new-hire from Albany Law on his customized bar-prep regiment—she passed the test.

STATE BUDGET

Interviewed on May 17, the state budget far from passed, Sampson said it's all about the debt. "There is so much debt, and so much spending," he said. "You really need a level head, because everyone is concerned with control and power, instead of solving the problem.... But now, all that debt that has been pushed off and pushed off—the chicken has come home to roost." —DS

Four Alums at Milbank Lead Trial Team to Win Giant Mutual Fund Case

The Wall Street firm Milbank Tweed Hadley & McCloy turned to four Albany Law grads to defend an excessive fee suit involving some \$15 billion, which some are calling the largest securities case ever tried to judgment, and the first case of its kind to be tried in more than 20 years.

“For an old-line Wall Street firm like Milbank to produce a senior trial team composed entirely of Albany Law graduates seems like a unique phenomenon for any law school,” said James N. Benedict ’74, Milbank’s Litigation Department Chairman, who led the case. “For a case this size with so much at stake, it’s a testament to the school that they all came from the same institution.”

Trial teams are typically selected based on expertise and schedules, explained Benedict. A case this size calls for three partners who can devote a solid amount of time, and seven or eight associates, rotating in and out as called for through the process.

“It was a full-time job for eight months,” said Sean Murphy ’94, a partner with the firm, who worked with James Cavoli ’92, another partner, and Neil Gray ’99, a senior associate. The work culminated in a three-week



Gray was brought in for his experience with large, similar cases.

trial in California.

“Neil had done several big, similar, cases, though they never went to trial,” explained Murphy. “We brought Jamie in because we had evidentiary questions and, as a former federal prosecutor, he’s a trial expert. Now we’re on another huge case together.”

At the heart of the case was the client, Capital Research and Management Company, one of the world’s largest mutual fund advisers with assets under management above \$1 trillion, who plaintiffs accused of charging excessive fees to the tune of \$15 billion.

“The case came down to defining fair and reasonable fees,” said Murphy, and the court ruled that *Gartenberg* was the legal standard, which looks at nature and quality of



Murphy, Benedict and Cavoli at Milbank’s offices.

service, profitability, comparative fees, economies of scale, and other standards.

“Also at issue,” explained Cavoli, “was the size of the fund. Did a fund that large negatively affect performance? The court said that it did not.”

“In the end it was apparent that shareholders received a great value,” Murphy said.

Of the 33 litigation partners

at Milbank, three of them are Albany Law alumni, and all of them teamed up together to try this case. “We built the trial team by getting the people with the right experience and skill set. We were quite proud of the fact that those people all went to Albany Law School and all shared that similar experience and training,” said Benedict. —DS

“For an old-line Wall Street firm like Milbank to produce a senior trial team composed entirely of Albany Law graduates seems like a unique phenomenon for any law school.” —James Benedict ’74

Incoming NYSBA President Younger '82 Sees the Profession Ripe for Change

Growing up the son of two ministers in the melting pot of Manhattan's Lower East Side, Stephen P. Younger '82 learned a lot about different cultures from his family's predominantly African-American church.

"I grew up around people from all walks of life," he said from his soon-to-be office at the New York State Bar Association's Albany headquarters. "I grew up in one of the largest melting pots in the world. You learn a lot about observing people, particularly people who have experienced both fortune and misfortune."

In June, Younger will become the 113th President of the New York State Bar Association. Despite taking the helm at a time that would make most incoming bar presidents bristle, Younger sees his timing as fortunate.

"This is the most strained time for the profession that I can remember," Younger said. "These kinds of moments breed change. We are open to looking at how we're conducting ourselves as lawyers. What parts of the legal profession are working? What parts are broken? Something is wrong with how we operate, and any thoughtful leader will tell you that these times—a crisis—make change possible."



Younger at his soon-to-be president's office at the NYSBA.

Younger, a partner at Patterson Belknap in New York, expects to examine four main areas of the profession while President:

1. Training new associates. "Is there a better way to make sure that young lawyers are equipped to service the modern client? In many ways, we are charging clients for training associates on-the-job. Is this a system we should keep or change?"
2. The billable hour. "Is this the best business model for law firms? Is this the best model for our clients? We need to look hard at it, as well as consider alternatives."
3. Workplace satisfaction. "What kind of work-life balance should law firms promote? Do we need to be working 12 hour days and billing as much as we possibly can?"
4. Technology. "How will technology continue to change the practice of law? Ten years ago we all thought the blackberry was just a fruit. We need to think about what sort of technological changes we will encounter 10 years from now." A strong proponent of mentoring, Younger plans to

promote such relationships, noting his own path was guided by strong mentors. "Dick Bartlett made my entire career," he said matter-of-factly, referring to the former Albany Law dean. Younger worked for him at the New York Unified Court System after graduating from Harvard. "He told me to go to Albany Law School. After law school he told me to clerk for Judge Hugh Jones, an amazing man who had a big influence on my life. Judge Jones called his own bar presidency the pinnacle of his legal career. I never thought I'd have the opportunity to sit in this seat. Then Judge Bartlett told me to go work for Dick Parsons '71—an Albany Law alumnus who was then managing partner of Patterson Belknap. Twenty-five years later I am still here."

"Lawyers as mentors—that's one of my themes," Younger said. "It is something that is missing in our profession. It is good to have someone one step ahead of us telling us things we don't know."

Younger, an Albany Law trustee, also feels that legal services for the poor are receiving a "double whammy"—the need for legal services has increased dramatically while the funding has shrunk—and this crisis needs to be addressed.

BAR WORK, LEGAL WORK, FAMILY LIFE

Over 23% of the Bar's membership comes from states and countries outside New York. To that end, Younger has spoken in India, Mexico, and around the United States promoting the value of State Bar membership. "New York bar membership for out-of-state and out-of-country attorneys carries a lot of status. It's the highest-growth sector for our bar."

Along with this kind of travel, Younger will be the voice for the association at the federal and state legislative levels. While he won't be trying as many cases, he will continue to manage his clients. As the third Patterson Belknap partner to be State Bar president, Younger said the firm has been very supportive.

An Albany Law classmate and longtime friend of New York's Attorney General Andrew Cuomo '82, Younger chaired the Attorney General's transition team after Cuomo's election, which he called "a phenomenal time in my life."

As for his own political ambitions, Younger said his bar presidency "fulfilled any related desires," likening the process to a real campaign. "My wife (an Albany Law alumna) told me I have so many people in my rolodex,



Younger spoke to a group of Albany Law students at a Student Legacy Fund event, where he talked about the importance of staying involved and giving back to the School.

but I never ask them for anything," Younger said. "So I called a lot of friends and asked for support. I contacted a lot of Albany Law alumni across the state for help, some of whom I haven't spoken to in 10 years. There's something about the connection created by Albany Law School: whenever you meet a fellow graduate, even if there's a 20-year difference, there's an immediate association. I made my best friends in the world at the law school."

Younger doesn't see himself running for elected office, but hopes to work more in public service. "Few law schools are as public-minded as Albany Law School, and that leaves a lasting impact on you. I would have liked to serve as a prose-

cutor earlier in my career."

(Younger is currently working pro bono on an appellate case with Skip Laisure '91 at Appellate Advocates—see page 23 for story on Laisure.)

With four kids—two in high school, two in college—Younger keeps busy at home. "They'll tell you I never sit still, I'm on my Blackberry too much, and when I am not working, I'm always trying to get them to do something with me: golf, hike, go sailing."

Harking back to principles he learned as a kid on the streets of New York, he stated his simple credo: "A lawyer is only as good as their own word. That's the most valuable asset you can have in this field."

—DS

"This is the most strained time for the profession that I can remember. These kinds of moments breed change. We are open to looking candidly at how we're conducting ourselves as lawyers."

FORMER NYSBA PRESIDENTS FROM ALBANY LAW SCHOOL

Alton B. Parker 1872

Adelbert Moot 1876

Tracy C. Becker 1886

Simon W. Rosendale '08

B. William Bray '14

David S. William '49

John J. Yanas '53

Kathryn Grant Madigan '78

Building a PRO BONO Culture



TO TRANSFORM THE LAW SCHOOL EXPERIENCE

By David Singer

Albany Law School has a long legacy of fostering public service and attracting students interested in defending indigent people. The culture partly stems from its location in the state's capital, where public service work—outside the law firm—is abundant and permeates the school's campus. As well, the Law Clinic and Justice Center, established more than two decades ago, has often been at the forefront of legal clinic work, a draw for students keen on helping the less fortunate.

With a new series of public interest programs this year, Albany Law School students are leading efforts to broaden the law-related service opportunities. Through these efforts they are developing pipelines to some of the leading non-profit organizations in the country, while also gaining valuable legal experience and fulfilling their professional obligation to do service.

Along with this boost, the school received grants this year totaling \$225,000—through the support of N.Y. State Senators John Sampson '91 and Neil Breslin—which will go toward strengthening the school's current pro bono efforts, as well as support the litigation clinic.

1L INTEREST ABOUNDS

During this year's spring semester 178 law students committed to doing law-related service work. Of those, 115 are first-year students—more than half the class. And several new partnerships are emerging into full-blown programs.

"We hope to develop one of the leading law school pro bono programs in New York State," said Samantha Howell '10, the student coordinator of the pro bono projects. "We're all very proud of what we're building here."

Separately, The Pro Bono Society, a student-run group, continues to coordinate a range of projects with community partners including Legal Aid Society of Northeastern New York, Prisoners' Legal Services, and the Legal Project. This year, these programs experienced a surge of growth from the students, the result of a general boost in public interest fostered by Susan Feathers, the new Assistant Dean for Student Affairs. Feathers served as the Assistant Dean at Penn Law School where she directed their Public Service Program. Feathers also served as Executive Director of Public Interest Law at Stanford Law School and as Clinical Staff Attorney for the Hofstra Law School Constitutional Litigation, Criminal Defense and Disability Rights Clinics.

Feathers began her career as an Associate Appellate Counsel at the Legal Aid Society Criminal Appeal



Susan Feathers

Bureau in Manhattan. "I look forward to developing a more comprehensive and rigorous program which will forge deeper connections into the local and national legal communities, while also deepening the culture of service at the law school."

Matt Bloss '10 came to the school without a career plan, but after pro bono experience—he's now president of the Society—he feels grounded about his law school experience. "It's extremely rewarding to do law-related service. You not only make a difference in the community, but you also learn about new substantive areas of law and develop marketable legal skills."

Howell, a Kentucky native who worked in domestic violence for two-and-a-half years before coming to Albany, plans to stay in the area and work in public interest when she graduates. "I feel fortunate to work with Dean Feathers, a seasoned public interest attorney and leader in the field of pro bono. This is the kind

of work I want to do," she said. "Through our work together, I've learned about the importance of service and the transformative potential of effective pro bono partnerships."

NEW PROGRAMS THIS YEAR

Rural Legal Services Project, the newest and most popular program—more than 50 students participate—matches students with elderly and low-income populations in rural areas to provide legal help on a range of issues. The schools partner, the Rural Law Center of New York, located in Plattsburgh, N.Y., provides critical legal assistance around family law, consumer debt, healthcare proxies, housing and rural seniors and youth.

During the spring semester 178 law students committed to doing law-related service work. Of those, 115 are first-year students.



Samantha Howell '10, who coordinates the pro bono work of more than 120 students, and Matt Bloss '10, president of the Pro Bono Society.

More than 50 students this year volunteered to help elderly in rural areas understand legal issues concerning consumer debt, health care proxies, tenant rights and more.

Freeing Political Prisoners Project partners Albany Law School with the D.C.-based Freedom Now group. Students, after required training, are performing legal research, garnering political pressure, and performing public relations to free persons in prison overseas for their political or religious beliefs.

EXISTING PROJECTS WHICH HAVE ENJOYED A BOOST IN STUDENT PARTICIPATION

Family Court Helpdesk: Students provide assistance with patrons of the Family Court system, helping them navigate through the procedures and paperwork of the court.



Shannan Lettieri '12 (left) speaks with Elizabeth Shuster from the Legal Aid Society of New York during a Public Interest career forum at the Law School. Lettieri worked for a Center for Homeless in the Midwest, and Teach for America before coming to law school.

STUDENT PURSUES PUBLIC INTEREST IN VIRGINIA, CALIFORNIA, GEORGIA, AND NOW N.Y.



Parneet Chauhan '10 became enamored with criminal justice after taking a class on a whim at Northern Virginia Community College. She subsequently transferred to American University to earn a degree in justice, a field of study that combines criminal justice with social psychology.

“At American, I worked with sex-offenders in a psychotherapy group,” said Chauhan. “The goal of this therapy group was to prevent recidivism.”

Ultimately, Chauhan decided to attend Albany Law to learn about criminal law, and to continue to gain experience in her field through a series of legal internships ranging from Georgia to California.

“My first legal internship

was at the Georgia Appellate Practice and Educational Resource Center in Atlanta,” she said. “I had two clients I visited regularly in prison and who I still keep in contact with. My experience here was what led me to be passionate about criminal defense work. What I saw here and what I learned are experiences I will never forget.”

Chauhan, who grew up in Springfield, Va., spent the past summer in San Francisco with the California Appellate Project, which, like her previous internship, is “also an office that works with death row inmates,” she explained. “However, here the job of the attorneys in the office is to supervise and oversee those in California who are directly representing death row inmates. We made sure that attorneys were following procedure and facilitated trial preparation when necessary.”

She continued, “There is a lack of dedicated representation out there, and I want to be part of the change. I want to be able to go back to one of my clients and tell them some good news.”

Since returning to Albany for her third year of law school, she has been interning with the Federal Defender for the Northern District of New York.



Matthea Ross '12, left, and Stephanie Sciandra '12 stand outside Albany County's Family Court building, where they volunteer their time at the "Helpdesk," helping patrons of the Family Court system navigate through procedures and paperwork. The Albany County Bar Association helps coordinate all the student volunteers with the Family Court staff.

Pro Se Divorce Clinic:

Under the supervision of attorneys from the Legal Aid of Northeastern New York, students help low-income individuals seeking to file for pro se divorce. Students help determine the proper grounds for divorce and are exposed to topics like custody/visitation, support and equitable distribution. Legal Aid of Northeastern New York conducts a four-hour training for interested students.

