

ALBANY LAW

MAGAZINE

SPRING 2011

Dean Guernsey's Legacy

ALSO INSIDE:

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students who work full time and raise kids;
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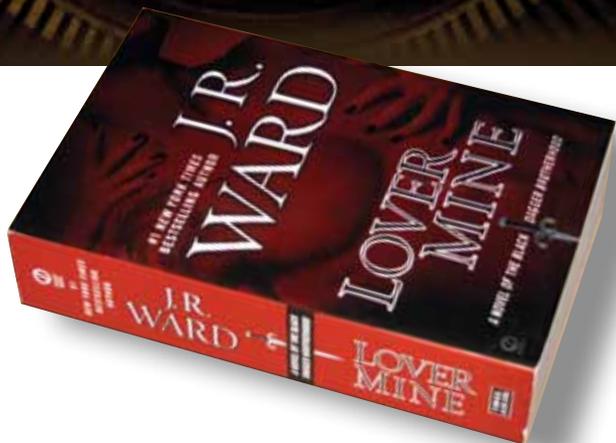
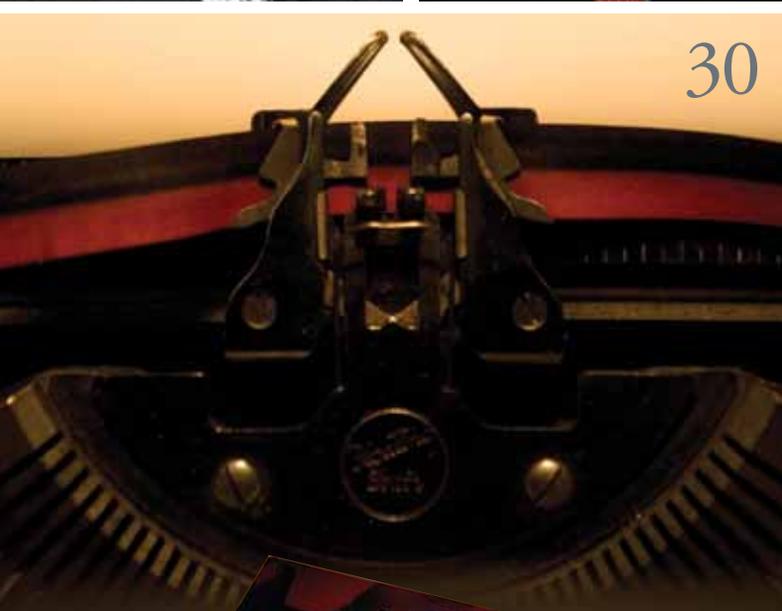
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ALBANY LAW MAGAZINE

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INBRIEF

Connie Mayer to Serve as Interim Dean

Connie Mayer, associate dean for academic affairs, will serve as interim president and dean of Albany Law School effective July 1, 2011, when Thomas F. Guernsey steps down after nine years as president and dean.

Dean Mayer served in this capacity three years ago when Dean Guernsey took a semester-long sabbatical.

“We are pleased that Dean Mayer will once again serve as interim dean,” said Board of

Trustee Chair Mary Ann Cody McGinn. “She proved to us that she can seamlessly step into that position, without disruption, and continue to advance the mission of Albany Law School.”

Mayer is expected to serve in the new position until the ongoing search results in a permanent president.

“The board will continue its search for a new president, and is currently reviewing candidates,” said Cody McGinn.

“The person to lead Albany Law School into its next era is a very important decision. While we would like to have someone in place for the fall semester, we are more concerned with hiring the right person with the right leadership qualities.”

Dean Mayer practiced law with East Texas Legal Services and subsequently worked in a private criminal and civil law practice. She joined the faculty of Albany Law School in 1986.



She was formerly the director of the Disabilities Law Clinic (1986-1992), the AIDS/HIV Law Clinic (1992-1996), and the Clinical Legal Studies Program (1992-2001).

Younger Receives Distinguished Alumni Award

“The law school takes you in, nurtures you, trains you, graduates you, and then they never see you again,” Richard Parsons ’71 told a group of alumni gathered in New York City earlier this year. “So you have to cherish and celebrate and recognize those people who keep the connection—and no one has done that better than Steve Younger.”

Parsons presented Younger ’82 with the Distinguished Alumni Award, calling him the “number one ambassador for Albany Law in New York City: he interviews students, he provides jobs, he helps graduates find jobs, he hosts events at his firm, he serves on the Board, he mentors others.”

Parsons, chair of Citigroup, hired Younger while at Patterson Belknap Webb & Tyler, where



Stephen Younger '82, left, with Richard Parsons '71.

Younger is a partner today.

“He went to Harvard,” Parsons noted, “but was smart enough to come to Albany Law School and get a real good education.”

Younger’s remarks centered on the mentors who built his career, naming several, and one in particular. “I was fortunate

to stand on the shoulders of the giants who preceded me. I’m so proud that my true mentor in life Dick Bartlett is here. My entire legal career came from Dick Bartlett,” referring to the former Albany Law dean, whom Younger worked for at the N.Y. Unified Court System.

Bartlett directed Younger to attend Albany Law School, clerk for Judge Hugh Jones, and then work for Parsons.

“Where might have I ended up if he hadn’t extended a hand and I hadn’t taken it?” Younger asked. “Albany Law is about that mentorship, that network. We owe it to the next group. Nobody got here without the help of someone else.”

His wife Prudence ’82, his son Emery, and his mother Doris Anne attended the Jan. 26 event at Le Parker Meridien.

“No matter what class you are from, when you meet a fellow graduate, you are immediately friends,” Younger said.

“I always like coming to law school events,” said Parsons, “it’s like coming back home.”

Alumnus in Residence Tells Students: Now is a Great Time for a Law Degree



A law degree gives you the “keys to the kingdom,” Greg Butler ’88 told a group of Albany Law School students during his spring visit. “When they give you the key, when they say you’re a lawyer, there’s nothing you can’t do. But what are you going to do with it?”

Butler, senior vice president and general counsel of Northeast Utilities System, was on campus for the day as the 2011 Alumnus in Residence.

Undaunted by the economy, he told the group that law school is always “the best thing you can do. You are the person in the room everyone defers to. There’s nothing you can’t do with a law degree.... Everything in this country requires a lawyer.”

Asked by a student what a young lawyer should do to stand out, Butler replied without missing a beat, “Do a really good job. Never turn down an assignment.”

He guaranteed the students

that they were getting a world-class education. “I know this, because I was in your seat.”

Butler oversees the legal, regulatory and communication operations of the holding company for Connecticut Light & Power Co., Western Massachusetts Electric Co., Public Service Co. of New Hampshire and Yankee Gas Services Co.

Previously he was vice president of federal affairs at New England Electric System, senior counsel for Niagara Mohawk Power Corporation, a senior attorney with the U.S. Department of Justice and an associate counsel to the N.Y. State Assembly minority leader.

He praised Professors Frank Anderson and Peter Preiser for their tough approaches. He described how the lessons of Michael Hutter rescued him during a recent board meeting—Professor Hutter, who was in the audience, thanked him.

Earlier in the day, Butler participated in a luncheon panel on navigating grid

interconnection requirements and issues around renewable energy. The panel was organized with support from the New York State Energy Research and Development Authority (NYSERDA).

Co-panelists included Elizabeth Grisaru, of counsel, Whiteman, Osterman & Hanna, Albany, and Sean Mullany ’88, assistant counsel, N.Y. State Public Service

Commission.

“Law school is the best business decision I’ve ever made,” Butler said. “I know you will get a great education here. I know you will have great opportunities.”

Since 1992 the Alumni in Residence program has brought Albany Law School’s most distinguished graduates into the classroom to share their expertise with students.



Butler moderated a panel on the in-house counsel later in the day. Panelists, from left, were, Joseph Gaug ’89, Albany International Corp.; Christine Daniels ’81, Golub Corporation; Butler ’88. Not shown were Lee Hessberg ’76, Albany Medical Center; and Matthew Hoff ’99, General Counsel, Treo Solutions.

CLINIC AND JUSTICE CENTER

Clinic Overturns Decision, Wins Rights to State Records

When students from the Civil Rights & Disabilities Law Clinic were denied access to records from facilities that provided residential care for persons with disabilities, the clinic sued the state.

This spring, the Third Department of the Appellate Division ruled that the lower court erred, and the clinic does have the right to the records of developmentally disabled individuals “who are unable to consent and have actively involved family members who are not a legal guardian, conservator or other legal representative as defined by federal regulations and (2)

records under Mental Hygiene Law § 45.09 (b).”

“While this was an important decision for us, it’s just as important for protection and advocacy organizations across the state who advocate for those unable to advocate for themselves,” said Professor Bridgit Burke, who directs the Civil Rights & Disabilities Law Clinic. “This case may be used by similar organizations across the country.”