Prisoners Legal Services:

Under the supervision of attorneys with Prisoners Legal Services of New York, students provide legal help for prisoners through writing and research. Issues can center around excessive force, medical care, and conditions of confinement. Some students get the opportunity to conduct administrative appeals for prisoners who are challenging disciplinary hearings.

Senior Law Day: Students also play critical roles for the Government Law Center's Senior Citizens Law Day, where some 400 people spend a day at the school attending 30 workshops on elder law issues. Students also support Tax Law Day, where students become certified tax preparers and help low-income individuals receive their income tax credit.

In a brand new project, 12 law students from the student group Outlaw, which supports gay, lesbian and bisexual students and faculty, are partnering with the ACLU of Mississippi on a wide range of research projects.

PROJECTS LAUNCHING THIS SUMMER

This summer the school will launch three new pro bono projects focused on statewide legal services to low-income individuals and communities.

INITIALLY DRAWN BY JOINT DEGREE, AKHTAR STAYS EAST TO PURSUE PUBLIC INTEREST CAREER

Saima Akhtar '09 came from Madison, Wis., specifically for the joint J.D./Master of Public Policy program Albany Law offers with University at Albany. "There were only a few similar programs in the nation at the time," she said.

A staff attorney for the statewide Empire Justice Center, headquartered in Rochester, Akhtar is no stranger to the pace and strain of public interest work, being a former director of a domestic violence facility.

"Things are different now. No one saw the oncoming severity of this economic storm," she says. "It has drastically changed the goals and expectations of our work. The issues of foreclosures, debt collection, the demand for public assistance have all skyrocketed to astounding levels."

Earlier this year the Justice Center released a report co-authored by Akhtar that examined the disparities of child care subsidies to working parents across the state's counties. Called "Mending the Patchwork," this type of advocacy counts for one



level of her work. She's also involved with class action litigation against several counties, claiming unreasonable delays for people needing emergency and traditional public benefits.

On yet another level, Akhtar represents individuals facing foreclosure. Working with the Legal Aid Society and the Legal Project, she manages the more complex, longer-termed cases, which the partner organizations direct to the Center. "These are usually older, or disabled, people, who are taken advantage of," she explained.

"When I came to law school, I hoped for a job just like this," said Akhtar. "I'm thrilled to be here."



Paul Evangelista '94 works for Federal Public Defenders.



Melanie Goldberg '10 (left) talked to Dianne Goodwin '99 of Prisoner's Legal Services, during a Public Sector forum on campus. The organization advocates for civil rights for prisoners, and it hires students in a variety of capacities in its five offices around the state.

Prisoner Reentry: Working with Legal Aid of Western New York, students will provide know-your-rights education to incarcerated individuals on how they can overcome the civil consequences of a civil record.

Economic Justice Project with Law Student in Action Project: Students will partner on a broad range of projects designed to promote economic injustice including developing educational workshops on predatory lending and public benefits.

Pro Bono Leaders Project: Working with Section leaders of the New York State Bar Association, students will participate in a new statewide effort to provide pro bono appeals to clients in civil cases in partnership with the Legal Project.

THE PROMISE

Recently the percent of Albany Law graduates landing public interest jobs has risen to 6%, which comes to around 20 students a year. These numbers may not sound like a critical mass, but with 250-plus working alumni identified, there is an exclusive public service pipeline for Albany Law grads.

With 900 graduates working in New York state government, the presence of a public service mindset on campus can foster a climate for public interest work.

"I went to law school to do public interest in New York

City," said Nancy Ginsburg '91, who works at the Legal Aid Society in New York. "There was strong academic training and academic support in Albany, but not the clinical or public interest presence that's there now," she said, adding that she chose Albany over attending a New York City school because of her interest in government, and a better cost of living. "Working for the ACLU in Philadelphia convinced me I needed a law degree."

Paul Evangelista '94, who works at the Federal Public Defenders Northern District of New York, did not have public interest work on the brain when he entered law school. Rather, his law school experience serendipitously led him there, something the school may do more of as its program strengthens.

The seed was planted when he interned at a public defender's office in a local court during law school. "While the school at the time encouraged this experience, there was no push to pursue it as a career, as there might be now."

When Evangelista graduated, he took a job through the Career Center with a small firm doing criminal law. "That was some intense training," he said. "The firm's partner would send me to court to adjourn a case, the judge would refuse, and I'd have to try the case."

He got his fair share of federal court while at the firm.

LEAVING LARGE FIRM LIFE—AND ITS SALARY—FOR PUBLIC INTEREST WORK



Laisure '91

It's been 15 years since he left one of the nation's leading firms for non-profit appellate work, slicing his salary by two-thirds. Stacks of boxes from his latest case—which recently ended after 12 years—line the walls of Skip Laisure's '91 tiny office in lower Manhattan. The former *Albany Law Review* editor-in-chief sees himself well-suited for this kind of work at Appellate Advocates.

He originally planned to stay with the firm a few years, but plans were cut short when opportunity knocked: a position to work in non-profit appellate criminal defense work.

"It's not easy to break into this field," Laisure explained. "When I had the chance, I took it." Fortunately, he said,

while the pay was significantly less, his standard of living didn't change because he had spent the first year paying off his school loans as aggressively as possible.

Directly from law school Laisure clerked for Franklin Billings, a federal judge from Vermont. He left his first non-profit position when threats to dissolve the organization seemed real during the Giuliani administration—the organization survived. He left in 1996 for his current Appellate Advocates work, which is currently under contract with the City to receive criminal convictions from the 2nd Department. While Laisure carries his own cases—about 30 at any one time—he also supervises the staff attorneys,

noting that they "always put at least two heads" on every case.

"I went to law school hoping to do this," Laisure explained, as if he's defended his career choice before. "I can't imagine crossing the aisle. Maybe I could work in labor law, or civil rights. The cards are significantly stacked against the defendant of a crime. From the beginning the government

when you leave the court."

He has won a lot of retrials, and recently earned the release of two defendants—one for insufficient evidence and one for a speedy trial.

While three years is the typical length of his appeals cases, he just wrapped up a 12-year case, which started as a death penalty case and ended with life without parole.

Laisure on average argues in court around once a month and thinks he's been in front of the Appellate judges more than 100 times.

sets the agenda—the police do the investigating and establish the facts—the government doesn't need more help."

Laisure continued, "I see a lot of corruption in police activity and less than upstanding practices in the district attorney's offices. They need convictions because they are running for elected office. They bend justice to work for them at each stage of the process."

Laisure doesn't meet his clients often. "We don't have the budget or time to make trips like that." Unaware of his actual success rate, Laisure cited that a victory rate for his work is typically 5%. "Here your defendant is presumed guilty, so the odds are against you from the start. And you don't ever know how you did

"My client waived his right to appeal years ago when he was convicted, so they went after the other guy. But they convicted the other guy with him of the murder, so my client's waiver no longer applies. But they didn't think so."

Laisure on average argues in court around once a month and thinks he's been in front of the Appellate judges more than 100 times.

"There are a lot of cases you know you can't win. But when they're assigned to us from the courts, we have to take them. And, well, there are a lot of fair trials too," he said, laughing.

“For those of us interested in public interest,” Codispoti said, “our work is very personal. We’re very passionate. It’s not just a job.”



Codispoti '95 works on women's health issues at the National Women's Law Center.

“I felt like they treated lawyers with a higher respect,” he said. “There’s a different sense of dignity for your role in federal court. I started to gravitate toward there, applied for a job and got it.”

For Evangelista, Career Services gave him good guidance. “There are students who aren’t sure what area they want to pursue,” he said. “There are some students who think they know, but they don’t.”

“This work is good work. We’re the only advocate our clients have. Without us, they’d get trampled,” Evangelista explained.

Lisa Codispoti '95, senior counsel at the National Women’s Law Center in Washington, D.C., who worked for two years at Whiteman, Osterman & Hanna in Albany after law school, said that years ago a student’s pursuit of public interest didn’t enjoy the same level of support as it does today at Albany Law. “On my last visit to campus, and in speaking to students, the change was palpable. When I attended, the school was starting to recognize that students want to do this kind of work.”

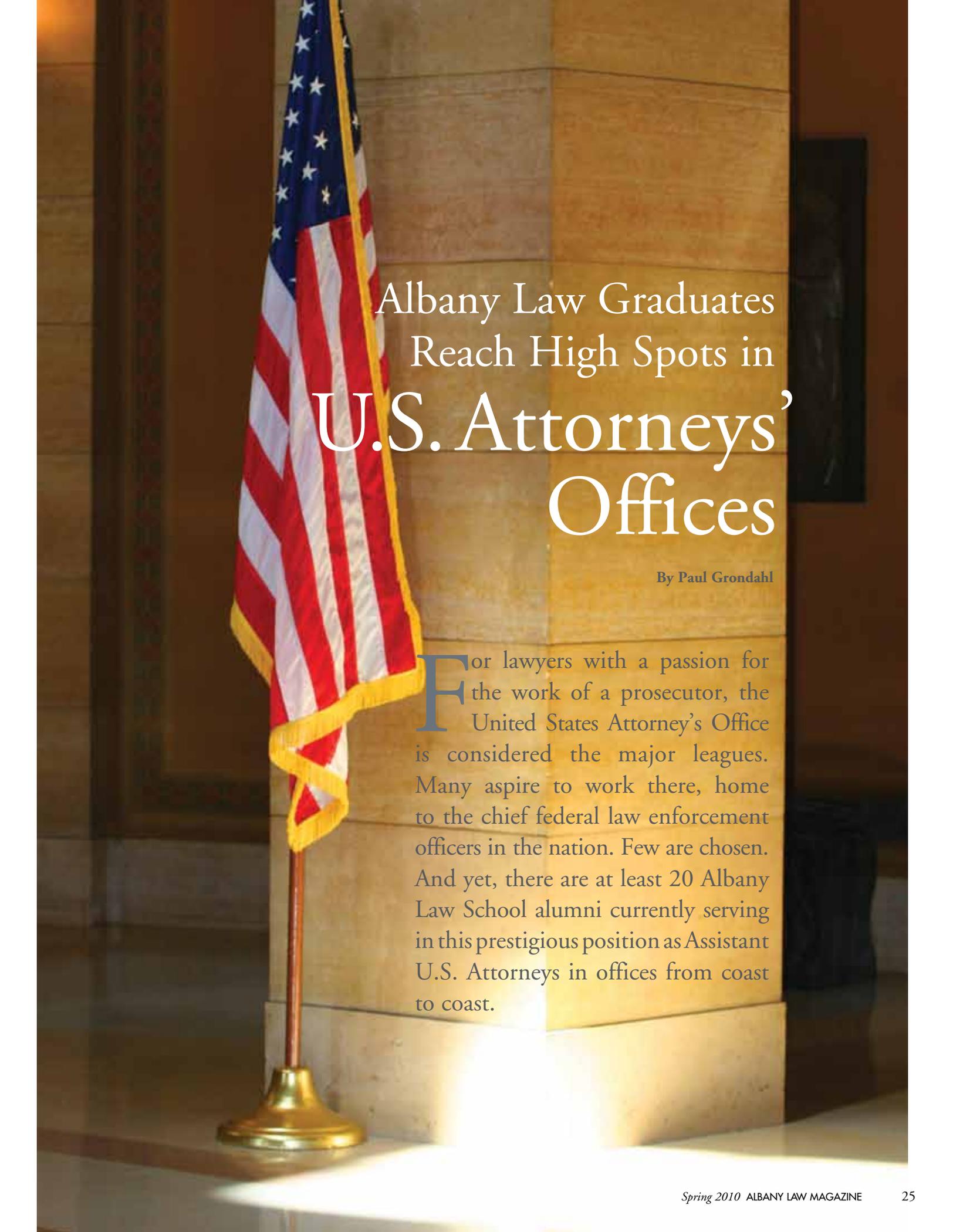
Codispoti, who spends considerable time advocating for, and analyzing, legislation around women’s health issues, said that while at the Whiteman law firm, she continually gravitated toward

pro bono work, to the point where she had to recognize and pursue her calling.

“For those of us interested in public interest,” Codispoti said, “our work is very personal. We’re very passionate. It’s not just a job.”

Codispoti described her organization’s success on the recently enacted health care reform bill, which included, among other things, a fix for the practice of “gender ratings”—when insurance companies charge women and men different premiums based solely on gender—which usually meant higher health insurance premiums for women. The legislation will ban the practice on employer rates too, though, regrettably, Codispoti said, there will be exceptions written into the law, like for employers with 100 or more employees. Codispoti noted that the new law will ensure that health insurance sold in the new system will include coverage of maternity, which is hard to find in individual insurance coverage.

“Albany Law enjoys a storied past of public interest activity—results you see from its successful alumni—and a newly revived flurry of activity today,” said Dean Feathers. “We’re developing the structure for students to pursue their passion in public interest. These programs teach them to use their new powerful tool—knowledge of the law—to help people more effectively.”

An American flag with a gold fringe is mounted on a brass stand. The flag is positioned on the left side of the page, partially overlapping the title. The background consists of a wall made of large, light-colored stone blocks. The lighting is warm, creating a professional and formal atmosphere.

Albany Law Graduates Reach High Spots in U.S. Attorneys' Offices

By Paul Grondahl

For lawyers with a passion for the work of a prosecutor, the United States Attorney's Office is considered the major leagues. Many aspire to work there, home to the chief federal law enforcement officers in the nation. Few are chosen. And yet, there are at least 20 Albany Law School alumni currently serving in this prestigious position as Assistant U.S. Attorneys in offices from coast to coast.

They described an office culture that is about collaboration and robust resources of federal investigatory agencies including the FBI, Secret Service, U.S. Marshals and U.S. Immigration and Customs Enforcement (ICE). They said they enjoy the complexity and variety of the cases they handle, which include: violent crimes such as rape, assault and homicide; the illegal sale of drugs and firearms; financial fraud; terrorism and threats to national security; illegal immigration; the sale of child pornography and human trafficking for the sex industry; and more.

A theme that runs through the steps that carried them to the U.S. Attorney's Office was the real-world experience offered by externships as Albany Law School students.

The roster of Albany law graduates who have left their mark in the U.S. Attorney's Office is illustrious,



Barbara Cottrell '84

including one of the longest-tenured, Barbara Cottrell '84, who has worked as an Assistant U.S. Attorney for the Northern District of New York for 25 years and is Deputy Civil Division Chief. She has also been a member of the Albany Law School's Board of Trustees for more than a decade.

Last year, Michael J. Garcia '89 stepped down as U.S. Attorney for New York's Southern District to join Kirkland & Ellis as a partner in the firm's Litigation Practice Group in its New York office. He served as U.S. Attorney for three years, oversaw more than 230 federal prosecutors and directed the investigation of some of the world's most high-profile cases involving securities fraud, racketeering and counterfeiting.

Here is a sampling of Albany Law School alumni who work as Assistant U.S. Attorneys, sharing their thoughts on the rewards and challenges of their jobs.

RICHARD HARTUNIAN '86

U.S. Attorney for the Northern District of New York



AP Photo/Tim Roske

Nominated by President Barak Obama and confirmed by the U.S. Senate, Richard Hartunian '86 was formally sworn in on April 30, 2010, as the U.S. Attorney for the Northern District of New York. Prior to this he was an Assistant U.S. Attorney since 1997, serving as the Northern District's Narcotics Chief and Organized Crime Drug Task Force Coordinator starting in 2006.

The Northern District of New York is comprised of 32 counties from Kingston to Canada, with a population of 3.4 million people, and 45 federal prosecutors working in several offices. Hartunian, who holds a B.A. from Georgetown University, is the first presidentially-appointed U.S. attorney from the Capital District in 49 years.

He called his first year of law school "traumatic," recalling the fear of taking only one test in Prof. John Welch's property class. He rattled off a few professors he remembered—Peter Preiser, Norman Deutsch and Dan Moriarty—and called Francis "The

Duke" Wallace "a legend who kept him spellbound."

After law school he worked in two Albany firms before establishing Hartunian and Clark in 1990, where he worked until joining the U.S. Attorney's Office in 1997. His bio notes that he has tried approximately 60 criminal cases to verdict as sole or lead counsel, including extensive gang-related drug cases.

The experience of losing his sister in the 1988 bombing of Pan Am Flight 103 was a turning point for Hartunian, who assumed a leadership role in the victims group. Only three years out of law school, he served as the group's legal adviser. He also lobbied for a presidential commission on security at airports, and called on the U.S. and British governments to conduct a deeper investigation into the bombing.

While his initial goal out of law school was to prosecute for Albany County, the experience of losing his sister in the airplane bombing stirred something inside him that would manifest years later in his ascent to federal prosecutor.

Hartunian explained that he doesn't expect to see the courtroom any time soon. "This is primarily an administrative job, a very different job," he said. "I meet with a lot of groups, agencies and officials to discuss large policy issues. It's very exciting work."

Listing priorities like counterterrorism, cybercrime, health care fraud and public corruption, he commented on the guilty verdict for former N.Y. State Senate Majority Leader Joseph Bruno as reflective of his Office's commitment "to root out public corruption wherever it is found. This

commitment is grounded in a system of justice where all individuals, regardless of their position, will be held accountable when they violate their legal obligations to those who elected them.”

NADINE PELLEGRINI '78

*Chief, Major Crimes Unit,
U.S. Attorney's Office in Boston*



“I was very much interested in environmental law when I got out of law school, but there wasn't a whole lot available in that field at the time,” said Pellegrini, whose first job was in the Monroe County District's Office in Rochester, followed by the Massachusetts Attorney General's Office, where she was an Assistant A.G. She joined the U.S. Attorney's Office in Boston in 1991. Her cases are predominantly violent crimes, including gun and gang violence, armed bank robberies and arsons. She also handles child exploitation and international parental kidnapping cases. Since Cape Cod's National Seashore is in the district, she enjoys taking on wildlife protection cases “because that harkens back to my initial interest in environmental law.”

As chief of the major crimes unit, she supervises the work of 10 Assistant U.S. Attorneys and oversees hundreds of cases. She misses handling her own cases, such as the case she prosecuted of a decorated Vietnam veteran, ordained minister and Ph.D. psychotherapist who fell for a Nigerian e-mail scam. In a twist on the usual scheme, the minister ended up sending along more than \$600,000 in wire transfers to foreign countries in a case recounted in a 2006 article in *The New Yorker* magazine titled “The Perfect Mark.”

“It never gets old because there are an endless variety of cases,” said Pellegrini, a mother of two.

KEVIN P. DOOLEY '80

*Assistant U.S. Attorney in
Binghamton, N.Y.*



“I consider myself to be a career prosecutor because I've been working as a prosecutor since graduating from Albany Law School. This is what I wanted to do since I started clerking at the Albany County District Attorney's Office in my second year at Albany,” said Dooley, who has been an Assistant U.S. Attorney

since 1998, following 18 years in the Broome County District Attorney's Office in Binghamton, the last 10 as Chief Assistant. Dooley said that former Chief Assistant Albany County D.A. Dan Dwyer was a mentor to him and strongly influenced his decision to follow this career path. Dooley prosecutes a wide variety of crimes, including those involving fraud, violence, drugs, firearms and child exploitation.

He is also the criminal civil-rights coordinator in his district. “Handling arson, truck hijacking and bank robbery cases get in your blood and I still enjoy being in the courtroom,” he said. “The crimes I prosecute have a significant impact on victims, and it is still very rewarding to me to provide some measure of justice to them by prosecuting these cases.”

Dooley returned to his office in 2007 after completing a two-year special assignment in Iraq, the last 15 months as head of the Regime Crimes Liaison's Office (RCLO). RCLO provided assistance to the Iraqi High Tribunal in the investigation and prosecution of Saddam Hussein and others for crimes against humanity and genocide.

“Having been involved in that process, being at the trial of Saddam Hussein every day, and watching history unfold was an opportunity of a lifetime,” Dooley said. “It was a very intense and rewarding experience. Everyday was a challenge.”

DOUGLAS E. GREGORY '93

*Assistant U.S. Attorney,
Rochester, N.Y.*



Gregory is currently prosecuting a violent street gang known as the “Chain Gang” that controlled the drug trade in one of the city's toughest east side neighborhoods. He is using the Racketeer Influenced and Corrupt Organizations Act (the RICO Act), a statute used to bring down the mob in an earlier era. The investigation of the gang was stepped up after members were allegedly involved in several shootings resulting in innocent victims being struck.

In one shooting, Chain Gang members allegedly used a semi-automatic rifle during a retaliation against rival gang members, according to court papers. A 15-year-old girl was killed as she was caught in the crossfire.

In April 2009, indictments were handed down against 28 Chain Gang members on charges of murder, attempted murder, assault and narcotics trafficking, all under the RICO statute. So far, about

half have accepted pleas.

"We've been battling a growing number of home-grown gangs, trying to make sure national gangs like the Bloods and MS-13 don't establish themselves in Rochester," Gregory said, noting that the city had one of the highest per capita murder rates in the U.S. a few years ago. But last year, after stepped-up efforts of a joint task force, violent crime had dropped to its lowest level in 25 years."

Gregory is the first federal prosecutor in the Western District of New York to use the RICO statute to attack street-level gang crime. "It simply gives us another tool to combat the violence that comes with these gangs selling crack cocaine and marijuana and protecting their turf with assault and murder against anyone who tries to sell in their territory," Gregory added.

Gregory has focused on violent crime, first as an assistant district attorney in Monroe County, where he worked from 1993 to 1999. While there, he became a special assistant U.S. attorney, joining a team of prosecutors under Project Exile, a federally-funded pilot program intended to fight gun violence. After nine months, his success in Project Exile led to a job as an assistant U.S. attorney.

Gregory and his wife, Heidi Schult Gregory '93, met at Albany Law School. She is a partner at Harris Beach in Rochester and specializes in health law. Despite busy dual careers and three young children, Gregory, who played basketball at

Union College, still finds time to coach his daughters' grade school basketball teams.

"For me, success in basketball involved preparation and execution," he said. "It's no different for trying cases. And the pre-game butterflies are the same, too."

RICHARD T. LUNGER '93

Assistant U.S. Attorney in Central Islip, N.Y.



Lunger is in the middle of a trial involving one of the biggest cases of his career, *U.S. v. David Brooks*. The founder and former chief executive officer of military contractor DHB Industries Inc., Brooks, is charged with insider trading and committing a \$185 million fraud, according to the indictment. Court papers allege that Brooks looted the publicly-traded company to pay for lavish personal expenses.

In his opening statement in court, Lunger called it a case about "naked greed" and said of Brooks and former Chief Operating Officer Sandra Hatfield: "In the end they lied in order to push up the price of the company's stock, then they sold their stock for \$190 million." Brooks is charged with collecting \$185 million and Hatfield \$5 million in the

scheme. The defendants each face as much as 25 years in prison if convicted of the most serious counts of fraud.

"It's a challenge to prosecute these complex, multi-million dollar white-collar cases that are often international in scope," Lunger said. He has "chased money all over the world," tracking down secret offshore bank accounts and money-laundering operations in Costa Rica, the Bahamas, Switzerland, Australia, U.K. and elsewhere. "The common theme in these cases is greed and a degree of narcissism."

Lunger's path to becoming an assistant U.S. attorney in 2002 started in Brooklyn, where he became deputy chief of the asset forfeiture division before moving two years ago to the criminal division in the Long Island office. After law school, Lunger worked as a law clerk to a magistrate on Long Island. He next worked as a deputy county attorney in Nassau County, defending county agencies in civil rights actions. He left for private practice and spent four years with Rivkin Radler on Long Island, handling commercial litigation and insurance coverage. He next became in-house counsel with the Drug Enforcement Administration in Washington, D.C.

"Being an assistant U.S. attorney allows me to take those skills I developed in private practice and bring them to the courtroom," he said. "I like prosecuting cases. I consider the type of work I'm doing now as very meaningful. It got in my blood early on at Albany Law School, which taught me how valuable public service can be."



Jill Bolton with former Attorney General Alberto Gonzalez.

K. JILL BOLTON '95

Assistant U.S. Attorney in Spokane, Washington

"I like the variety I get in a smaller office, particularly the fraud cases, which can be quite large and complex and can take two or three years just on the investigation end," said Bolton, who has worked for seven years in the position, serving as health care fraud coordinator in the Eastern Washington district, which has 26 attorneys between the Yakima and Spokane offices. "Some people don't like fraud, but I find it fascinating. It's like a puzzle you have to figure out. I get to work with a lot of federal agents who are CPAs and lawyers and they're incredibly intelligent law enforcement officers."

Bolton handles up to 100 cases per year. She recently successfully prosecuted a fraudulent debt elimination offer that amounted to a Ponzi scheme and bilked 1,339 people out of \$3.2 million. Following a two-year investigation with



IRS and Secret Service agents, Bolton led the prosecution of the perpetrator, who purported to eliminate home mortgages, boat and car loans for a \$2,500 up-front fee by utilizing a crack team of lawyers who knew tax loopholes—lawyers who, it turned out, did not exist. Bolton won the case and sent the scam artist to prison for nine years and he also had to pay restitution to his victims.

Bolton noted the practical experience she picked up on the Albany Law School Trial Team, as well as an externship with an Albany County Court Judge.

JUDSON MIHOK '97
Assistant U.S. Attorney in Baltimore, Maryland

Mihok set his sights on becoming a prosecutor after completing courses with three of his favorite professors at Albany Law: Preiser (Criminal Procedure), Hutter (Evidence) and Bonventre (Criminal Law). “For me, they were the ‘thrill-ogy’—they supplied me with a solid

foundation for the practice of criminal law, made the subject matter come alive and confirmed, beyond a reasonable doubt, that my interest was in criminal law,” said Mihok.

After graduating law school, Mihok worked as an assistant district attorney in Nassau County on Long Island until 2002 when he joined the U.S. Attorney’s Office in Tucson, Ariz., in 2003. He moved to the Baltimore office in 2008 where he currently serves in the Major Crimes Section and is one of about 80 Assistant U.S. Attorneys in the office.

“I can start the day filing a motion related to a tax case, handle a hearing on a drug or gun case in the afternoon and then end the day reviewing a search warrant on an arson case,” Mihok said. He also

handles foreign litigation requests sent to Maryland and is currently assisting the Netherlands, U.K. and Hong Kong with criminal investigations.

One of Mihok’s high-profile cases came in Tucson, where he assisted a task force investigating a cold case car bombing murder. The case was featured on the TV show, “America’s Most Wanted,” and the main suspect was arrested in Florida after the program aired.

Mihok’s wife, Susan, understands the demands of the job better than most spouses, since she also worked as an assistant U.S. attorney in the Tucson office—they met when they both worked in the Nassau County District Attorney’s Office.



Mihok being sworn in as assistant U.S. attorney in 2009 with U.S. Attorney Rod Rosenstein in the Baltimore office. Mihok’s wife, Susan, and daughters also attended.

OTHER ALUMNI CURRENTLY IN U.S. ATTORNEY OFFICES

Edward Broton '79
Northern District, N.Y.

Diane Cagino '86
Northern District, N.Y.

Robert Capers '96
Eastern District of N.Y.

Perry Carbone '86
Southern District of N.Y.

Sarah Darnell '09
Western District of Texas

Edward Grogan '92
Northern District of N.Y.

Daniel Hanlon '96
Northern District of N.Y.

Brett Harvey '95
Western District of N.Y.

Thomas O’Connell '80
Northern District of California

Matthew Parrella '85
Northern District of California

Michael Powers '95
Western District of N.Y.

Robert Sharpe '93
Northern District of N.Y.

Paul Silver '82
Northern District of N.Y.

Thomas Spina '85
Northern District of N.Y.

FACULTYNOTES

Publications



**Professor
Melissa Breger's**
"Against the
Dilution of a
Child's Voice
in Court" and

"Making Waves or Keeping the Calm: Analyzing the Institutional Culture of Family Courts Through the Lens of Social Psychology Theory" are both forthcoming in spring 2010.