Many of the clients who triggered the case two years ago have now moved into the community, Burke explained, crediting the students’ work.

But many still live in an institutional setting without real opportunity to move out.

“For each client that has moved out,” said Justin Myers ’09, former law clinic student currently employed at Barbaruolo Law Firm, Latham, N.Y., “we have seen a positive outcome for them. It has been rewarding to watch them thrive in the community.”

“More than 10 students helped out on this case over the semesters,” said Claudia Braymer ’09, who now works at the Appellate Division of the N.Y. State Supreme Court. “We wrote arguments, researched other state law, and tried to make a sound case under federal law, which apparently we did.”

“To advocate for our clients properly, the Clinic needs ‘unfettered access’ to information,” Burke said. “Otherwise we cannot know what is going on.”

Note: Prior to publication the Court of Appeals agreed to review the decision.



Justin Myers '09 worked on the case.

GOVERNMENT LAW CENTER

Sandman Fellow Seeking to Update Antiquated Elderly Policies

As the recipient of the 2011 Edgar ’46 and Margaret Sandman Fellowship in Aging Law and Public Policy, Kendra Jenkins ’12 is studying the issues facing elderly who want to stay in their homes as they age. Some of these issues include medical care, home care and social services that may be difficult for seniors when their physical or mental abilities start to decline.

“I discovered that services for the elderly are steeped in practices from decades ago that no longer seem efficient or even effective,” Jenkins said.

Last summer Jenkins worked in the New York State Attorney General’s Manhattan office researching antitrust matters. She also volunteered time with 13 other Albany Law students developing a legal resource for fishermen and shrimpers facing foreclosure on their boats in the wake of the BP oil spill in the Gulf of Mexico.

The Edgar ’46 and Margaret Sandman Fellowship in Aging Law & Public Policy began 20 years ago. The report from the first Sandman fellow called to reform the power of attorney. That work generated discussion on NPR, coverage in the *New York Times*, and a citing in a state supreme court case. Similar impact on aging law and policy has continued for the years following.

This year, past fellows came together with the Sandman family and the Albany Guardian Society to ensure the continuance of a fellow and to celebrate the 20th year of its existence.

“This represents the second time Albany Guardian Society has engaged the Government Law Center, this time to undertake a much-needed study in the growing area of elder law,” said Richard Ianello, Executive Director. “Partnering with the Government Law Center and helping to fund the fellowship is a natural fit for us.”



Kendra Jenkins '12

Guest Speakers Highlight Financial Regulation Institute's First Course



Arther Prostick '98, vice president and chief compliance officer (right), with Kevin O'Dea, both from AYCO, Saratoga Springs, N.Y.

A chief financial officer, a chief compliance officer, a broker, and a vice president from the Financial Industry Regulatory Authority delivered presentations during the week-long credit course given by the The Institute for Financial Market Regulation.

Called "Broker Dealer Accounting, Regulation and Auditing," developed by Professor Christine Chung,

the class marks the first course given by the institute, a joint project with the law school and the University at Albany. The institute oversees an undergraduate major and minor in Financial Market Regulation at the University at Albany, as well as graduate and legal education in financial market regulation at the University at Albany and Albany Law School.

Panel Explores Effect of Dodd-Frank on Municipalities, Public Authorities

Professor Christine Chung delivered remarks prior to a panel of experts from the Securities and Exchange Commission's Office of Municipal Securities, Financial Industry Regulatory Authority (FINRA), Municipal Securities Rulemaking Board, and private practices. Called the "Public Authorities and Municipalities: The Implications of the Dodd-Frank Act on their Fiscal Operations," the April event was organized by the law school's Government Law Center and moderated by Scott Fein, a partner at Whiteman Osterman & Hanna.



Members Elected to Board of Trustees

Albany Law School recently announced new members of its Board of Trustees: William Curry '87, Michael Garcia '89, James Hacker '84, Katherine Sheehan '94 and Christine Stone '81 as Term Trustees; Christina Roberts-Ryba '01 as Alumni Trustee; and Hanok George '12 as Student Trustee.

William Curry '87 is a managing partner at Sullivan and Worcester, LLP, in Boston, where he is a member of the firm's corporate finance, mergers and acquisitions, and corporate governance practice groups. At Albany Law, he was managing editor of the *Albany Law Review*.

Michael Garcia '89 is a partner in Kirkland and Ellis' New York and Washington, D.C., offices. Prior to joining the firm, he served as the Senate-confirmed U.S. attorney for the Southern District of New York. He has served as the Assistant Secretary for Immigration and Customer Enforcement at the Department of Homeland Security and was twice awarded the Department of Justice's Exceptional Service Award. He was on the *Albany Law Review* as a law student, and he graduated as valedictorian of his class.

James Hacker '84 is a managing partner at Hacker & Murphy LLP in Latham, N.Y., where he specializes in personal injury, commercial and insurance litigation. He is also currently serving on the Albany County Bar Association's Board of Directors, as well as chair of the Albany Law School Annual Fund. Previously, he served as president of the Capital District Trial Lawyers Association.

Katherine Sheehan '94 currently serves as treasurer for the City of Albany. Prior to that position, she was a member of the senior management team at Intermagnetics General Corporation, a medical device manufacturer that was bought by Philips Medical Systems in 2006. She formerly served on the Dean's Advisory Council and is a past recipient of Albany Law School's Distinguished Alumni Award.

Christine Stone '81 is currently national sales director for Signature Title, a National Title Company. Previously, she worked at the Waterfront Commission of New York Harbor and also owned and operated a solo practice specializing in real estate for 25 years. She has served on the board of Monmouth Academy and Ocean Gate Yacht Club, and she was also a legal consultant to Temple Beth Am.

Christine Roberts-Ryba '01 is an associate at Nixon Peabody specializing in labor and employment law. Previously, she was an assistant attorney general for the State of New York Litigation Bureau. She is also vice president and president-elect of the National Alumni Association.

Hanok George '12 is spending the summer as a legal intern at General Electric Company in Schenectady, N.Y. At the law school, he is lieutenant governor in the ABA's Student Division, Second Circuit, and the student representative of the Albany Law School Ethics Committee.

Mary Ann Cody McGinn '83 will continue as chair of the Board of Trustees for a second year. In addition, Robert Miller '68 will serve as vice-chair, Daniel Nolan '78 will serve as treasurer and Donna Wardlaw '77 will serve as secretary.

All new terms will be effective on July 1, 2011.

China Trip Solidifies Shanghai Partnership

Students Visit Alumni Firms, Courts, Government, Corporations

Thirty-one Albany Law School students supplemented their Chinese Law class with a 10-day trip to China's courts, government offices, U.S.-based and Chinese law firms and corporate offices in Beijing, Shanghai and Xian.

Associate Dean Patricia Salkin '88 and Professor Danshera Cords led the trip, which included meetings with alumni practicing in Shanghai and Beijing.

A new partnership with the Shanghai Institute of Foreign Trade (SIFT) earlier in the year brought a group of Chinese students to Albany where they learned about U.S. law, the job market, public interest work, and visited area courthouses. SIFT reciprocated by hosting Albany Law students in Shanghai for three days.



Photography: Allison Bradley '11





See more photos and read dispatches from the students and professors at www.albanylaw.edu/china.

New Center a Resource from Albany to Qatar



Prof. Lynch with Dean Hassan Abdelrahim Mob' Okour and law students.

With law schools across the country turning a keen eye toward teaching improvements, Albany Law's Center for Excellence in Law Teaching (CELT) has focused its efforts on its own school's faculty, while answering the call from other schools for support.

"The dean of Qatar University's College of Law was referred to the center, then he reviewed our blog, then he invited us to conduct trainings with the Qatar faculty for a week," explained Professor Mary Lynch, who directs the center. "We're only two years old, but given activity occurring inside and outside the school, we established the center moments ahead of the curve and now we have an international presence."

Recently Lynch presented at New York and Pace Law Schools, Indiana University's law school, several conferences including the Strategic Alliance of Law Schools, and co-authored an article with three recognized experts in the field.

"As legal education continues to change in numerous ways, one of those is preparing students differently than we have in the past," said Professor Lynch. "Albany Law School is seen as a school with some expertise in that area."

The center secured summer curriculum grants for two professors to revise assessment methods where needed. For two years Professor James Gathii, the Associate Dean for Research and Scholarship, has organized workshops for the entire faculty. This year the center integrated workshops into the series, such as University of New Hampshire law professor Sophie Sparrow on harnessing the power of small group learning, and Dean Thomas Guernsey on drafting effective multiple choice question to yield accurate assessment. More than 30 workshops took place over the past two years.

The presence of the center at the school has inspired faculty to initiate their own experiential efforts. Professor Christian Sundquist has used an actor in his classroom to demonstrate innovative evidence methods. Professor Alicia Oullette had her 14 Bioethics students draft

policy changes for the law school to address an H1N1 outbreak; the recommendations, while a classroom exercise, were so well researched and supported that it was submitted to the administration and parts were adopted as policy.