**Professor
Raymond
Brescia**
authored the
piece "Crash
Test Ratings

for Banks: Move Your Money Somewhere Safe" for *The Huffington Post* on Feb. 1. His article "Tainted Loans: The Value of a Mass Torts Approach in Subprime Mortgage Litigation" was published in 78 *University of Cincinnati Law Review* 1 (2009), and his article "Trust in the Shadows: Law, Behavior, and Financial Re-Regulation" was published in 57 *Buffalo Law Review* 1361 (2009). Professor Brescia authored the piece "What Would Lincoln Do? Financial Regulation in Times of Crisis" for *The Huffington Post* Nov. 18, 2009. His article "A CRA for the 21st Century: Congress Considers the Community Reinvestment Modernization Act of 2009" was published in 28 *Banking & Financial Services Policy*

Report 1 (October 2009), and his article "Beyond Balls and Strikes: Towards a Problem-Solving Ethic in Foreclosure Proceedings" was published in 59 *Case Western Reserve Law Review* 305 (2009). Professor Brescia wrote "Line in the Sand: Progressive Lawyering, 'Master Communities,' and a Battle for Affordable Housing in New York City" for 73 *Albany Law Review* 715 (2010).



**Professor
Christine
Chung's** article
"From Lily Bart
to the Boom
Boom Room:

How Wall Street's Social and Cultural Response to Women Has Shaped Securities Regulation" was published in the *Harvard Journal of Law & Gender* (January 2010).



**James Campbell
Matthews
Distinguished
Professor of
Jurisprudence
Anthony Paul**

Farley's article "Conferring with the Flowers: History and Class Consciousness in Oz" will be published in _____ *Southern California Interdisciplinary Law Journal* _____ (forthcoming 2010).



**President
William
McKinley
Distinguished
Professor of
Law and Public**

Policy Paul Finkelman's article "The Constitution, the

Supreme Court, and History" was published in 88 *Texas Law Review* 353-390 (2009). He also authored *A Brief Narrative of the Case and Trial of John Peter Zenger*, which is scheduled to be published by Boston: Bedford Books in 2010. He co-authored *A March of Liberty: A Constitutional History of the United States*, 3rd edition, with Melvin Urofsky, which is scheduled to be published by New York: Oxford University Press in 2010. Professor Finkelman will also publish *The Presidency of Millard Fillmore* (New York: Times Books, 2010); *American Legal History: Cases and Materials*, co-authored with James W. Ely, Jr., (New York: Oxford University Press, 2010 or 2011) 4th edition; *The Law of American Slavery: Cases and Materials* (Durham, NC: Carolina Academic Press, 2010 or 2011); and *Unjust Justices: The Slavery Jurisprudence of John Marshall, Joseph Story, and Roger B. Taney* (Cambridge: Harvard University Press, 2011 or 2012).



**Governor
George E.
Pataki
Professor of
International
Commercial**

Law James Thuo Gathii published his book *War, Commerce, and International Law* (Oxford University Press, 2010). He also authored a piece, "Judicial and Anti-Corruption Reform in Africa: Between Market Efficiency

and Access to Justice for the Poor," in *Justice for the Poor: Perspectives on Accelerating Access* (Ayesha Dias and Gita Welch, eds.) (Oxford University Press, New Delhi, 2010), as well as "Forward: International Economic Law in the Third World" in 11 *International Community Law Review* 349 (2009) (with Ibironke Odomosu). Professor Gathii authored the piece "Commerce makes a killing" in the *Albany Times Union* Dec. 18, 2009. He is scheduled to publish *African Regional Trade Agreements as Legal Regimes* (Cambridge University Press, forthcoming 2011) and *Kenyan Company Law* (East African Publishers, forthcoming 2010). He is also scheduled to publish a number of articles, including "The Turn to Regional Trade Agreements as Law and Development" in *The North Carolina Journal of International Law and Commercial Regulation* (forthcoming 2010), "The Financial Accounting Task Force and Global Administrative Law" in *Oregon Review of International Law* (forthcoming 2010), "Kenya's Piracy Prosecutions" in 103 *American Journal of International Law* _____ (forthcoming 2009) and "Jurisdiction to Prosecute Non-National Pirates Captured by Third States" in 30 *Loyola of Los Angeles International & Comparative Law Review* (forthcoming 2009).



Professor Keith Hirokawa's article "Local Planning for Wind Power: Using

Programmatic Environmental Impact Review to Facilitate Development" was published in *33 Planning and Zoning Law Report 1* (Winter 2010) (with Andrew Wilson), and his piece "Contextualizing the Roots of Environmental Law" was published *38 Review in American History 153* (2010). His article "Can Urban University Expansion and Sustainable Development Co-Exist?: A Case Study in Progress on Columbia University" will be published in *37 Fordham Urban Law Review* ____ (Forthcoming, Spring 2010) (with Patricia Salkin).



Professor Alicia Ouellette will publish *Bioethics and Disability* (Cambridge University Press, forthcoming 2010).



Associate Dean and Raymond and Ella Smith Distinguished Professor of Law Patricia

Salkin's article "Cooperative Federalism and Wind: A New Framework for Achieving Sustainability" was published in the *Hofstra Law Review* (Summer 2009)(with Ashira Pelman Ostrow). She also published the articles "2009

Ethical Considerations in Land Use" is 41 *The Urban Lawyer* 527 (Summer 2009), reprinted in Merriam, ed., *At the Cutting Edge* 2009 (American Bar Association 2010), and "Abandonment, Discontinuance and Amortization of Nonconforming Uses: Lessons for Drafters of Zoning Regulations" in *38 Real Estate Law Journal* 482 (Spring 2010). Professor Salkin also published "'Grudging Tolerance' for Nonconforming Uses: Extent of Use, Expansion and Amortization" in *Planning News* (2010) and "Eminent Domain Litigation in 2009 Creates Likelihood of State Legislative Attention in 2010" in *Upstate Planner* (2010). She published "Affordable Housing, Distribution of Powers and Economic Crisis in the United States" in *Dret a l'Habitatge i Servei Públic d'Allogjament Català?: El desplegament de la llei del dret a l'habitatge de Catalunya i els problemes de constitucionalitat de determinades actuacions estatals*, Juli Ponce Solé (coord.)(Col·lecció Institut d'Estudis Autònoms, Barcelona 2009); "New York Local Governments Respond to Climate Change and Energy Efficiency" in *The New York Environmental Lawyer* (Fall 2009) (NYS Bar Association Environmental Law Section); "Renewable Energy and Land Use Regulation- Part I" in *Business Law Course Materials Journal*, ALI-ABA (2009) (based on a paper delivered at the 2009 ALI-ABA Land Use Institute, San Diego, CA); and "Renewable Energy and Land

Use Regulation- Part II" in *Business Law Course Materials Journal*, ALI-ABA (2010) (based on a paper delivered at the 2009 ALI-ABA Land Use Institute, San Diego, CA). Professor Salkin's article "Eminent Domain Remains Controversial and Active in the Courts: Reform on the Horizon?" will be published in *New York Law Journal* (forthcoming Jan. 2010), and her entry "Site Selection and Land Use Planning" will be published in Gerrard, Howe and Fucci, *The Law of Green Buildings* (forthcoming, ABA Press 2010) (with A. Lavine).



Professor Christian Sundquist's article "Science Fictions and Racial Fables:

Navigating the Final Frontier of Genetic Interpretation" was published in *25 Harvard Black Letter Law Journal* 57 (Spring 2009).



Professor Evelyn Tenenbaum has authored the entries "Protecting

Freedom of Religion in Prison: The Free Exercise Clause and RLUIPA" and "Eleventh Amendment and Special Issues Related to the Defense of State Entities" in *Constitutional Litigation: Roles of the Courts, Attorneys, and Administrators* (Carolina Academic Press) (forthcoming 2010).



Professor Donna Young will publish *Gender, Work and the Law: Cases and*

Materials (Carolina Academic Press, forthcoming 2010).

Awards and Achievements

Professor Finkelman was appointed to the editorial board of *Reviews in American History*, published by The Johns Hopkins University Press.



Professor Michael Hutter authored an amicus brief for *Portfolio Resources v.*

King that was extensively used by the Court of Appeals in its decision.



Professor Mary Lynch was elected an executive officer on the board of directors for

the Empire Justice Center, a statewide public interest law firm that works to achieve social and economic justice for people across New York state.

Professor Salkin was elected chair of the State and Local Government Law Section of the Association of American Law Schools, a non-profit association of 171 law schools.

Professor Tenenbaum was appointed an adjunct professor of medical education by the Board of Trustees of Albany Medical College, and was also selected to serve on the Legal Writing Institute's Scholarship Grant Committee.

Presentations and Panels

Professor Brescia participated in a panel discussion on "Consumer Protection through Product Regulation" at the Federal Reserve Bank of Cleveland's conference on "Consumer Protection in Financial Product Markets" on Sept. 11, 2009.



Professor Stephen Clark delivered the keynote address "Same Sex Marriage

and the Constitution: The Tension between Law and Statesmanship" at Siena College's Constitution Day on Sept. 23, 2009.



Professor Patrick Connors and Hon. Joseph P. Sullivan presented the

Report and recommendations of the New York State Bar Association's Special Committee to Review the Code of Judicial Conduct to the Association's

Executive Committee and House of Delegates at the Annual Meeting in New York City on Jan. 28 and 29, as well as to the Association's Executive Committee and House of Delegates on Nov. 6 and 7, 2009. Professor Connors is the Reporter for the Special Committee, which is recommending that New York State adopt a Code of Judicial Conduct similar to the 2007 ABA Code of Judicial Conduct. Professor Connors also presented a New York Disclosure Update at the New York State Court of Claims Annual Law Clerks Conference held in Albany on Nov. 12, 2009. He presented a program on "Ethics, Ex Parte Interviews and the Aftermath of the Court of Appeals Decision in Arons" to the New York State Medical Defense Bar Association at its meeting held in New York City on Nov. 17, 2009, and a program on Ethics for Trial Lawyers to the Capital District Trial Lawyers Association in Albany on Nov. 20, 2009. He also narrated an "Ethics Play" at the New York State Bar Association's Eleventh Annual Institute on Public Utility Law in Albany on Oct. 16, 2009. Professor Connors presented a program on recent developments in disclosure to the Judges of the New York Court of Claims at the annual Court of Claims Judges' Association Meeting in

Montauk, N.Y., on Oct. 9, 2009, and he co-presented a program on the New York Rules of Professional Conduct to the Justices and Clerks of the Appellate Division, Third Department and the Clerks of the New York Court of Appeals on Oct. 1, 2009. Professor Connors also presented a New York Civil Practice Update to the Federation of Bar Associations of the Fourth Judicial District at its annual meeting in Montreal, Canada, on April 24.

Professor Farley delivered the keynote address "Abolition: A Guide for an Absolute End to Prison," during a day-long forum at the University of Connecticut on April 9. He delivered the presentation "Prison Abolition" to the Department of Philosophy at Union College on March 1. He delivered the presentation "Prison Abolition: A Critique of the Philosophy of Punishment" at the University at Albany on Feb. 5. Professor Farley also participated in a panel discussion on "Dr. Martin Luther King Jr.'s Vision of the Beloved Community" during the Martin Luther King Celebration 2010 at Salt Lake Community College in Utah on Jan. 19. He presented "Abolition: A Call for an Absolute End to Prison" at Touro Law on Nov. 19, 2009.

Professor Finkelman delivered the presentation "Guilty until Pardoned: The Griffin Brothers and South Carolina's First Posthumous Capital Murder Pardon" at Davidson College in North Carolina on Feb. 16. He delivered the presentation "Slavery and the Constitution: The Dred Scott Decision" on Feb. 1, as well as the presentation "Religion & the Law: The Ten Commandments and Separation of Church & State" on Feb. 2 at The Thomas S. Foley Institute for Public Policy and Public Service at Washington State University and a presentation on President Lincoln titled "The Great Emancipator as Lawyer: How a Railroad Lawyer put Four Million People on the Freedom Train" at Washington State University on Feb. 2. Professor Finkelman delivered the presentation "Affirmative Action for the Master Class: The Legacy of Our Pro-Slavery Constitution" as part of the Martin Luther King Lecture Series at Siena College on Jan. 27. He delivered four presentations at universities in Germany between Dec. 1 and 10, 2009, including "Was the Abolitionist John Brown America's First Terrorist?" at Heidelberg University and "Terrorism in the Transatlantic Context: Cultural and Economic Implications and Solutions" at the American Institute for Contemporary German Studies. Professor

Finkelman delivered the presentation “Jews and Other Minorities in New Netherland and Early New York: The Beginning of Religious Freedom in America” at the conference “Cities in Revolt: The Dutch-American Atlantic 1650–1815” at Columbia University on Nov. 13, 2009.



Professor Maria Grahn-Farley discussed “Trafficking Children: Law, Race, &

Philosophy” at the University of Minnesota Law School for the 2010 International Congress on Human Trafficking on March 18.



The Honorable Harold R. Tyler Jr. Chair in Law and Technology Sheldon

Halpern delivered a talk on the “U.S. Experience with Fair Use” at the Radzyner School of Law in Herzliya, Israel, on Dec. 21, 2009, as well as a roundtable presentation on the issues of “Trademark, Publicity and Property Rights” on Dec. 24, 2009.



Professor Lenese Herbert addressed the subject of when free speech crosses the line

into cyberbullying, harassment

and hate crime at the community forum “Online... Crossing the Line: Cyberbullying, Cyberhate, Cybercrime” on Dec. 7, 2009.



Professor Timothy Lytton discussed his book, *Holding Bishops Accountable*, as

the featured speaker at the “Books at the Bar” lecture series at the Association of the Bar of the City of New York on Nov. 5, 2009.



Distinguished Professor Emeritus of Law David Siegel and Professor

Patrick Connors presented a New York Civil Practice Update to the Justices and Clerks of the Appellate Division, Third Department and the Clerks of the New York Court of Appeals on Dec. 3, 2009, and to the Suffolk County Bar Association on Oct. 14, 2009.

Professor Donna Young presented “America’s New Class Warfare?” at The Economics of Vulnerability: Northeast People of Color Legal Scholarship Conference 2009 at University of Buffalo Law School from Oct. 23–24, 2009.

Educators Convene to Discuss Legal Education Practices



Dean Thomas Guernsey

Albany Law School Dean Thomas Guernsey presented to a group of legal educators from around New England about the pressures faced by law schools on a macro level—from employer expectations to job market to rankings to student debt—and how individual law schools are expected to respond. He and keynote speaker Roy Stuckey headlined the 2009 Northeast Regional Conference, “Developing and Defining Measurable Goals for Teaching Law Students.”

Professor Stuckey, author of *Best Practices for Legal Education* and a Distinguished Professor Emeritus of Law at the University of South Carolina School of Law, spoke about “Setting Measurable Goals for Law Student Teaching,” calling out legal education for preparing students to think like appellate judges rather than lawyers. Professor



Professor Roy Stuckey

Stuckey helped develop the Legal Education Reform Index with the American Bar Association (ABA) and has served on approximately 15 ABA accreditation site inspection teams.

The conference, hosted by Albany Law School, focused on the importance of setting measurable learning goals and implementing them in both the clinic and non-clinic classroom setting. Participants discussed general trends in curriculum reform and specific ways to develop goals to measure student learning.

Professors from Syracuse University and The College of Saint Rose discussed “Pedagogy and Course Goals.” The conference was sponsored by the AALS Section on Legal Education, Albany Law School, Syracuse University College of Law, University of Buffalo Law School and Vermont Law School.

DEVELOPMENTMATTERS

In writing these profiles, we noticed a striking theme: They made the profound choice to give to the Law School as they were celebrating pivotal events in their lives. Establishing their legacies at Albany Law School was a tangible expression of pride for their successful careers and law school experience. We hope their stories inspire you to consider the role Albany Law School has played in your life.

—James Kellerhouse, Director of Development

Law School Bequest Establishes John S. Bartlett Scholarship

John S. Bartlett, Jr. '48, who passed away late last year, bequeathed \$100,000 to Albany Law to establish the John S. Bartlett Jr. '48 Scholarship endowment, which will be made available each year to students with financial need.

"Scholarship support is among Albany Law School's

highest priorities, particularly as competition tightens for the best and brightest," said Helen Adams-Keane, Albany Law's Vice President for Institutional Advancement. "We are honored that John Bartlett chose to remember his alma mater in such a meaningful way and one that will leave an enduring legacy."

Bartlett, a lifelong Albany resident, served as Albany County Clerk from 1963 to 1973. A specialist in trusts and estates law, he practiced with the firm Millea Segal and Bartlett for more than 25 years, then as a sole practitioner later in his life.

Before enrolling at Albany Law, Bartlett enlisted in the

Army and served as a cryptanalyst in England, France and Germany, receiving a commendation from the Military Intelligence Division of the War Department. Throughout his life, he was a committed member of his community, holding a number of voluntary positions with local organizations.

Macy's? Bergdorf? This Bride Registered at the Health Law Clinic



Photo by Dave Harris-Fried

Moscovitz '08 with her husband Frank at their wedding last fall.

It was not a traditional wedding in most senses, not the least of which was the registry: instead of flatware, the bride and groom registered for an award fund at The Health Law Clinic of Albany Law's Clinic & Justice Center.

"We never wanted to prompt any of our guests for a gift of any kind, just coming

to the wedding and sharing in the day was more than enough," said the 31-year-old Martha Kronholm Moscovitz '08. "But for people who wanted to give us a gift, my husband and I were confident that our guests would happily redirect their generosity to a great cause.... I admit we did get a few mixed reactions initially,"

she said, laughing. "But both our moms were genuinely excited, which set the tone for everyone else," said Moscovitz.

Martha and Frank Moscovitz's gift to the Law School, matched by the bride's New York firm, Cahill Gordon & Reindell LLP, along with wedding guest contributions, has started a fund to endow an annual award for a Health Law Clinic student.

Don Labriola '10 is the first award recipient for his work in the Clinic. "The clinical program is the biggest reason why I came to the school, so this reward is a special honor."

Having participated in the Health Law Clinic as a 3L, Moscovitz feels strongly about the value of practical work in legal education, and about the work the Health Law Clinic does representing people in the

community in need of important health-related legal services. "Actual time with clients, drafting papers, and working in the role of an attorney is ten times the education of a case book. The Clinic is a huge asset to Albany Law, both for students and for the community. We hope that this award will recognize, and maybe even encourage, a student's commitment to the Clinic."

As for the traditional gifts? "Setting up the fund was no impediment to otherwise inclined guests—we certainly didn't lack for thoughtful, personal gifts. On top of the contributions to the Clinic, we still got beautiful kitchen knives." The couple was married Oct. 10, 2009.

Visit www.albanylaw.edu/marthaandfrank to learn more or make a gift.

For His 75th Reunion, Sawyko Plans to Endow a Scholarship

Leo Sawyko '35 sends cards and gifts to 59 children, grandchildren and great grandchildren every year. This year the 98-year-old plans to add one more gift: \$50,000 to the law school to endow a scholarship in honor of his 75th reunion this fall on Sept. 24–26.

"I'm looking forward to handing the envelope to the Dean personally at my 75th reunion this fall," the Rochester native said. "All these years and I never lost an affinity to my law school. I'm glad to be doing this," he said. "I should make it a rule to do this every 100 years or so," he joked.

"I was the only one in my class to attend the 70th reunion," he said, noting the passing last year of his friend and classmate 99-year-old

Lester Rappaport. "When you get up in age, you don't see a lot of old friends."

Sawyko attended law school during the Prohibition years. To attend, he remembers signing an oath swearing he had nothing to do with his father's illegal beer garden. "My father managed to pay my tuition, but I worked through school."

After school his work ranged from assistant county district attorney to the U.S. Department of Naturalization during World War II. "I did everything a lawyer can do. I did a lot of trial work, argued in front of appellate courts numerous times, was a judge ruling on U.S. citizenship for individuals, and had a private practice specializing in real estate.

He stopped working at 65,

after some 40 years of lawyering. Today, his retirement has lasted nearly as long as his career. "I enjoyed the work. But retirement has been great," Leo said. "The key to staying healthy: balance and keeping active." Keeping active includes family interaction, moderate exercise, crossword puzzles, and socializing with friends.

The still-spry Sawyko made his annual trip to Florida this winter with his son. "Florida was my home for 26 years after I retired," he explained. "I still get down there with my son to visit people. It gets harder each year, but we still make the trip." Leo concluded that it has been a good life and one that he would relive exactly the same way again given a second chance.



Leo Sawyko '35

Trustee Challenges 2010 Class to Achieve a Record Participation Rate



Mary Ann Cody McGinn '83 speaking to students.

Board of Trustees Vice Chair Mary Ann Cody McGinn '83 posed a simple challenge to the Class of 2010: Show her a 55% class participation rate for giving to the law school, and she will cover the difference between the amount raised and \$30,000.

The 2010 Class represents the first Student Legacy fund, started in 2008. For their three years at the school the Class has set a goal of \$30,000. Over the past two years they raised \$24,000.

In 2008, Dean Thomas Guernsey and Professor Kathe Klare matched the class gift of \$10,000.

For its legacy gift, the class plans to award a Class of 2010 Legacy Scholarship each year until its fifth year reunion. They will also give the Class of 2011 and 2012 \$1,000 each to spark their legacy gifts program.

"I was with you when you initiated this program nearly three years ago," McGinn told the group gathered at the N.Y. State Bar Association home office in Albany. "It was clear to me then that you are a group of leaders. And now I'm here to make you an offer you can't refuse."

CAREERSERVICES

The Legal Hiring Slump: A Conversation with Cahill's Jim Clark '79



Clark in his Cahill office.

The recent recession has led to a deep hiring slump in the legal field during the past year, affecting law school student summer programs and full-time hiring numbers across the country.

Albany Law has been ahead of the national hiring curve for more than two decades, due to its exclusive location in the state's capital and its loyal alumni in the New York metro area. However, the law school felt the latest hiring crunch like everyone else. On-campus interviews from the larger Manhattan law firms were down (an Albany Law graduate works in 48 of the top 50 law firms), and state government hiring was at its lowest in recent memory, given the state's budget problems (some 900 graduates work in New York's state and local government).

The New York-metro's low hiring numbers forced downstate job-seekers from other law schools—historically uninterested in the Albany market—to

job-hunt upstate, further exacerbating a tough market for Albany Law's recent and current graduates.

Despite the gloomy reports, last year's summer hiring programs for 1Ls and 2Ls proved strong in numbers for positions, though a high number were unpaid; the upcoming summer looks equally optimistic for number of unpaid positions. While employment numbers for '09 graduates were not complete at the time of this magazine's printing, the current projections are far better than expected: chalk it up to the tenacity, creativity and flexibility of our alumni and the staff of the Career Center.

Observers of the legal field offer a range of analysis and responses. Jim Clark '79, a partner with Cahill Gordon & Reindel in Manhattan, is considered one of Albany Law School's hiring pioneers for the Manhattan area, where he opened the door for dozens of Albany Law grads at his firm

over the past 30 years. As a hiring partner, he was one of three that led the way to Manhattan's larger firms, along with Stephen Younger '82, of Patterson Belknap, and James Benedict '74, currently with Milbank Tweed and previously with Clifford Chance.

Clark believes that the current hiring slump is not any different than past down markets.

He said, "Since the economy picked up a decade ago, the New York firm slowly grew larger and larger. The recession hit, the market dried up and these firms had too many lawyers."

"We saw this in 2000, we saw this in 1990," he said. "Every 10 years it seems to reach its crescendo. Business has always improved after it falls. It's starting to pick up now quite significantly. I do not believe this recession will generate permanent change in the way associates are hired, at least not here at Cahill. It wasn't severe enough."

While this year's summer program at Cahill will be smaller than previous years—around 20 associates compared to 40–50 at peak times—Clark expects next summer to return to more normal levels.

Clark has spent many years recruiting on campus and in the school's New York City-based interview program. "We have three partners here from Albany Law. We interview people from a lot of schools.

Typically, Albany Law recruits have become outstanding associates here at Cahill. Our partners have always been happy.... We set the bar high for Albany Law students. I want that track record to continue."

He described other situations where the firm decided to hire students from law schools that Cahill has not hired from in the past. "A few of these students were not as strong as we would have liked, and for the most part we have not gone back to those schools. After hiring me, it was a gradual process before another Albany Law grad walked through the door. Had I flopped here," he said, "Albany Law School might not have a presence at the firm."

While not everyone looks to work at a Manhattan firm, when the N.Y. firms slow down their hiring, top candidates get pushed into other markets like upstate New York, displacing the next best candidates and affecting the entire market.

Clark said Cahill's hiring system is a little more agile than the largest firms, who need to project associate numbers two years ahead of the market. "We stay pretty close to the current economy. We have a good feel for what's happening now and our hiring reflects that."

He noted that Cahill has no plans to lower salaries for associates, as some firms have considered doing. "These are talented people. Associates put in a lot of hours and know

Mentor Pleased with Returning the Advice



that they may get a call over the weekend because a client demands it. These are the people who like the excitement of this kind of work.”

Jim Clark is a member of Cabill's Executive Committee and its corporate practice group. He represents major investment banks and corporations in capital market transactions, including debt and equity offerings and bank financings, as well as merger and acquisition transactions and debt restructurings.

Erin Walsh '06 and Jessica Morgan '12 were paired together this past fall as part of the Alumni Initiative in Mentoring (AIM) program offered by the Law School.

Walsh, an associate with the Albany-based firm Sheehan Greene Carraway Golderman & Jacques LLP, has mentored three students since graduating from Albany Law.

Morgan, who lived and attended college in New Mexico prior to coming to New York

state for law school, saw the AIM program as a resource to help her succeed both academically and professionally.

With an economics degree from New Mexico State University, Morgan is leaning towards practicing corporate law upon graduation. She is currently interning with the New York State Economic Development Corporation.

The Office of Alumni Affairs first launched the AIM program in 2002, and this year there are 124 alumni mentoring 138 students. Currently coordinated by Amy Kellogg '02, the program matches incoming first-year law students with alumni who are willing to provide advice and guidance on the Albany Law School experience.

For more information, or to volunteer as a mentor, contact the Alumni Office at alumni@albanylaw.edu or call 518-445-3220.

Denton '09 Chooses School's Law Clinic



Dewey & LeBoeuf offered its incoming associates a choice: start in January 2010, about a year after the date of the offer, or commit to a year-long Community Service Fellowship and start September 2010.

Chad Denton '09 is spending this year in the Albany Law Clinic & Justice Center, helping clients with housing and benefits issues as part of the Civil Rights and Disabilities Law Clinic.

Along with doing work he never expected to do—including the depth of his client experience—he is equally happy to spend another year in Albany before heading to Dewey in New York.

At 35, Denton and his wife, Cami Daigle '09, both from Nebraska, were determined to attend law school together in the northeast. “Without classes and exams, we’re finally getting a chance to explore the area.”

Before law school, Denton was a tech writer for a publisher of computer magazines. While he cannot say where Dewey & LeBoeuf will place him, Denton's interest lies in intellectual property.

“I regret not participating in the Clinic program while at the school,” Denton says. “So this feels like a special opportunity.” He thinks about half of the 80 or so associates took the deferment, while the other half started in January.

“Dewey really encouraged our participation in the Community Service Fellowship. The hands-on experience that I gained at the clinic will be an advantage to me and to my firm when I return next fall.”



STUDENTS PREP FOR AG OFFICE'S SUMMER INTERNSHIP

New York's Office of the Attorney General is one of the largest summer employers of Albany Law students, hiring 15 students last summer in offices such as Manhattan, Brooklyn, Buffalo, Nassau, Syracuse and Westchester.

Above, Assistant Attorney General Steve Nagle '85 described for students the work and culture of the attorney general's office as a unique place to start a career.

ALUMNIEVENTS

Albany Law School Alumni Events

Albany Law School has produced a long line of outstanding legal practitioners, scholars and jurists, as well as distinguished leaders in business and government. Numbering more than 9,500 worldwide, Albany Law alumni maintain connections through our many resources and events. Our powerful network of alumni comprise the backbone of the law school.

To get involved with alumni activities in your area, contact Christina Sebastian, Director of Alumni Affairs, at 518-445-3361 or cseba@albanylaw.edu.

NOVEMBER 5, 2009 >> WASHINGTON, D.C.

Book Hill Partners



The Alumni Affairs Office in conjunction with the Career Center held its first alumni career panel via videoconference from Washington, D.C., with students at Albany Law prior to the alumni reception. Alumni panelists included: *From left, Andrew D. Goldsmith '83, Ira M. Sockowitz '88, President & Dean Thomas F. Guernsey, Michael W. Donohue '05, Jennifer Millett Wilbur '95*

NOVEMBER 19, 2009 >> UNIONDALE, N.Y.