Professor Lynch currently chairs a subcommittee for the N.Y. State Bar on training and promoting new lawyers. The subcommittee, part of NYSBA's task force on the Future of the Legal Profession, is exploring better ways to train new lawyers to meet client demands, including affecting the bar exam and Court of Appeals rules.

"Because experiential education attracts so many legal educators, and the field is changing so rapidly at every level," said Lynch, "we're expected to be all things to all people as one of the leading schools. I expect some other schools to emerge with similar programs soon—the need is out there."

To learn more about CELT, visit www.teaching-lawstudents.com

Working in legal academia often offers the opportunity to work at multiple institutions. Subsequently, those experiences collectively inform your newest position. That couldn't be truer for me as the new director of the Schaffer Law Library at Albany Law School.

My first contact with a law library was as a law student at the University of Iowa. At the time, Iowa occupied older, cramped quarters, with the library essentially occupying one entire corner of the building over multiple floors—a common layout in older facilities. My next contact with a law library didn't come until several decades later—which included a career shift away from legal publishing—when I became a law librarian at Howard University School of Law. That library, too, was anticipating new quarters and within a few years, the library had relocated to a new facility. Within a handful of years, I'd also gained experience at the Seattle University Law Library, the Gallagher Law Library at the University of Washington (as a student and not a librarian at that point), and the Evans Law Library at the University of Kentucky.

As you might imagine, each of these institutions had collections and staffs of varying sizes and configurations, depending upon the school, student body, and faculty. Each also had unique facilities

A Letter from Helane Davis, Director

issues—some older, some new, and some more spacious than others. Most were not as large as the Schaffer Law Library in terms of collection size—over 715,000 volumes and volume equivalents—and none played quite the same role as the Schaffer Law Library plays in its law school community. Nevertheless, all of those past affiliations were incredible preparation for joining the Albany Law School community.

Having worked with smaller collections, I was in a good position to appreciate the quality and expansiveness of the collection at Schaffer. Having worked with smaller

newer facilities, I was in a good position to appreciate the advantages of a well-kept facility that provides an inviting environment for library patrons. Yet despite differences between our institutions, most academic law libraries share the same reason for being: we seek to support the research needs of our faculty, the curricular needs of our students, and the legal information needs of any other constituencies we might serve.

From my first contact with Albany Law School, it was evident that the Schaffer Law Library has many fans and enthusiasts among Albany faculty, staff, students, and

broader university library system when it comes to resources. Additionally, as is the case elsewhere within our field, we will continue to adapt to the sea change currently underway in how legal information is created, distributed and packaged, and consumed—ever mindful of our responsibilities not only fiscally but to share our expertise and to support emerging developments in legal education. Finally, as information professionals I hope we can build upon our strengths and seek and exploit new opportunities to be of service to our law school community.



Most [law libraries] were not as large as the Schaffer Law Library in terms of collection size—over 715,000 volumes and volume equivalents—and none played quite the same role as the Schaffer Law Library plays in its law school community.

staffs and smaller budgets, I was in a good position to appreciate the institutional support for the Schaffer Law Library, the dedication and experience of the library staff, and the library's solid reputation. Having worked at libraries affiliated with larger universities generally, or university libraries specifically, I was in a good position to appreciate the breadth of support and service the library staff of an independent law school provides to its faculty, staff, and students. Having worked in both older and

alumni, and that the library is a vital part of this law school's community. As the new director, then, my hopes for the law library are many. We must continue to provide the unique mix of resources—both traditional and electronic or digital—that will support the many programs and initiatives of Albany Law School. As an independent school we have a flexibility that many other academic libraries do not, but we also have greater responsibilities since we do not have the benefit of partnering with a

In many ways, I may have the easiest part of this endeavor, having joined a first rate and dedicated staff assembled before my arrival. I'm fortunate to have the opportunity to support, nurture, and collaborate with such committed professionals. If the law library succeeds at its mission it is in no small part because of the library staff shaped by my predecessor, Robert Begg. I hope to prove an able steward of his considerable accomplishments as I move forward as the new director of Shaffer Law Library.



KATE STONEMAN
1898

CAMPUSEVENTS

Stoneman Event Adds Three Women to its

New Annual Netter Award Pays Tribute to a Founder



Judge Wald, the former U.S. member of the International Criminal Tribunal in The Hague, received the inaugural Miriam M. Netter '72 Award, which will be awarded annually to the Kate Stoneman Day keynote speaker.

The 17th Annual Kate Stoneman Day Award introduced its newest feature this year—the Miriam M. Netter '72 Award—an annual award to the Kate Stoneman Day keynote speaker, named for Netter's founding and fervent advocacy of Kate Stoneman Day.

That award went to Patricia McGowan Wald, Chief Judge for the U.S. Court of Appeals for the District of Columbia Circuit from 1986 to 1991.

Two other women received Kate Stoneman awards at the March ceremony: Margaret Clemens '84, shareholder, Littler Mendelson, PC, in

Rochester, N.Y., and Maria Melendez '92, partner, Sidley Austin LLP, in New York, N.Y.

The event included a tribute to Mimi Netter '72, a 1996 Kate Stoneman Award winner who passed away earlier this year. Netter's daughter Beth, following a slide show celebrating Netter's accomplishments, offered moving remarks about her mother's commitment to the school and women's rights.

Clemens, a single mother and full-time waitress raising four kids while attending Albany Law, said, upon leaving the school, she immediately appreciated the meaning of

helping others in less fortunate situations, which led to her volunteering beyond just focusing on her own career.

From working with battered women over the years, "I learned people can be strong and resilient and courageous through a very chaotic time in their lives," lessons she tries to apply to her own life.

Melendez thanked Stoneman "for the many wonderful things that allow for a Puerto Rican girl from very humble beginnings, raised in Brooklyn, to go to a law school as amazing as this one, to be admitted to practice law in New York, and to rise

Honors List



From left: Donna E. Wardlaw '77, Helen Adams-Keane, vice president of Institutional Advancement, Beth Netter, Dean Thomas Guernsey, Stoneman Award winners Margaret Clemens '84 and Maria Melendez '92, Judge Wald, Professor Mary Lynch, and Professor Megan Fairlie.

to a partner level at one of the most prestigious law firms in the world. For all of these blessings I am eternally grateful for people like [Stoneman] and other pioneers who have helped pave the way.”

Melendez was quick to note that while women make up half the lawyers in practice, they hold only 17% of partner positions—women of color less than 2%.

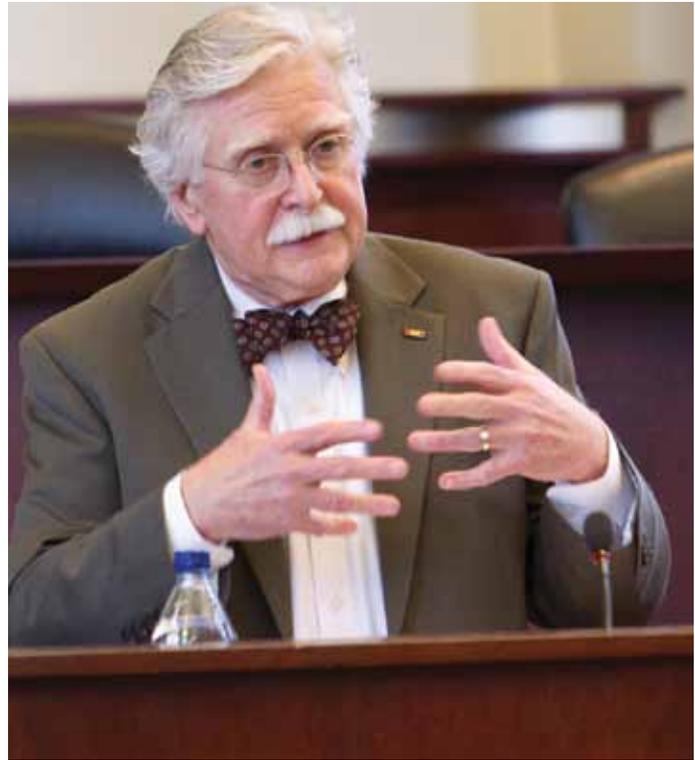
“We owe it to ourselves and each other and certainly owe it to the legacy of Kate Stoneman to do something about it.... I’ve asked myself, what would Kate do? The temptation to give up can be strong. Being a woman in the legal profession is an exhausting and sometimes frustrating existence. But I know Kate would not walk away.”

“Above all else, she was visible,” Melendez said, adding the edict, “Be epic. She was

visible and she was epic. She would not lament. She would have said, ‘I’m going to bring it.’”



Beth Netter spoke about her mother Mimi Netter, who passed away this year. Mimi Netter '72 was a founder of Kate Stoneman Day. (see page 60 for memoriam).