Marriott Long Island Hotel & Conference Center



From left, David P. Leingruber '09, Audra T. Lieberman '06, Joanne Casey, Career Center Director



From left, Sheldon Halpern, Honorable Harold R. Tyler Jr. Chair in Law and Technology, Mark S. Zaid '92



From left, Jacqueline D. Mecchella Bushwack '07, Seth D. Cohen '98, Peter C. Kopff '75, Andrew K. Martingale '11

JANUARY 28, 2010 >> NEW YORK, N.Y.
Sardi's Restaurant



From left, Keiki-Michael Cabanos '97, Ryan T. Donovan '01, Gerald Jospitre '01

FEBRUARY 24, 2010 >> NAPLES, FLA.
La Playa Beach and Golf Resort



From left, Nancy B. Prior '83, Mary Ann Cody McGinn '83, Hon. Vincent W. Prior '84



From left, Gennaro Bruni '89, Maureen A. Henegan '81, Lisa A. Whitney '71, Barbara A. Sheehan '84

MARCH 11, 2010 >> PHILADELPHIA, PA.
Home of Professor Sheldon Halpern and Dorit Samuel



Kim L. Auerbach '10, Christopher W. Michaels '10, Leslie B. Potter '72, Professor Sheldon Halpern, Dorit Samuel, Ginny Eisenstaedt, John W. Dietz '93, Richard M. Eisenstaedt '74

FEBRUARY 23, 2010 >> TAMPA/ST. PETERSBURG
Ceviche St. Pete



From left, Dean Guernsey, Professor Kathe Klare, Nedda Honig, Marvin Honig '63



Jane T. Hackett-Fisher '89 and Daniel Fisher

MARCH 16, 2010 >> ALBANY, N.Y.

Group Admission to the United States District Court for the Northern District of New York



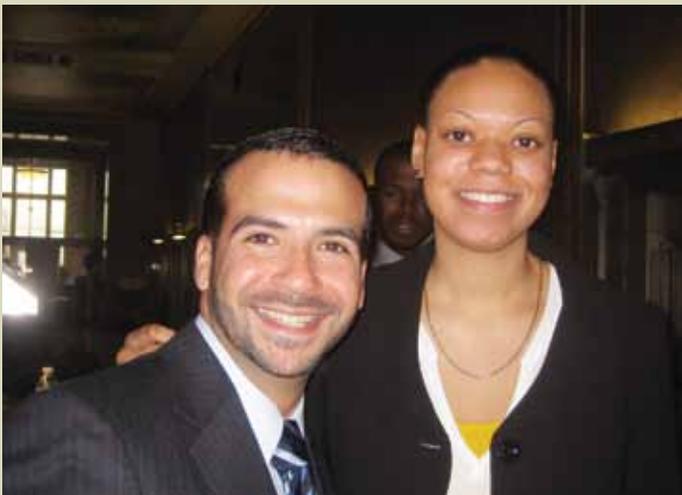
From left, Leslie A. Granger '08, Lauren D. Konsul '09, Hon. James P. King '59

APRIL 1, 2010 >> ALBANY, N.Y.

Albany Law School—Bar Exam Panelists



From left, Deanne M. Braveman '07, Jeffrey P. Barringer '07, Jennifer K. Harvey '09, Lourdes P. Rosario '09, Tichina L. Johnson '09, Jennifer E. Harvey '09



From left, Alejandro G. Taylor '09, Tichina L. Johnson '09

MARCH 18, 2010 >> MORRISTOWN, N.J.

Sona Thirteen



From left, William R. Holzapfel '58, Cory K. Kestner '08

Connect Online with Classmates

Stay connected to your classmates and friends and Albany Law School; register by visiting www.albanylaw.edu/alumni, and click on Online Alumni Community.

Search for your classmates, update your information, submit class notes, register for alumni events or make a gift to the Albany Law School Fund online.

WANT ONLINE HELP?

Contact Ariane Garwood, Alumni Affairs Associate at 518-445-3220 or agarw@albanylaw.edu.

“KATE STONEMAN SERIES” LAUNCHES WITH WOMEN LITIGATORS PANEL IN NEW YORK CITY



The New York City event featured, from left, Kristine Hamann '77, Executive Assistant District Attorney in the Office of the Special Narcotics Prosecutor, New York City; Leslie Kelmachter '77, Partner, The Jacob Fuchsberg Law Firm; Connie Boland '86, Partner, Nixon Peabody; Maria Melendez '91, Partner, Sidley Austin; Professor Mary Lynch; and Lori Van Auken '86, Partner, Winston Strawn.

Women attorneys who have made a career in the combative arena of the courtroom have faced challenges and opportunities since the first woman, Kate Stoneman, was allowed membership into the New York bar a century ago. The inaugural event in the Law School's new Kate Stoneman series in honor of her induction into the National Women's Hall of Fame, "Women in Litigation," hosted by Connie Boland '86 at Nixon Peabody's Manhattan office last semester, featured five female litigators discussing their professional experiences and achievements, as well as the larger issues they face individually and collectively.



The Rochester event featured, from left, Sharon Stiller '75, Lauren Stiller Rikleen, Esq., Regina Morano-Lattuca '95, Margaret Clemens '84, Dale Skivington '79, Hon. Patricia Marks '74.

The second event in celebration of the Law School's alumnae took place on April 15, 2010, hosted by Thomas Mullin '76 at Constellation Brands in Rochester, called "Successes and Challenges Facing Women Attorneys: Where We Are and Where We Need to Be." Sponsored by Sharon Stiller '75, the program featured a talk by attorney and consultant Lauren Rikleen, a partner at Bowditch & Dewey and author of *Ending the Gauntlet: Removing Barriers to Women's Success in the Law*, followed by a panel discussion on the future legacy of women in the profession featuring Margaret Clemens '84, Partner, Littler Mendelson; Hon. Patricia Marks '74, Monroe County Supreme Court Judge; Regina Morano-Lattuca '95, Vice President and General Counsel, Thompson Health; Gail Norris '83, Vice-Provost for Technology Transfer Policy, University of Rochester; and Dale Skivington '79, Assistant Counsel and Vice President, Eastman Kodak.



JEWISH VALUES AND ITS IMPACT ON THE PRACTICE OF LAW

The values of Jewish life have profoundly influenced American jurisprudence, Professor Paul Finkelman told a group of 40 alumni last semester at an event called "The Impact of Judaism on the Practice of Law, Ethics, and Professionalism." Hosted by Larry Schiffer '79, at Dewey & LeBoeuf's office in New York City, panelists included Joel I. Binstok '81, Meredith Dulberg '03, Jeffrey Gottlieb '73, Dan Grossman '78, and Rachel Schatten '97.

Reunion Weekend 2009

The largest attended Albany Law reunion took place Oct. 24-26, 2009. Hundreds of alumni and their guests joined faculty, staff and students at the Law School to reconnect and celebrate their time at Albany Law.

Friday began with a frost delay for the golfers at Mohawk Country Club, but sunny skies soon prevailed for the afternoon, followed by a TGIF back at Albany Law. Saturday's activities included the 2nd annual 5K fun run/walk around the Law School's neighborhood; alumni played students in rugby matches and, after the annual picnic, alumni had the opportunity to tour the law school campus, ride on the Albany Aqua Ducks tour throughout the city and reconnect with classmates during Saturday's cocktail reception and dinner.

Thank you to all reunion planning committee members for their assistance in making Reunion 2009 such a success. The Class of 1939 had 100 percent participation for their reunion class gift and the Class of 1974 raised the most dollars at \$46,748.



Members of the Class of 1959 gathered for a class photo as they celebrated their 50th reunion from Albany Law.



Alumnae vs. Women's Rugby Club (top) and Alumni vs. Men's Rugby Club (bottom) in action.



R. Thompson Gilman '75, William L. Nikas '75, Peter C. Kopff '75, William H. Price, Jr. '76



Caroline E. Nelson and Meghan M. McDonough, both from the Class of 2011, volunteer at the children's area.

ALUMNI RECONNECT DURING SATURDAY'S COCKTAIL RECEPTION PRIOR TO DINNER.



Professor Deborah Mann '79 and Peter White '49



Erica S. Detraglia '04 and Heena Shaikh '04



Frederick J. Meagher Jr. '71, Linette Santos-Meagher and Winifred R. Widmer '54

Save the Date

SEPTEMBER 24-26, 2010

Reunion Weekend 2010
will be held on

September 24-26, 2010.

For those interested in
helping shape the next reunion,
contact Christina Sebastian,
Director of Alumni Affairs
at 518-445-3361 or
cseba@albanylaw.edu
to get involved.

CLASSNOTES

1963

Marvin Honig retired from the active practice of law other than in connection with real estate development in which he serves as principal. He has an online journal in which he writes about growing up in Rensselaer County, N.Y., and practicing law (www.nassau-stories.blogspot.com).

1973

George F. Biondo has been named Man of the Year by the Montauk Chamber of Commerce.

Thomas L. Chapple retired from Gannett Co. after a 30-year career and recently formed The Chapple Leadership Group LLC, providing executive coaching and business strategic planning.

1974

Andrew M. Crisses has received the Recognition of Goodness award from the Jewish Foundation for the Righteous.

Hon. Patricia D. Marks has received the Excellence in Public Service Award from the New York State Bar Association.

John L. Rizzo has joined Five Star Bank in Warsaw, N.Y., as corporate secretary and vice president.

Richard E. Rowlands has joined Tully Rinckey PLLC as a partner.

1976

James H. Carmichael was promoted to Vice President, Human Resources at SCA Tissue in Philadelphia, Pa.



David I. Rosenberg, senior partner at the Garden City, N.Y., law firm

of Rosenberg Fortuna & Laitman, was reelected for a third term as Vice Chair of the Suffolk County Industrial Development Agency.

1977

Hon. James W. McCarthy has been elected to the New York State Supreme Court as a judge with the Fifth Judicial District.

1978

Hon. Donald A. Williams has been elected as an Ulster County Court judge.

1979

Donald J. Stuart has been appointed vice president, financial adviser at the Indiana Bank and Trust Company—Columbus, Ohio.

1980

Hon. Lucy P. Bernier has been appointed Oneonta City Court Judge.

Joseph W. Russell has been appointed managing shareholder at Menter, Rudin & Trivelpiece in Watertown, N.Y.

1982

Richard A. Kaplan, chair of the Trade Secret group at Brinks Hofer Gilson & Lione and a partner at the firm, was elected First Vice President of the America-Israel Chamber of Commerce Chicago.

1984

Margaret A. Clemens has joined Littler Mendelson in Rochester, N.Y.

1985

Matthew E. Winter has been selected as President and Chief Executive Officer of Allstate Financial in Northbrook, Ill.

1986

Richard S. Hartunian was confirmed by the U.S. Senate as the U.S. Attorney for the Northern District of New York.

1987

Jesus Clemente was appointed as an immigration judge by Attorney General Eric Holder.

Col. Charlie M. Johnson was the honored guest and featured speaker for the Alexandria Black History Museum's Annual Veterans Day program in Washington, D.C.

Hon. Philip W. Kirschner was appointed part-time judge for the Kingston City Court.



Mark R. Marcantano has been named Executive Vice President

and Chief Operating Officer of Women & Infants Hospital of Rhode Island.

Norah M. Murphy has been appointed Staff Counsel for Traveler's Insurance Company within the Law Office of Laurie G. Ogden, Albany, N.Y.

Jerry A. Nelson has been appointed General Counsel with Levin Management Corporation in North Plainfield, N.J.

1988

Hon. Lawrence E. Ball has been appointed full time judge for the Kingston City Court.

Kevin Burke, a partner with Burke, Scholamiero, Mortati & Hurd LLP has moved his office to 9 Washington Square, Albany, N.Y.

Joan McGillycuddy was promoted to Chief Patent Counsel at Avon in Suffern, N.Y.

David P. Miranda has been elected Secretary of the New York State Bar Association.

Cynthia J. Tippins has joined the Albany firm of Harris, Conway & Donovan PLLC as partner.

1989

Christopher M. Scaringe has been appointed to the board of trustees of Christian Brothers Academy in Albany, N.Y.

1991

James F. Moyle has joined the firm of Alston & Bird LLP in New York City.

State Bar Recognizes Bauer '81 for Mock Trial High School Program

1992


Mark A. Cuthbertson has been reelected to a fourth term as Council-

man for the Town of Huntington, N.Y.

Joseph Eriole has founded his own practice, The Eriole Law Firm, in White Plains and New Paltz, N.Y.

Brigid Hennessey has been named partner with Donovan & O'Connor LLC in Pittsfield, Mass.

1993


Hon. Louise K. Sira has received the 2009 Arson Prosecutor of the Year

award from the New York State Fire Investigators Association.

1994

Andrew J. Ryan has been named partner at Woods, Oviatt & Gilman in Rochester, N.Y.

1995

Elena Adolphus is Assistant General Counsel with Pfizer Inc. based in New London, Conn. She leads the company's Global Clinical Trial Legal Group that provides legal support for clinical trials worldwide.

Michael S. Borgos has been appointed vice chairman of the board of directors with the Economic Development Corporation of Saratoga County, N.Y.



Joseph A. DeTraglia has been appointed partner in the firm of Getnick

Livingston Atkinson & Priore, LLP in Utica, N.Y.

Kenneth A. Rosenberg, a partner in the Roseland office Fox Rothschild, was recently installed as Secretary of the Essex County Bar Association.

1996

Robert L. Capers has been appointed Chief of the Narcotics Section, which includes the International Narcotics Strike Force, by United States Attorney B. Campbell. He works in New York City.

Jennifer K. Frank has joined Menter, Rudin & Trivelpiece, P.C. in Watertown, N.Y., as an associate.

Peter A. Lauricella, partner at Wilson, Elser, Moskowitz, Edelman & Dicker LLP in Albany, was honored as "40 under Forty" from *The Business Review*.

1998

Hon. Andrew G. Ceresia has been elected Rensselaer County (N.Y.) Court Judge.