FCC Judge Delivers Keynote for Justice Jackson Lecture

Hon. Richard Sippel '63, chief administrative law judge, Federal Communications Commission (FCC), delivered the keynote speech at the 2011 installment of the Justice Jackson Lecture Series, “Information With(out) Borders: The Intersection of Law and Technology,” on April 12.

The following day, a panel on net neutrality included Judge Sippel, Professor Babette Boliek, Pepperdine University School of Law, Professor Robert Heverly '92, Albany Law School, and Professor Milton Mueller, Syracuse University School of Information Studies.

Judge Rosenblatt Delivers Hugh Jones Lecture

Hon. Albert Rosenblatt, retired associate judge of the Court of Appeals, presented a talk on “Dutch Influences on Law and Governance in New York” during the Hugh Jones Memorial Lecture last semester. Hon. Jonathan Lippman, Chief Judge of the State of New York, delivered opening remarks.



Taxpayer Advocacy Event Exposes Tensions Inside System



California Taxpayers Rights Advocate Todd Gilman.

Advocates from different states described their models for taxpayer advocacy, a deputy commissioner offered a view from the state level, and the National Taxpayer Advocate

Nina Olson delivered the keynote from a federal perspective at the law school's first symposium on the topic.

Olson oversees the 2,000 advocates around the nation who help taxpayers work with the IRS to resolve issues between taxpayers and collectors.

Professor Danshera Cords and Deborah Kearns, assistant clinical professor and director of the Low Income Taxpayer Clinic, led the program, with sponsorships from Albany Law School's Low Income Taxpayer Clinic, the Government Law Center, Morrison & Foerster, LLP, and Teal, Becker & Chiaramonte, CPAs, P.C.

For more on the program, or to view a video of the program, visit www.albanylaw.edu/taxpayeradvocacy

Accepted Applicants Day



Hon. Victoria Graffeo '77, associate judge, N.Y. Court of Appeals, and John Johnson '93, principal, Fish & Richardson, served on a panel this spring during Accepted Applicants Day. Other panelists included Michael Garcia '89, partner, Kirkland & Ellis LLP, and Andrea Colby '80, associate patent counsel, Johnson & Johnson. Several hundred students and their families visited the campus that day.

Three Chiefs Tell Vastly Different, Similarly Intense, Tales at Law Review Symposium



From left, Justices Ternus, Marshall and Toal.

Chief Justice Marsha Ternus was voted off the Iowa Supreme Court in her 16th year for striking down the state's ban on same-sex marriages. She and two other justices who ruled against the ban became the first Supreme Court justices in Iowa to not retain their seats.

Ternus told her story to a packed Dean Alexander Moot Courtroom, calling judicial retention elections increasingly dangerous "not for Iowa, but for America," as political money comes in from around the country to target the source of unpopular decisions.

"The message was clear: judges ignore the will of their people at their own peril.... Judges should not be accountable to the people, but to the legal system.... Judicial intimidating will, over time, erode the justice system we know today."

Ternus was the first of

three chief justices to speak as part of the *Albany Law Review's* annual Chief Judge Lawrence H. Cooke State Constitutional Commentary Symposium, titled, "Great Women, Great Chiefs."

Chief Justice Jean H. Toal was one of 10 women practicing law in 1968 South Carolina, and only two in the courtroom. She tried cases



Jessie Cardinale '11, executive editor for State Constitutional Commentary, speaking at the forum.

Symposium

“Judges should not be accountable to the people, but to the legal system.... Judicial intimidating will, over time, erode the justice system we know today.”

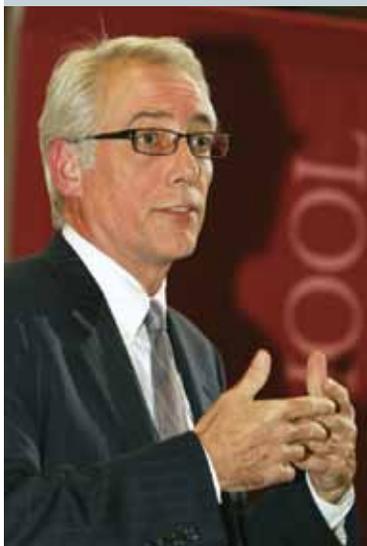
only after women were allowed on juries. “My male colleagues treated them real poorly as jurors,” she said. “I was finally approached by a partner who said, ‘we got to have someone who can talk to those women.’ I never looked back.”

Toal cited reasons why men kept women from practicing law, like, “they can’t keep a secret.” She noted that women were members of state bars but could not vote.

Recently retired Chief Justice Margaret Marshall, the first woman to hold the seat in Massachusetts, was the final speaker of the day before a vibrant question and answer session. With a South African accent, she emphasized the importance of state courts, stating that “justice in America is delivered largely through the state courts.” After calling on students for some answers, she revealed that the federal courts handle 350,000 cases annually while the state courts handle 48 million.

Professor Donna Young introduced Ternus, Professor Rosemary Queenan introduced Toal, and Professor Mary Lynch introduced Marshall.

U.S. Education Department’s General Counsel on Reform



Above: Charles Rose, U.S. Department of Education, in the Dean Alexander Moot Courtroom.

Right: Congressman Paul Tonko.

Charles Rose, general counsel for the U.S. Department of Education, delivered the keynote address for the *Government Law Review’s* symposium titled, “Classroom Politics: A Symposium on Education Reform” on Nov. 10, 2010.

The event featured a panel discussion the following day, largely focused on charter schools and other current

reform components. Other speakers included Congressman Paul Tonko, who serves on the House Committee on Education and Labor, and Henry Levin, from Columbia University Teacher’s College, where he directs the non-partisan National Center for the Study of Privatization in Education.



Mortgage Foreclosure Working Group Examines Issues

Albany Law School hosted state and federal judges, a general counsel of Fannie Mae, and others in February as part of the Mortgage Foreclosure Working Group of the New York State Federal Judicial Council.

The group addressed current issues in mortgage foreclosure, including court procedures, loss mitigation programs and documentation issues.

Pictured, from left are: Hon. Martin Glenn, U.S. Bankruptcy Judge, Southern District; Professor Ray Brescia, Albany Law School; Hon. Roger McDonough, Acting Supreme Court Justice, Albany County Judicial Center; Hon. Cecelia

Morris, U.S. Bankruptcy Judge, Southern District. Participants not pictured are: H. Malloy Evans III, associate general counsel, Fannie Mae; Kirsten Keefe, senior staff attorney, Empire Justice

Center; Jeffrey Powell, N.Y. State Attorney General; and William Schiller, Schiller & Knapp, LLP.

The free program drew a large audience and offered CLE credits.



Science & Tech Journal Celebrates 20th Anniversary

Ranked Top 10 of 76 Nationally

Maintaining its top 10 national ranking among science and technology law journals according to Washington & Lee Law School's metrics, *Albany Law Journal of Science and Technology* marked its 20th year with a symposium on reproductive technology, aligning with some articles from Volume 20, Issue 1.

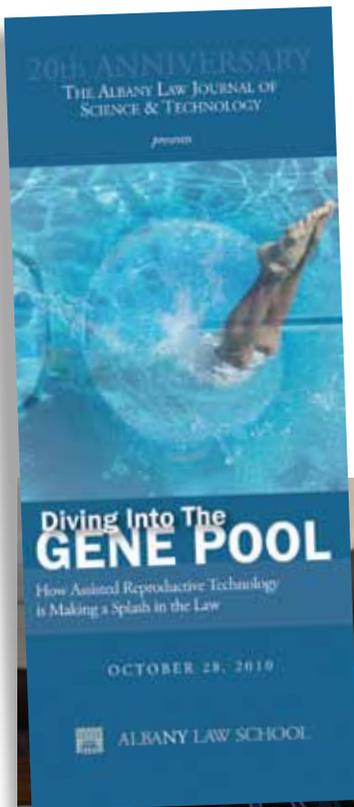
The two panels at "Diving into the Gene Pool: How Assisted Reproductive Technology Is Making a Splash in the Law" examined the current laws and its impact on the practice, among other topics.

The journal partnered for the event with the Rensselaer Polytechnic Institute.

Moderated by Professor Alicia Ouellette '94, a faculty member at the law school and the bioethics programs of Union Graduate College and Mt. Sinai School of Medicine, the symposium can be seen at www.albanylaw.edu/webstream

The journal is ranked seventh out of 63 journals in the science, technology and computing category, as well as 10th out of 76 journals in the intellectual property law category. Washington & Lee Law School ranks journals nationally by measuring impact, including the number of citations in cases and other journals.

The law school offers two options for students to pursue a joint J.D. and Master of Arts in Bioethics through a partnership with New York's Mount Sinai School of Medicine, and through Albany Medical College's Alden March Bioethics Institute.



Professor Radhika Rao, University of California, Hastings College of Law.