The New York State Bar Association's Law, Youth & Citizenship Program presented William G. Bauer '81 with its Distinguished Attorney Award for his success in expanding the Monroe County Rubin Mock Trial Program, one of New York state's oldest mock trial programs for high school students.

Bauer, a partner at Woods Oviatt Gilman in Rochester, N.Y., was recognized for providing the opportunity for hundreds of Monroe County high school students to sharpen their thinking and speaking skills while gaining a greater understanding of the legal system.

Since Bauer took over the mock trial program in 2002, the program has expanded to more than 180



Bauer '81

students in 12 high schools.

Bauer concentrates his practice in general business and civil litigation, including corporate/partnership disputes, employment law, intellectual property, securities and federal court litigation. Previously Bauer served four years as a U.S. Magistrate Judge for the Western District of New York.

1999

Joshua S. Vinciguerra is working at the New York Prosecutors Training Institute in Albany, N.Y.

2000


Kelli A. Pronti has become partner at the law firm of Harter

Secrest & Emery LLP.

2001

David Merson has formed JD Law LLP in Central London, England. The firm specializes in real estate, commercial employment and litigation, located near the Royal Courts of Justice.

Matthew Mozian has been elected Clerk of the Lenox Library Association, Lenox, Mass.

2002

Jeremy H. Speich has been named shareholder in the firm of McNamee, Lochner, Titus & Williams, P.C., Albany.

As Chief HR Officer, Torsonne Relies on Her Legal Training

Johnna Torsonne '75 had that rare privilege of looking at two roads diverged, and either one was hers to take—general counsel or chief of human resources for Pitney Bowes, a Fortune 500 company with more than 34,000 employees in 130 countries with \$6.3 billion in revenue.

“General Counsel is a more prestigious title,” said Torsonne, recounting the experience nearly 17 years ago. “At the time I was working closely with the Board on CEO succession and I knew at Pitney Bowes that the HR function plays a critical role in the larger business strategies. We drive performance, and we drive culture. We impact every part of the company. I am an integral part of the governing body. Most importantly for me personally, it was, believe it or not, more fun.”

But to be accurate, Torsonne has transformed HR from what it was in 1993. Her leadership grew the position in scope and impact, as it seems she could do to any office she occupied. And for the majority of her tenure, the employment law function reported to her directly as did the entire legal and corporate marketing functions for interim periods in 2008 and 2009 respectively.

“You deal with a lot of key business issues that encompass a lot of different disciplines, that are hard to resolve,” Torsonne, a law school Trustee, said when asked to describe her position. “Some HR executives will accept direction from lawyers or business partners without injecting



Torsonne '75

their point of view. I have a point of view. I have the duty to state my case. I'll show my analysis and submit what I think should be done. And I'll take responsibility.

She added that the HR legal team will run ideas by her as part of the process. “While I don't practice law everyday, you always remember what you learned, it doesn't go away.” Torsonne recalls when the state imposed the legal education classes requirements. “I can't seem to let go—I don't know why—so every year I take the required classes,” she said, laughing at herself.

Torsonne oversees 400 HR staff members worldwide from the company's Stamford headquarters, plus a few dozen people from internal communications and the philanthropy department. She started with the company in 1990, as director of employee relations and labor relations counsel. Three years and two promotions later she became chief HR officer, overseeing senior

management succession, executive compensation, total rewards, employment law, and all other traditional HR functions. Before PB she was a partner with the New York law firm Parker, Chapin, Flattau & Klimpl, practicing employment and labor law and extremely active in the ABA and other civic and professional associations. “I got promoted quickly into this role,” she said.

Torsonne believes that treating people fairly goes far when conducting business at any level. “From a legal perspective, treating people decently minimizes risk. I train my staff to be sensitive. When you treat people with respect, issues can be moderated.”

As a result, Pitney Bowes has been externally recognized for its innovative work around employee relations, earning numerous national awards, including *Black Enterprise Magazine* calling it one of the best companies for diversity, and among other multiple recognitions, a citation for innovation by the *Harvard Business Review*.

WOMEN AS LEADERS

The day Torsonne accepted the job at Pitney Bowes, the company appeared on the cover of *BusinessWeek* as the best company for women to work. “Fifty percent of the governing body right now are women. Our general counsel is a woman. It's diverse here. You can work hard and develop your career here. I think I've kept true to the values I believe.”

“From a legal perspective, treating people decently minimizes risk. I train my staff to be sensitive. When you treat people with respect, issues can be moderated.”

HEALTH CARE REFORM

Recently, Torsonne chaired the HR Policy Association's committee on health care policy. The association, located in D.C., is comprised of senior HR executives from the country's largest companies. They have developed a comprehensive point of view on health care reform and set about trying to influence this difficult issue.

“This is not ideological,” she said. “We have to reform a system that is not sustainable. We cannot just add people and shift the costs for who pays. We need to fix the root causes of the problem and it requires fundamental change which we're not seeing once again with the current reform—some attempts, but not systemic and impactful enough. Adding more people to a broken system isn't going to solve the fundamental issues. There needs to be significant incentives for doctors, rewards for outcomes, and reform of the fee for service reimbursement structure embodied in Medicare that forms the basis

Law School Couple Finds Success with Different Job Paths, their Son Not Far Behind

for most insurance plans. We need to create incentives for preventive work. We agree what needs to be done. It's just not getting done."

FAMILY AND OLD FRIENDS

Torsone and her husband have raised two children, one pursuing acting—who made her a grandmother this year—and one who recently graduated law school. "No, I didn't encourage her to go to law school," Torsone said, laughing. "I recently went to her graduation. That was surreal. I very clearly remember going through it 35 years ago."

Her Albany Law friends remain some of Torsone's closest. She rattled off a battery of names who remain connected: Jeff Sherrin '75—"one of my best friends in the world, he was the editor-in-chief while I was managing editor of the *Law Review*, our families vacationed together, attended kids' weddings"—Patty Parker '75, Jack Vayda '75, Brian O'Donnell '75, Patty Gabel '75, Chris Davis '75. "I attend reunions in the hope of seeing all these friends."

Around the PB water cooler, it's likely there's talk about Torsone's karaoke singing. "I'm a karaoke nut. At a recent corporate function I sang 'Crazy.'" How did that go over? She's not saying. —DS

James McCarty '79 recalls meeting his future wife **Martha Sokol McCarty '80** at Chip Presutti '79 and Bob Applegate's '79 apartment with a group of her friends that included Dale Skivington '79 and Eileen Considine '80. That momentous meeting led to their dating through law school and ultimately marriage four years later.

Today, some 28 years later, they have a son Matthew '13 in his first year at Albany Law—"we might have pushed him a bit," laughs Martha—and a daughter eyeing law school for next year.

Today, James is Chief of Trial Operations for Westchester County's district attorney's office, while Martha has a private practice centered on land use, environmental and real estate matters.

"All Jim ever wanted to do was work for the Westchester D.A.," Martha said from her Mamaroneck office, noting he's been there since 1980. "I've had a more varied path, taken a few detours to make time for the kids."

This path started at the Matthew Bender publishing company in New York, where she spent 10 years, culminating as senior publications manager. Martha took time off from full-time work to spend more time raising their children. She practiced law privately part-time, served on the zoning board, was elected as a village trustee, and gained expertise in the real estate field, meeting key players and making a name for herself



The McCarty's, from left: Jim, John, Matt, Martha and Rachel.

throughout Westchester County. These connections and her reputation as someone committed to the area proved invaluable to her practice today.

Meanwhile, James had been prosecuting scores of major cases, narcotics and murder, for the Westchester County D.A. His most notable case was the "Fatal Attraction" murder—a case tried twice—putting him front and center in the N.Y. metro media market, and nationally, in the early '90s. On trial was Carol Warmus for murdering Betty Jeanne Solomon, wife of Paul Solomon, which led to two network television movies in 1992, one starring Virginia Madsen and William Macy.

"That trial consumed two years of our lives," Martha recalled. "Jim came home at 10 p.m. every night. I'd see more of him on T.V. than in person. Our third child was born during a break in the trial."

James also noted with satisfaction the conviction of

serial murderer Patrick Baxter. "This was a defendant who had murdered several women through the years, including a young woman who went to purchase a quart of milk for her mother, and never returned home. But for dogged police work, and the evolution of DNA testing, he might have gotten away with these murders."

Through the years they both stayed connected to the Law School—James celebrated his 30th reunion last year and Martha is looking forward to helping plan and participate in her 30th this fall—and are delighted to have their son Matthew attending.

"We tried not to push Albany on him," Martha said. "But we knew we had a great experience and it prepared us for successful careers. He was looking at a number of schools, and we felt he would enjoy Albany and benefit just as we did. So many people we know have built great careers, particularly in public service."

Hard Work, Hard Decisions, Some Luck: Avon's Chief Patent Counsel Calls Her Path Fortunate



Joan McGillicuddy '88

was not something we just got through, but rather a building block for our careers.”

After graduating law school, she sent her resume to a variety of New York City patent boutiques. William Todd '76, who also earned a chemical engineering degree from Manhattan College and a degree from Albany Law, and worked at the New York IP firm Hopgood, Calimafde, Kalil and Judlowe, was one of the resume recipients. He hired McGillicuddy and she worked there for the next 11 years. “My mentoring there was an amazing foundation for the attorney I hope I am,” she said. “I was lucky to have found a prestigious New York City patent law firm that was like a family. Many of my friends who are lawyers are from that time. The training I got at Hopgood gave me the courage to decide to go in-house.”

From Hopgood she went to Akzo Nobel. Toward the end of her six years there, a chance meeting at an INTA dinner introduced her to Avon's Anthony Santini, who was responsible for the Avon patent portfolio. She interviewed for a position with the Avon patent group, but the timing was not a fit...her present employer had just appointed her Global Intellectual Property attorney and was sending her to the Netherlands to train for the new position. A year later, after her assignment at Akzo's headquarters in Holland, the two again crossed paths, and this time she accepted his offer.

“My mom was a single mom. I'm a single mom. I get strength from her. I worked through college and law school waitressing.”

The Bronx native liked math and science as far back as Catholic grade school. “The nuns didn't know what to do back then with a girl who enjoyed chemistry,” said Joan McGillicuddy '88, laughing. But by time she graduated Manhattan College with a chemical engineering degree, the field of work did not feel right to her. With her usual keen eye on solving problems by taking action, she took her LSATs and went to law school.

“Something inside of you knows where you need to go,” said McGillicuddy. “My mom said from the start I should be a lawyer. She knew this somehow, though no one in my family had been to college, let alone law school.”

You feel McGillicuddy's blue-collar work ethic as soon as you meet her. She doesn't mince words. “My mom was a single mom. I'm a single mom. I get strength from her. I worked through college and law school waitressing.”

Accepted at George Washington University Law School and wait-listed at Albany Law, McGillicuddy got the last minute Albany call and drove up without a place to sleep. “Kathleen Allen was at the front desk. She took care of me, found me some apartment listings. I loved the school. I found lifetime friends quickly, people like me who took law school seriously and did our best, but also wanted to live our lives so that law school

AVON PROVES UNIQUE

As Chief Patent Counsel to Avon, McGillicuddy has learned to make tough decisions and live with them. She's been doing this all her life. But at Avon, the fast-paced retail culture can demand decisions immediately.

"We move quickly here," McGillicuddy said from her office in Avon's new R&D center in Suffern, N.Y., some 25 miles north of the George Washington Bridge. "I had to get comfortable with that. It was a complete divergence from my previous world of pharmaceuticals. I gather the facts in a much shorter time frame, and make a decision. I learned quickly that 90% of the time, once you digest the information, your instincts will take you where you need to go."

Surrounded by 350 scientists at the Suffern complex, McGillicuddy spends her day managing the patent portfolio. "How great is that polymer for lipstick? Can we make it redder? What pieces should Avon own? Would that compound add value to a mascara?"

The company maintains its "signature" lines, but is constantly working on the next trends and Joan must think of the bigger picture when looking at any question. "These are top-notch scientists; they believe in their work and will always give us the next amazing breakthrough," McGillicuddy observes. "My job is simply to be strategic and figure out what makes sense from a patent perspec-

tive. At any one time we have over 600–700 active cases."

Along with strategy, she spends considerable time building relationships with vendors. "This is one of the many areas where it's nice to work for Avon. Avon really walks the walk. We work as a team with our vendors so that at the end of the project, hopefully there is a win in it for each of us. It's no wonder we are often first-to-market."

McGillicuddy talks about Avon like she talks about most things—with energy and passion. She'll immediately tell you about the company's humble beginnings from a door-to-door book salesman, how it maintains the core values of its mom-and-pop origins, that it feels like family to many, all the while building the business to take it into the next century. "They have created a work environment that retains its workforce for decades," she said to drive home her point.

LOOKING BACK

She cited a list of Albany friends and faculty still dear to her, including Evelyn Kaupp and Dianne Phillips, both '88, and Professor Alex Seita and his wife Sheila Shea '86.

"It was a time when you could pay your way through school," she recalled. "So I worked a lot on weekends. But you could always feel the support of the people there. And that's how it feels now with those same friends."

Summing up her career fortunes, McGillicuddy said,

"Each job has been a stepping stone for the next job, and each opportunity opened up when I was least looking for change. It's the story of networking—developing relationships. I'm very aware how fortunate I've been, and the struggle others face in today's market." —DS

MARKET TREND

Joan McGillicuddy talked about an IP market trend that displaced women without technical training. "I know women who lost their jobs in the recession and can't get back in despite their years of experience with intellectual property. These women entered the field early but have no science-based degree. Such women in private practice suffer now, because young women are coming out of school with advanced technical training, but there really is no substitute for on-the-job training and these women still have a magnitude to offer the legal profession, especially these days where many a case comes down to the state of the law."

2003

Leah Walker Casey has been promoted to Director at Carter, Conboy, Case, Blackmore, Maloney & Laird, Albany.

Leah A. Everhart has been appointed principal with Miller, Mannix, Schachner & Hafner LLC in Glens Falls, N.Y.

Andrew J. Proler has been appointed assistant district attorney with Washington County, N.Y.

2004



Sara K. Delaney **Vero**, in the Albany office of Bond, Schoeneck

& King, was honored as "40 under Forty" from *The Business Review*.

2005

Noelle E. Lagueuz-Alvarez has been appointed program director & staff attorney with the Fulton County Business Court.