Big Oil, Big Consequences: Law Review Takes on the BP Oil Spill



Maureen Leary, N.Y. Attorney General's Office, Environmental Protection Bureau.

Private practitioners, public counsels and academic scholars discussed the legal fall-out they expect over the short- and long-term from the BP oil spill. The symposium, "Big Oil, Big Consequences and the Big Unknown: Exploring the Legal, Regulatory and Environmental Impact of the Gulf Oil Spill," questioned whether the current regulatory framework is sufficient and, looking at the range of civil and criminal claims pending against BP, what course of action the federal government could take to prevent similar environmental disasters in the future.

Half of the Law Review's first 2011 issue includes articles reflecting the symposium. Each year the Law Review publishes four books: one on general legal issues and the annual symposium, one on New York State appellate courts, one devoted to annual

state constitutional commentary, and, beginning this year, it will publish an annual Miscarriages of Justice issue.





John Thorn, MLB's official historian.

Cooperstown? Doubleday? Baseball's Birth Includes Neither

A symposium on baseball and the law debunked some well-established myths about the game as John Thorn, the official historian for Major League Baseball, described the "scoundrels and dupes" who brought us the sport.

Along with Thorn, the 2011 Edward C. Sobota '79 Memorial Lecturer, and the author of *Baseball in the Garden of Eden: The Secret History of the Early Game*, the *Government Law Review's* symposium included



Professor Paul Finkleman.

Albany Law's Professor Paul Finkleman taking the contrarian's view on enhancement drugs for his talk "What's Wrong With Being All You Can Be?"

Other presenters included Eric Bowman '90, a sports agent, along with panelists on stadium construction, IP issues, labor relations, followed by an extra-innings reception with hot dog cart and peanuts.

Faculty From Texas to Maine Share Scholarship and Teaching Approaches



Professor James Gathii.

Making corporate officers responsible, examining the impact of the Chrysler bailout on borrowing money, and looking at the over-medicalizing of childbirth through cesarean sections and medical malpractice. Thirty non-tenured faculty members from Texas to Maine discussed these topics and more as part of a two-day workshop for non-tenured faculty.

"We sought to create an environment where the more-junior faculty could comfortably present their research-in-progress to receive candid feedback from their peers," said Keith Hirokawa, an assistant professor focused on land use who helped organize the event.

Beyond scholarship, participants discussed classroom strategies, teaching tactics and grading. Other workshops considered issues on women as teachers and scholars, and academic freedom for the untenured.

"These are the senior scholars of tomorrow," said Professor James Thuo Gathii, associate dean for research and scholarship. "It's smart to expose them to the talent and vibrant activity of Albany Law School early in their career. These events create lifelong professional relationships."

The event was co-sponsored by Temple University, Beasley School of Law.

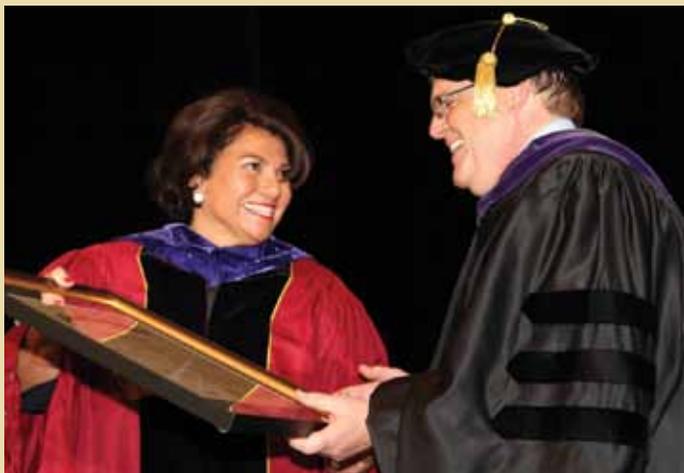
BLSA Holds 3rd Annual Alumni Banquet

Professor Anthony Paul Farley delivered the keynote presentation at Albany Law's Black Law Students Association's 3rd Annual Alumni Banquet. Teneka Frost Amusa '02 received the John E. Higgins '89 Alumni Dedication Award. In 2009, the law school's BLSA honored John Higgins with its first award for Alumni Dedication, named after him for the work he has done over the years mentoring law students of color.

Pictured from left: Akilah J. Rawlins '09; Pershia Wilkins, Director of Diversity at Albany Law School; and Tichina L. Johnson '09.



238 Earn Degrees at Albany Law Commencement



An honorary doctor of laws was conferred upon Dean Guernsey. Trustee Chair Cody McGinn '83 presented the degree.

New York State Bar Association President Stephen P. Younger '82, Trustee Emeritus, issued a series of challenges to the 238 law students receiving their degrees at Albany Law School's 160th Commencement on May 13, at the Saratoga Performing Arts Center.

Younger challenged the students to rethink established conventions in the legal field.

He emphasized problem solving over the billable hour, as well as finding the appropriate balance between work and quality of life. More than anything, he said in his keynote speech, be civil, even to adversaries in the courtroom.

"We practice law in the pursuit of a higher calling," said Younger. "So, as a result, you need to treat your adversaries with the same respect that

you treat judges and clients."

Younger continued, "If you treat them with the respect that they deserve, you will find that you can see legal problems from their perspective, which is so important in the practice of law."

After delivering his address, Younger, who is also a partner at Patterson Belknap Webb & Tyler, was awarded an honorary doctor of laws by Board of Trustees Chair Mary Ann Cody McGinn '83.

An honorary doctor of

laws was also conferred upon outgoing Albany Law School President and Dean Thomas Guernsey, who is stepping down after nine years in the position.

Class President Jennifer Charlton '11 also made remarks during commencement while presenting the Class of 2011 Legacy Fund Gift, which was a contribution to Albany Law School's Loan Repayment Assistance Program (LRAP) that was matched with help from the Board of Trustees. The gift will go towards

BY NICK CROUNSE



Keynote Speaker Stephen P. Younger '82.

helping graduates pursuing public interest careers pay back their student loans.

"We have learned that contributing to Albany Law School is a worthwhile investment," Charlton said. "It is only fitting that our class gift represents the support we hope to give one another."

While welcoming the Class of 2011 to the Albany Law School National Alumni Association, association president Ryan Donovan '01 advised the newly graduated class to find work that inspired them. He said, "Having passion for your work will make you a better attorney, and more successful and content in life."

To close the ceremony, Dean Guernsey asked Albany Law School's newest graduates to turn around to face their family members and friends and recognize them for their support. He said, "The fact is, we don't do this alone."



Three Albany Law Professors Recognized for Exceptional Work

Albany Law School gives three distinct awards annually at commencement to recognize outstanding faculty for their contribution in the areas of scholarship, service and teaching.



Professor Alicia Ouellette received the Albany Law School 2011 Award for Excellence in Scholarship for her consistent record of producing timely books and articles, including several notable recent publications. She published her latest book, *Bioethics and Disability: Toward a Disability-Conscious Bioethics*, in April, and she recently co-edited the definitive *The Cambridge Dictionary of Bioethics* and contributed the article "Putting Law in the Room: A Response to Diekema and Frosty" to the *American Journal of Bioethics*. Professor Ouellette has been published widely throughout her career in journals such as the *American Journal of Law and Medicine*,

Indiana Law Journal and *Oregon Law Review*.

Professor Patrick Connors received the Albany Law School 2011 Award for Excellence in Service for his high level of work to the legal profession at the local, state and national levels. He frequently presents at continuing legal education programs for the New York State Bar Association (NYSBA) and participates on NYSBA's policy committees, including serving on the Committee on Professional Ethics for more than a decade. Professor Connors is also an author for McKinney's Commentaries in the areas of ethics, professionalism, surrogate's procedure and civil practice, as well as a regular contributor to the *New York Law Journal*.



Professor Connie Mayer, Associate Dean for Academic Affairs, received the Albany Law School 2011 Distinguished Educator for Excellence in Teaching Award in large part due to her versatility in teaching law students, ranging from large lecture halls to after-class discussions. She has integrated state-of-the-art technology with traditional teaching. She has taught numerous courses at Albany Law School, including first-year and other required courses; skills and simulation courses; seminars; and clinical courses. Before taking the role of associate dean for Academic Affairs, she has served as the law school's associate dean for Student Affairs, director of the Clinical Legal Studies Program, director of the AIDS/HIV Law Clinic and director of the Disabilities Law Clinic. —NC



The Fellow

A few moments with Kevin Ramakrishna '09 LL.M. '10

You went to law school, then took a fellowship in academia. I bet that wasn't the plan? I did not see myself doing something like this. While it's not the job I set out for, I jumped at the opportunity and surprised myself by how much I liked the work. It turned out to be far more interesting than I expected given the changes in the legal field and particularly legal education. I certainly understand the appeal of academia.

Why has that made it interesting? Well, as a law student, I was a consumer. As a fellow, I experience the school from the other side—kind of like getting behind the curtain. I sit in on long-term planning meetings, hear discussions about the curriculum, about preparing students for the bar, about responding to new requirements from the ABA. You see the school in a very different light, and it's apparent during the process that these are unique times for people who have been in legal education for many years. It forces a law school to assess its own practices. When you are a student, you don't see any of this, you are not aware that there is a lot of thought going into everything we experience here.

So what did you do? I supported two different but overlapping programs: I worked for Professor James Gathii [associate dean for research and scholarship] and Professor Mary Lynch [director of the Center for Excellence in Law and Teaching (CELT)]. On the research side, we are building an electronic repository for faculty research to put us in line with top institutions, and we are promoting our faculty scholarship through an online network used by the academic community. Meanwhile, CELT is creating a dialogue on new teaching strategies among our own faculty. At the same time, I've worked on a blog we manage—Best Practices in Legal Education—that has become a focal point for discussion on a national level.

You grew up in a suburb of Chicago, and went to Marquette University in Wisconsin. Are you looking to go back to the Midwest? Some day maybe, but my wife is here as well, working in marketing, so there are a lot of things to think about. Pursuing our careers is part of the equation, of course.

Is there anything you did here that makes you particularly proud? Well, the faculty here are very prolific and I was able to help promote their work through the Social Science Research Network (SSRN). As a result, we saw articles written by our faculty downloaded more than 1,000 times every month. That's a lot. Subsequently, we've moved up in rank in terms of downloaded papers, landing now around 85 of 200 law schools on the system. On the CELT side—or, the teaching side—I've contributed to legal education reform debate from the perspective of a recent graduate.

What does this experience mean for your future? Well, I finished law school and my intentions have always been to practice law. I still want to practice law. Through the Law Clinic I have taken on some cases, so that has been rewarding. But most important, I know this experience will stay with me for a long time even when I do start to practice. Of course, it's possible that I will stay in academia. Time will tell.

STUDENTS

Pro-Donor Program to Transform Pro-Bono Program into Self-Funding Mode

Nicole Kulik '12 volunteers several hours a week running the Rural Legal Services Project, helping elderly and migrant workers. For every hour she works, her father donates \$2 and her uncle \$1 to Albany Law School. With some 200 students performing structured pro bono work, the Pro-Donor program has potential to harness the army of volunteers that the school has poured into the community while simultaneously funding the activity.

To kick-off the year, Stephen Younger '82 pledged \$1 per hour for every volunteer, a commitment that should surpass \$2,000, according to



Rubin '12 announces the Pro Donor Initiative. Pictured right are the student leaders. Students donated more than 3,000 hours this year for numerous structured public interest projects.

Susan Feathers, assistant dean for Student Affairs. "Last year, our first year, we reached 1,500 hours. This year has more students and more

structured programs."

"We think this model doesn't exist anywhere else," said Daniel Rubin '12, who is driving the program at Albany Law School. "We see this as a way for students to pay for the program ourselves. It will grow cyclically—the more we raise, the more we expand."

Currently pro bono projects include assisting low income individuals with tax returns, helping public defenders on criminal appeal, helping New Orleans boat owners impacted by the BP oil spill, educating elderly and migrant workers in rural upstate New York, assisting Prisoners Legal Services with research, and a number of other projects.

Dean Feathers also encourages alumni to employ the volunteer energy and skills of the students for law firm pro bono projects.

Visit www.pro-donor.org for more information or contact Dan Rubin at drubin@albanylaw.edu if interested in working with volunteer students or sponsoring students on pro bono projects.

Students Take 2nd and 3rd Place in National ADR Competition



Scott Smith '12, Eric Leander '11 and James Weiss '11 (from left) scored 2nd place for negotiation and 3rd for arbitration against 21 other teams in a Securities Dispute Resolution Triathlon at St. John's Law School's Center for Dispute Resolution.

Neutrals on the Financial Industry Regulatory Authority

(FINRA) roster served as mediators, arbitrators and judges. The triathlon combined negotiation, mediation and arbitration as students played the roles of parties and attorneys in a securities dispute.

The students were coached by Professor Joan Stearns Johnsen.

N. Carolina "Gifted" Teen Chooses Albany Law over Five Other Schools

A Duke University program identified Amanda Keller '13 as academically gifted. She skipped the 8th grade.

In 10th grade, the North Carolina native enrolled in Virginia's Mary Baldwin College's Program for the Exceptionally Gifted. She skipped the 11th and 12th grades to take college classes at the Virginia school.

After four years at Elon University, N.C., she started her first year at Albany Law School at age 19. From Texas

to New York she received five offers from law schools before choosing Albany Law for its scholarship support and international law program. The women's rugby team interested her as well.

"I am really interested in the impact of law on society, and my appreciation for that impact was bolstered by my history studies."

Her age is far less an obstacle than the weather and vernacular, both to which she's adapting.

You're Busy? Try Full-time Work, Law School and Parenting

More than a dozen parents attend Albany Law School at any one time. Here are a few stories from some current students.



Tracy Connolly '14

*E. Stewart Jones Sr. '35
Scholarship recipient*

Situation: Married with a 20-year-old son and a 17-year-old daughter.

Background: Connolly lives in Troy, N.Y., and works for the N.Y. State Building and Construction Trade Council for the past 22 years.

"My husband food shops, makes all the meals, does the laundry, pretty much does everything so that I can go to law school."

Daily Schedule: "I work at my job until about noon, then head to class, then to the library. I get home for dinner, and work or study through the night, usually in the TV room with my husband."

Impact on Family: "My daughter thinks it's pretty cool. She loves the stories I come home with, how I'm invited to parties that start on Thursday

night at 10 p.m. She knows I'm practically in bed by then. My son is impressed that I spend my day with students not much older than him."

Biggest Event Missed: "My daughter plays competitive softball. I've missed a number of games. My daughter understands, but I don't like missing them."

Career Plans: "After I graduate I can stay at my job, as well as pick up some of the legal work we currently send to outside counsel. My other two options are: I can work for a law firm in the area, or I can get a job in South Carolina, where my husband and I are thinking of moving."

Attitude: "The first semester was easier than I expected. I surprised myself by doing so well."

"I just received my bachelors in '05. I've always taken classes. I feel like I've been going to college for 20 years. I love school."

Daniel Hubbell '14

*Class of 1983 Scholarship
recipient*

Situation: Single dad with custody of two girls ages 4 and 5. Home is Red Hook, N.Y.

Background: Dan works full time as a commercial real estate appraiser. Clients range from dairy farmers to Westchester condo developers. The job gives him flexible hours to attend class as a part-time student: three classes his first semester, and four for the spring.

Daily Schedule: Up at 6 a.m., feeds and dresses his daughters, drops them off at preschool, then goes to the gym for 30 minutes. He works at his job until noon, goes to class from noon to 4 p.m., then home to the kids for bath, dinner, reading and bed. "Last night one of the girls woke up like five times, she just kept coming into my room for no reason."

Impact on family: "When I came home from my first day of law school, my five-year-old daughter said, 'Where's your craft? They had no craft-time on the first day?'"

"I try to include them in everything; they will be eight and nine when I'm done. After the last day of class, we had a little party at the house."

"The night before finals, I made it clear that they have to stay in bed. They understood."

Dan regularly explains his contract class to his daughters, saying that it helps him to

retain the information when you reduce the lesson into toddler-friendly concepts.

Career Plans: His appraisal work involves a lot of legal work, which he pays law firms to perform. A law degree with his expertise would benefit his current employer by keeping the legal work inhouse, and/or he can seek a position with a law firm in his field of expertise.



Biggest Events Missed: "My family has a great place on Lake Champlain. There were a couple of gatherings, and I just had to call at the last minute and say I couldn't make it. The amount of reading time I'd lose on the drive alone...."

Attitude: "The older you get, the smarter you study. You identify your own strategies, and learn to be efficient."

"I knew what I was getting into. Everyone was clear and honest how it would be."

"As a father, I know why I'm doing this. The motivation is right there in front of me—they sit across from me at the dinner table every night."

Read about other parents such as Tim MacPherson '13, a pharmaceutical scientist by trade and father of three, who blogs about his first year in the "1L Experience" at <http://blogs.albanylaw.edu/the1lexperience>

Mark Kittel '13

Singleton Scholarship recipient

Situation: Married with two daughters ages 10 and 12. Home is Albany, about a mile from the school. He telecommutes 30 hours a week as a tech writer for Xerox Litigation Services, where he worked full time before law school.

Background: Mark grew up in Connecticut. He met his wife in California, where he attended UCLA Berkley and worked for several years as a tech writer at several software development companies. His family moved to New York in '02 and to Albany in '06. His wife, a registered nurse, works in health insurance.

Daily Routine: Up at 6 a.m., preparing breakfast and organizing school bags—lunches, instruments, school projects, etc. He then heads straight to the law school, attends classes, then goes to his employer's Albany office, then picks up the girls at 4 p.m. He studies after dinner until 10 p.m.