Bradley D. Marble has been appointed town prosecutor with the Town of Lockport, N.Y.

2006

Maxine L. Barasch has been elected to the St. Rose Board of Associates in Albany.

2007

Marla B. Siegel is working in the office of the Ulster County Comptroller, N.Y.

2008

Cory K. Kestner published "Subpar Subpoena Clauses: Why States Need to Legislatively Amend Their Zoning

Judges Caught Jailing “Kids for Cash,” Legg ’96 on Commission to Fix System



Almea Dilger, Times-Leader

Legg, right, listening to a fellow Commission member at a meeting.

Jason Legg ’96, now in his 11th year working as a prosecutor for Susquehanna County, Pa., has been appointed to a commission investigating the crime of two Luzerne County judges found taking kickbacks from juvenile detention facilities—essentially jailing kids for cash.

The Interbranch Commission on Juvenile Justice will recommend changes to avoid similar scenarios in the future. The 11-member panel, appointed by the legislature, governor and chief justice, have held a series of public hearings and questioned witnesses, including the children and family victims. They will issue their report in May.

At issue are two Luzerne County judges accused of sending youths to residential programs for money. Some 6,000 juvenile adjudications were expunged by the Pennsylvania Supreme Court.

“There is likely no similar act in judicial history of a high court under its inherent supervisory power (King’s

Bench powers) expunging this volume of cases,” said Legg. “It speaks to the level of corruption and the taint it left on the judiciary, and the Supreme Court’s fervent desire to restore public confidence in the system.”

Superior Court judge John M. Cleland in his opening statement for the commission, citing “very dark days” for the system, said, “Our concern, however, is not only the action of two Luzerne County judges. Our concern is also the ... inaction by judges, prosecutors, public defenders, the defense bar, public officials and private citizens—those who knew but failed to speak; those who saw but failed to act.”

“Given the allegations of corruption in Luzerne County, the Commission has worked diligently and tirelessly to provide transparency and accountability to the public,” said Legg. “It has been a disappointment to hear from attorneys who never reported clear judicial misconduct that occurred in their presence—

either as a result of not recognizing it and understanding it or from fear of judicial reprisal.”

“At minimum, it starts the public debate as to how we can prevent this from happening ever again,” said Legg. “We have high hopes that our work will positively impact future juvenile proceedings in Pennsylvania.”

Legg called the experience on the Commission “the experience of a lifetime.... It’s an historic appointment, and one that I took with a great deal of humility,” he continued. “I’m a small-county prosecutor, and now I’m sitting at the table with some real experts on the topic of juvenile justice. It’s been an amazingly rewarding and fulfilling educational experience.”

LEGG THE PROSECUTOR

Legg has been involved in more than 4,000 adult criminal cases, as well as more than 1,000 juvenile cases. He has successfully prosecuted homicides, armed robberies, home invasion burglaries, aggravated assaults and felony cases involving drug dealers, among many others.

“In terms of excitement, there is nothing that compares to a trial, and criminal prosecutions have an added dose of adrenaline,” he said.

Legg said he maintains an open file policy. “Defense attorneys not only get their discovery, but they are allowed to inspect our files prior to trial to make certain they are not missing anything. On the other hand, defense attorneys

“There is likely no similar act in judicial history of a high court under its inherent supervisory power (King’s Bench powers) expunging this volume of cases.”

are not required to provide much to a prosecutor in terms of discovery.”

He continued, “I have heard it compared to playing poker where your opponent sees all of your cards, but your opponent’s cards are all face-down. You never quite know what you are going to get until the defense witnesses are called.”

Looking back at his experiences at Albany Law, Legg fondly recalls frequent basketball games with classmates, as well as his time as Managing Editor of the *Albany Law Review*.

“I will always remember Professor Welsh and the assistance that he gave me on a law review piece that I wrote regarding Adverse Possession between Co-Tenants,” said Legg. The resulting piece was later cited by the New York Court of Appeals.

A resident of Pennsylvania’s Silver Lake Township with his wife, Maggie, and two daughters—an infant and toddler—Legg spends his time away from the office and courtroom with his family, or, occasionally, on the golf course. He also pens a weekly legal column for two local newspapers.

Counsel for Medicaid Inspector General Drawn to Health Care Since Law School

Janine Daniels Rivera '89

assumed the position of General Counsel for the New York State Office of the Medicaid Inspector General (OMIG), which handles Medicaid fraud, waste and abuse cases, after nearly two decades working for the state. An expert on Medicaid law, policy, reimbursement and audit-related issues, she's watched the health law field explode since her interest in it from law school.

"The area of Health Law has exploded over the last 10 years," she said. "There are many legal issues related to Health Law that give an attorney a variety of interesting issues to pursue as a career, or, in my case, to work on over the course of a day."

Daniels Rivera most recently served as OMIG's Assistant Medicaid Inspector General for Intergovernmental Relations and Legislative Affairs since 2007, where she worked to create a cooperative environment between the OMIG, the Department of Health and other state agency partners on Medicaid program integrity and policy-related issues.

Daniels Rivera recently visited the Albany Law campus to share her experience as part of the Health Law Career Panel during Health Law Week. Her affinity for Health Law helped guide her experience at Albany Law School.

"I took every Health Law class that I could when I was at Albany Law School," she recalled. "The first class that I took that sparked my interest



Janine Daniels Rivera '89

in the area of health law was Legal Issues in Medicine. Professor Moore described Health Law as the one area of law where there can be a bad result or outcome where no one is necessarily at fault."

She also noted that courses covering trial tactics, trial advocacy, evidence, and negotiations helped prepare her for her career, which has included significant time representing the various agencies responsible for Medicaid fraud, waste and abuse in administrative hearings and assisting the Attorney General's Office in litigation against the respective agencies.

In addition to her professional work, Daniels Rivera serves as a prisoner advocate for the Institutional Review Board at Albany Medical College. She is also a member of the Capital District Black and Hispanic Bar Association and the Albany Branch of the NAACP. The signature of her email bears this statement by Martin Luther King Jr.:

"Whatever affects one directly, affects all indirectly. I can never be what I ought to be

until you are what you ought to be. This is the interrelated structure of reality. Injustice anywhere is a threat to justice everywhere...."

A graduate of Colgate University, she is the former co-chair of Albany Law School's National Alumni Council's Standing Committee on Alumni of Color. Fluent in Spanish, she teaches domestic relations law, introduction to law, research and ethics, contracts and other courses in the paralegal program at Bryant and Stratton College in Albany.

"My hobbies and out-of-work activities often combine several things that I really enjoy," she said. "For example, an enjoyable evening for me can very easily consist of a good meal with family or friends, and some good music. I love to cook, that could in large part be because I love food and love to eat."

— Nick Crouse

"I took every Health Law class that I could when I was at Albany Law School."

Subpoena Laws," in *The Seton Hall Legislative Journal*.

2009

Adam Conway has joined Couch White, LLP, Albany, as an associate.

Kathleen A. Copps has joined Whiteman Osterman & Hanna LLP, Albany, as an associate attorney.

Deandra E. Dodd has been appointed Prosecutor with the Schenectady County (N.Y.) District Attorney's office.

Edward P. Fitzgerald has been appointed associate with McPhillips, Fitzgerald & Cullum in Glens Falls, N.Y.

Jennifer K. Harvey has joined Couch White, LLP, Albany, as an associate.

Leah E. Tarantino has joined the Fairfax County Office of the Commonwealth Attorney, as a criminal prosecutor in Fairfax, Va.

MARRIAGES, BIRTHS AND ADOPTIONS

Daisy Ford Paglia '06 and Paul Paglia were married on July 18, 2009. They reside in Rensselaer, N.Y.

Matthew Wagoner '06 and **Farrin Dunn '07** were married on August 29, 2009, in Saratoga Springs, N.Y.

Brian Gillin '07 and Elizabeth Slater Gray were married on September 19, 2009, at St. Paul's Episcopal Church in Philadelphia, Pa.

Lorraine Jenkins Silverman '05 and **Adam Silverman '08** welcomed their son Benjamin Patrick Silverman on December 30, 2009.

1943

Joseph W. Kennedy, Niskayuna, N.Y., died on Feb. 25, 2010. Mr. Kennedy

practiced law in Schenectady, N.Y., for 60 years.

1948

Hon. John P. Balio, Utica, N.Y., died on Jan. 30, 2010. Judge Balio

was an Oneida County attorney, New Hartford town justice, and Oneida County family court judge. In 1986, he was appointed a state justice in the Appellate Division, Fourth Department. He was a generous friend of Albany Law School, specifically supporting Moot Court competitions and the Schaffer Law Library.

John S. Bartlett Jr., Albany, N.Y., died Friday, Nov. 6, 2009. He was a member of the Millea Segal & Bartlett law firm for 26 years. He was a generous friend of Albany Law School. Upon his passing, he established the John S. Bartlett, Jr. Scholarship Fund, which will provide a yearly scholarship to an upper class student with demonstrated financial need.

Robert P. Heywood, Lexington, Va., died on Sunday, Feb. 21, 2010. Mr. Heywood retired as a town attorney for Colonie, N.Y., and was a partner in Heywood and Little Law Firm.

Kenneth B. Wolfe, Bolton Landing, N.Y., died Sept. 17, 2009. Mr. Wolfe practiced law in Lewis County, served as town attorney for several towns, and Lowville Village Justice.

1949

Seymour Fox, Troy, N.Y., passed away on Jan. 13, 2010. He practiced

law for 60 years at his firm, Seymour Fox, P.C. He was a loyal and generous supporter of many charities including Albany Law School. Four years ago he made a significant gift of a scholarship, The Seymour A. Fox, Esq. '49 Scholarship Fund, which exists in perpetuity to support students at the Law School.

Fred Rosekrans, Greene, N.Y., died Sept. 19, 2009. He practiced law in Greene, N.Y.

1950

Donald F. Ayers, Bolton Landing, N.Y., passed away on Sept. 15, 2009. He was managing partner for Ayers and Thompson Law Firm; General Counsel For A.M. Best Company, Old Wick, N.J.



Hubert Richter, Kingston, N.Y., died on July 24, 2009. Mr. Richter had

a private practice in Kingston and was the City Court Judge for 16 years. He was a loyal supporter of Albany Law School and attended the Barrister Ball every year. Upon his death, the Law School

received an estate gift that supported financial aid for students this year.

1951

William J. Creary, Brighton, N.Y., died on Sept. 3, 2009. His law career spanned 50 years.

1952

James R. Beecher Jr., Elmira, N.Y., passed away on Oct 4, 2009. Mr. Beecher operated a law practice in the Elmira area and was a Justice of the Peace in the Town of Elmira.

1955

Richard E. Clark, Albany, N.Y., died Oct. 10, 2009. He was employed by Crawford and Company until his retirement.

Margaret M. Nier, Syracuse, N.Y., died on Nov. 22, 2009. She was a retired local attorney.

Gordon J. Phillips, Irondequoit, N.Y., died on Oct. 3, 2009. He was president of Gordon J. Phillips, Inc.

1958

James C. Straney, Clifton Park, N.Y., died on Dec. 16, 2009. He was in private practice in Latham, N.Y.

1961

Joseph T. Murphy, Albany, N.Y., passed away Nov. 13, 2009. Mr. Murphy served as an assistant district attorney of Albany County and an administrative law judge and chairman of the appeals board for the New York State Department of Motor Vehicles.

1962

John L. Desmond, Scotia, N.Y., died Oct. 28, 2009. He practiced law in Scotia for 34 years. Mr. Desmond was a

town attorney for Dolgeville and Justice for the Village of Scotia.

1966

Mary B. Miller, Elmira, N.Y., died on March 20, 2010. She practiced in New York and Florida.

1970

Earl T. Hilts III, Clifton Park, N.Y., passed away on Jan. 27, 2010. He retired from the Watervliet Arsenal in 1999 as the chief legal advisor.

1978

Robert L. Dworsky, Niskayuna, N.Y., died Feb. 3, 2010. He was general counsel of the Capital District Off Track Betting.

1981

Mark A. Major, Edinburg, N.Y., died Dec. 8, 2009. He was in

private practice in Saratoga, N.Y., and was Saratoga County's first assistant public defender.

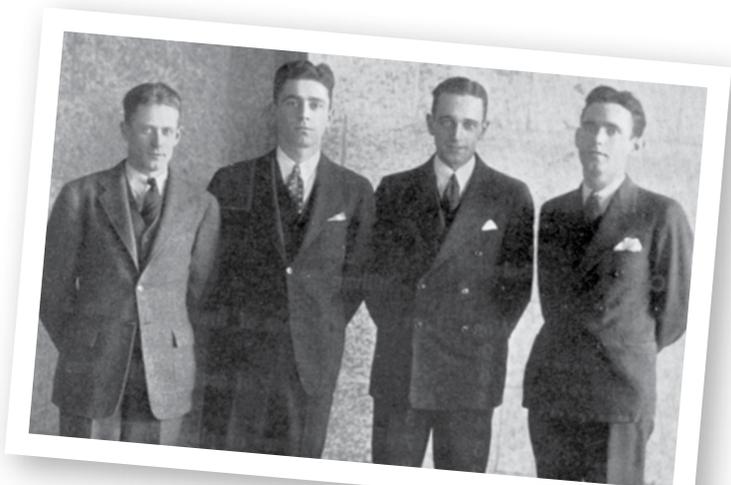
1984

Kristine J. Halvorsen Della Fera, Ashford, Conn., died on Dec. 3, 2009. She practiced law for a short time before becoming a full-time mother and home-school teacher.

1997

Andrew M. Martin, Troy, N.Y., died Jan. 11, 2010. Mr. Martin worked at the Rensselaer County District Attorney's Office, in private practice and then at the New York State Education Department.

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SAVE THESE DATES

AUGUST 27 – 14th Annual Day at the Races, At the Rail Pavilion, Saratoga Race Course, Saratoga Springs, N.Y.

SEPTEMBER 24–26 – Reunion Weekend 2010, Albany Law School, Albany, N.Y.

JUNE 10 – Capital Region Alumni Happy Hour, Dale Miller, Albany, N.Y.

JUNE 17 – NYC Alumni Happy Hour, at Vermilion, New York, N.Y.

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