Impact on Family: "I'm pretty much home when the kids are home. I try to make sure I set aside time for them."

"They understand that I'm a law student a lot better than they understand what I do at my job. No one knows what a tech writer does."

Careers: "I hope to use my contacts to work in IP Law. I would love to practice in Albany if I could, but we'd go to Boston—my west coast wife has fallen in love with the Red Sox—and New York if we have to.... I'm also interested in health care law, given my wife's background and what I know from her career."

Attitude: "I figure when I'm working in a practice I'll be going from 6 a.m. to 10 p.m., so really, whatever the demands are now I expect it to be this way after law school."

"I work 30 hours and take four classes, so I'm really doing 75% of my job, and 75% of full-time law school. That's 150%."



Nicole Nielson '12

Situation: Nielson lives in New Paltz, N.Y., with her husband, a firefighter, and their 5-year-old daughter. She stays in the Albany area two nights a week at her brother's apartment.

Background: With an M.A. from Columbia University's Teachers College, she taught middle school students in East Palo Alto, Calif., through Teach for America.

This summer she was awarded a fellowship to research conservation easements along the Hudson River.

"I've wanted to go to law school since 7th grade."

Impact on Family: "My mother helps tremendously with caring for my daughter while I am in Albany. I don't know that I would be able to do this without her support and that of my incredible friends."

"My daughter and I started school together so we're kind of in it together.... And it's nice that she gets to spend a lot of time with Dad."

"I'm very protective of my weekends. I work hard to make time with my daughter and husband, because I miss a lot of weeknights in order to be at school."

"I try to stay away from the school on Fridays and weekends, but the interviewing process last semester, for example, forced me to be gone extra days."

Career: Nielson will work as a summer associate this summer at Milbank Tweed in New York. She and her husband plan to move to New York City after law school.

Biggest Event Missed: "I have a big family and I am always missing something."

Attitude: "Law school is a lot more demanding on your time than anyone can anticipate. Because of my commute, I listen to a lot of podcast lectures in the car. There are a few of us who trade CD lectures."

"Ultimately careers are built on relationships and it is hard to develop social relationships with my fellow students because social time in Albany is very limited. Every activity is carefully analyzed before committing to it because I don't want to cut into my study or family time. However, I did participate in the Gabrielli competition and I serve as a student leader for the Pro Bono program, so there are meaningful opportunities that can happen."



ALOOKBACK

Our 19th Century Jewish Law Professors: Attorney General, Father of Podiatry, Bridge Champion

BY BENNETT LIEBMAN

Well past the middle of the 20th century, there was blatant discrimination against anyone Jewish who wished to become a law professor in the United States. While law schools may have maintained quotas on the admission of Jewish students at the time, Jewish law professors—except those at the absolute peak of the profession such as Felix Frankfurter at Harvard—were hard to find.

When future Supreme Court justice Abe Fortas applied to Northwestern in the early 1930s to become a professor, the dean of the school told Fortas's sponsor that "although his faculty had appointed a half Jew as a librarian, any attempt to appoint a Jew to the faculty would be an 'idle gesture.'"

Nonetheless, Albany Law School hired one of the earliest Jewish law professors in the 1880s. Remarkably, this law professor, Dr. Maurice J. Lewi—known as MJ—became the father of podiatry in the United States. He ran the nation's first podiatry college for more than 40 years, until his death at age 99 in 1957. Newspapers at the time of his death assumed him to be America's "oldest practicing educator and physician." *Time* magazine said of him when he turned 91, "One of the men



Dr. Maurice Lewi.

largely responsible for podiatry's increasingly respectable status is Manhattan's Dr. Maurice J. Lewi. Dr. Lewi, who celebrated his birthday last week by blowing out all 91 candles (none to grow on) with one lusty puff, has been thinking about foot troubles for 72 years."

Lewi, an Albany native with 13 siblings, was the son of a doctor of Czech Jewish ancestry who moved to Albany in 1849. Lewi was born in 1857 and graduated Albany Medical College in 1877. After graduate medical work in Germany and Austria, he returned to Albany where he began the practice of medicine. For six years starting in 1886 he became a professor of medical jurisprudence at Albany Law.

In 1890, Lewi began serving as the secretary of the newly established New York State Board of Medical Examiners. He left Albany Law School permanently to move to New York City in 1892, where he worked at the State Board of

Medical Examiners for over two decades. In that position, he helped draft the first legislation governing the practice of chiropody, backed the first New York law giving chiropodists the right to set standards of fitness, and campaigned relentlessly to have schools and colleges add podiatry to their programs.

In 1913, he resigned his position as the secretary to the State Board of Medical Examiners to become the president of the first podiatry school in the nation, the School of Chiropody in New York City. The school was soon renamed the First Institute of Podiatry and became affiliated with Long Island University. After Lewi's death in 1957, the

Podiatry was not Lewi's only interest. He was an early champion of the classic European card game of bridge. In the early years of radio, bridge games featuring Lewi were often broadcast over the air. When he died, the *New York Times* reported that the world of bridge had lost its most revered member, stating: "Bridge players were always amazed to learn that Dr. Lewi was equally prominent in medicine; physicians were always amazed to learn that he was equally prominent in bridge."

Even into his 90s he kept up his activity. *Time* magazine reported, "He likes a Scotch highball before dinner, a glass of wine or beer before bed,

.....
The *Times* wrote, "Bridge players were always amazed to learn that Dr. Lewi was equally prominent in medicine; physicians were always amazed to learn that he was equally prominent in bridge."
.....

school was renamed the M.J. Lewi College of Podiatry. In 1972, the school changed its name to its current name, the New York College of Podiatric Medicine. It is believed that Lewi graduated more than 2,500 doctors of podiatry.

and smokes 12 to 14 cigars a day. He plays both poker and bridge, often until 1 a.m."

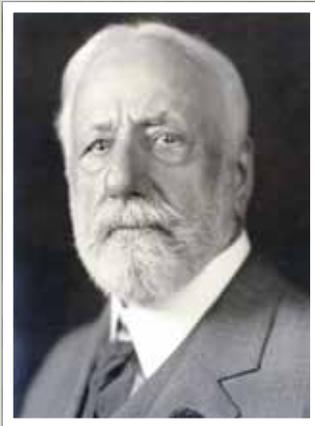
He claimed at his 99th birthday party that he had cut down on his cigars from 12 to 14 to three or four. He had similarly cut down on his



Myer Nussbaum, class of 1877, one of Albany Law's earlier Jewish students. Nussbaum, from New York City, stayed in Albany to eventually become an Albany judge.

highballs to two per evening. He told people, "I feel the forces of life running through me, and I pay no attention to them at all. I do what I please."

In New York he founded the Albany Society composed of prominent professional and business people who had formerly lived in Albany. It met regularly for more than 50 years.



Simon Rosendale

Simon Rosendale was a special lecturer at Albany Law from 1898–1905, covering "The Civil Law" "Law from a Humanitarian Standpoint"

As an Albany native, he was New York's attorney general from 1891–1893, the first Jew to be elected to a statewide office in New York. A Democrat, he lost his reelection at the end of the two-year term. He was also the first Jewish president of the New

York State Bar Association.

Rosendale served as a judge in Albany and was in private practice with the firm Peckham, Rosendale & Hessberg. Rufus Peckham. He went on to become a U.S. Supreme Court Justice, and Albert Hessberg served as a vice president of the State Bar Association and for 14 years as the treasurer of the State Bar Association.

Rosendale not only lectured at Albany Law, but he also served as president of the board of trustees of Albany Med and the president of the board of governors of Union University.

If Rosendale's name is remembered at all today, it is due to the fact that Edith Wharton largely appropriated his name for a character in her novel, "The House of Mirth." The Jewish financier/social climber in "The House of Mirth" is named Simon Rosendale. While the character is generally believed to be based on the financier August Belmont, it was Rosendale who bore the brunt of Wharton's appellation.



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: Top: Donald Fox '74, Edward Haddad '74, Stewart Glenn '74, Frank Penski '74. Bottom: John Markwardt '74, James Benedict '74, Joyce Yapple Villa '74, Harold Bonaquist '74, Michael Lamanna '74, James Locke '74, J. Lawrence Paltrowitz '74, Sigrid Hammond '74, Joseph Bierman '74.

< Bottom Photo: Peter VanDyke '68, Nancy Thielking Riseley '68, Doren Norfleet '68, Michael Lynch '68.



AP Photo

Governor Andrew Cuomo's Heady Days at Albany

BY PAUL GRONDAHL

To drill down to the essential Andrew Mark Cuomo, a bed-rock layer is the gymnasium of Albany Law School on New Scotland Avenue, a sweaty pit of testosterone and ego on weeknights during the intramural basketball season.

The tough kid from Queens, known as Andy, a muscle-bound, 6-foot, 200-pounder who played on the law school's rugby team and rebounded the basketball as if trying to control a scrum, was the captain of a powerhouse team whose name captured its swagger: Gonads.

"He was as tough as they come, with very sharp elbows," said Kevin Luibrand, an attorney with a Latham law firm. The 1983 Albany Law School graduate competed against Cuomo in the intramural hoop league. "His game was all about rebounding. He couldn't dribble and didn't have much of a shot. But nobody challenged him in the paint."

He earned a reputation as an enforcer under the basket, a player in the vein of Rick Mahorn, the muscle behind the Detroit Pistons' bad boys.

"He never backed down and wasn't afraid to mix it up," Luibrand said. "There were some high-strung law students playing, with a little pushing and strong words after an elbow to the mouth. But

nobody messed with Cuomo."

"He played hard, but not dirty," said Michael Hutter, a professor at Albany Law who played on an intramural squad called the Geriatrics.

Hutter recalled Cuomo as much from the classroom as the basketball court. Cuomo took Hutter's Unfair Trade Practices course and stood out in a class of 40.

"He came to every class, which is more than I could say

for a lot of his classmates," Hutter said. "He didn't try to hog the discussion or to speak just to hear himself. When he had something meaningful to contribute, he would. He was also his own person. We knew he was the son of the lieutenant governor. But he never threw his father's name around."

What really turned heads at Albany Law was when Andy drove to school in a Corvette, painted a flashy metallic blue.

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"He played hard, but not dirty," said Michael Hutter, a professor at Albany Law who played on an intramural squad called the Geriatrics.
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AP Photo

Andrew Cuomo '82 with Raymond Corbett, AFL-CIO president, and Theresa Hammer of Saratoga Springs, N.Y., in Kamesha Lake, N.Y., in 1982.

Law School

He paid for the used Stingray and his tuition by driving a tow truck in Queens on weekends and during breaks. He was a gearhead who began assembling car models, without instructions, as an adolescent and learned how to rebuild the big V8s of muscle cars.

Cuomo occasionally popped the hood of the Corvette in the law school parking lot,

.....
Cuomo occasionally popped the hood of the Corvette in the law school parking lot, pulled a toolbox from the trunk and got grease under his fingernails as he tweaked the car's engine after class.

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pulled a toolbox from the trunk and got grease under his fingernails as he tweaked the car's engine after class.

The classic sports car was a chick magnet, although the handsome, charismatic Cuomo—once named one of the country's 10 most eligible bachelors by *Playgirl*—hardly needed a prop.

Despite his father's rising political stock and the son's juggling roles as law student,



AP Photo

Andrew Cuomo '82 escorts his sister, Madeline '89, at the International Debutante Ball in 1983.

political campaigner and working stiff, he was one of the guys at Albany Law. He camped out in the cafeteria, law books spread open as he studied between classes. He volunteered as an orientation leader who gave the lay of the land straight-up to a half-dozen incoming first-year students, minus the dean's glossy spin.

He drained his share of pitchers of cheap domestic beer on Thursday nights at the Elbo Room on Delaware Ave., a law student hangout. He was rooming with his dad downtown at the Wellington Hotel for the most part, but occasionally crashed at 84

Woodlawn Ave., about three blocks from the law school, where Cuomo's friend and classmate Bruce McKeegan rented an apartment upstairs and Luibrand lived downstairs.

"We kept a fairly energetic social schedule," said McKeegan, who has a private practice in Delhi, Delaware County.

McKeegan studied law with Cuomo and recalled him as "a very, very quick study who was really bright and got by on a lot less studying than some of us." Cuomo remained a friend of McKeegan's, a Republican who engaged Cuomo in heated political debates.

This article is excerpted from a Times Union article titled "A political legacy that's steeped in the bloodline: The complicated symbiosis between Gov. Cuomo 52 and Gov. Cuomo 56," by Paul Grondahl, published on Monday, Feb. 7, 2011, and reprinted with permission from the Times Union.



A FAREWELL from THE DEAN



Dear Friends,

The student experience when I started nine years ago and the student experience today are worlds apart.

Together we achieved a lot over nine years. Most critically, the school is fiscally sound, and positioned well for tomorrow's uncertainty.

Because we are private and small, we are agile. Over the past 160 years, we have endured every gyration that legal education has experienced. At our smartest moments, we thrived from the changes. I believe we are poised to capitalize on one of those moments.

Every step taken to arrive at our current state relied on alumni at some level. Whether it was fiscal, advisory, or direct hands-on support, we advanced with your help.

I said from the very beginning nine years ago that one of the reasons Kathe and I came here was the alumni. Literally during the job interview process I was struck by the extraordinary engagement of our graduates. Without the support of your time and treasures, this would be a very different school.

Working with a world-class faculty was one of the greatest parts of the experience. This is a group that challenges each other, counts on one another for scholarship, and cares about their students, to the point where they organized their own weekly workshops to improve teaching approaches.

The nature of the job ironically limits my time with students. They are, however, the primary reason I took this job. I have watched law school transform so many young people—as well as adults seeking a second career—into passionate legal thinkers and successful attorneys.

I understand firsthand how powerful law school can be; neither of my parents graduated from high school, and I remember well the sense of empowerment I felt from gaining knowledge of the law. In part, my own experience often guided me to the type of experience I strive for our students to have.

I am proud of Albany Law School students: they are an intelligent, active, engaged group and I hope I have served them well.

While the immediate future is a cause for worry for our current students, I know many of you graduated at a similar time during the past two or three decades, when things looked equally grim. That you have all gone on to lead successful, thriving careers in every sector of the legal field may give cause for optimism from this year's graduates.

I hope you are pleased with what has been done in the last nine years at Albany Law School. Many of you have seen several Albany Law deans come and go. You remain the constant.

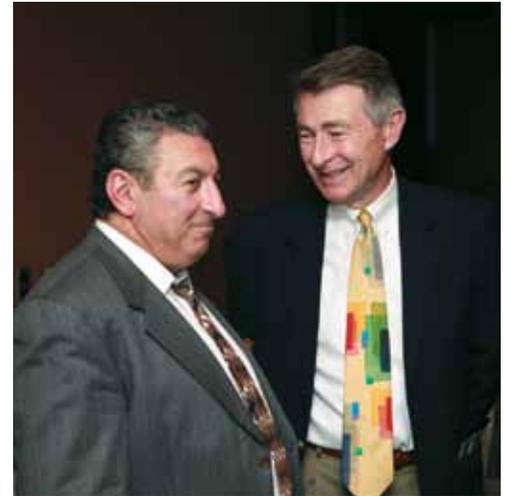
Working with you has been an amazing experience. I will always be proud of what this community has accomplished.

Thank you.

Thomas F. Quinsey



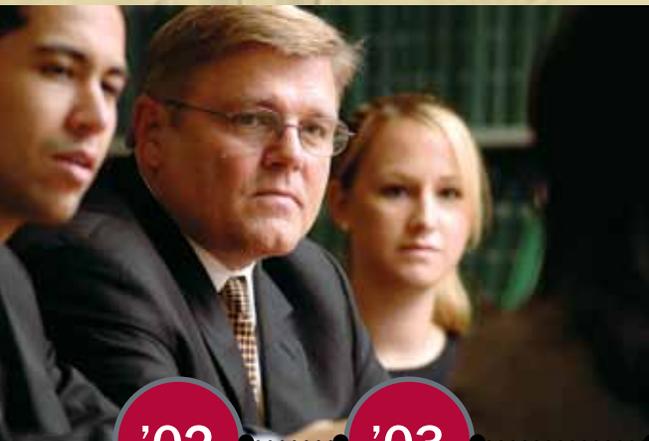
Albany Law School alumni, faculty, students, staff and friends gathered on March 25 to celebrate outgoing President and Dean Thomas Guernsey. The tribute took place at an Albany restaurant, where proceeds went toward supporting the Dean Thomas F. Guernsey Faculty Scholarship Endowment Fund.



Members from the entire law school community gathered for an open house in the law school gym on April 14 to celebrate the achievements of Dean Guernsey.



Dean Guernsey's LEGACY



'02

Dean Thomas Guernsey arrives at the school

'03

Creates agenda

- Smaller, more selective school
- Promote a culture of scholarship among faculty
- Attract faculty and students nationally

'04

- Balances budget
- Smaller, more selective class
- Staff downsized; emphasis on student services



'05

- Fills endowed professorship
- LSAT average of new class rises
- Curriculum revised
- Achieves 14:1 student:faculty ratio
- Albany Law receives most applicants ever

'06

- Bar passage rises 11 points
- New school brand launched
- 50% of applicants from out-of-state
- Second endowed professorship filled
- New positions created: Associate Dean for Research & Scholarship; Associate Dean for Student Affairs



- \$1 million gift to Health Law Clinic creates the Barry Gold '70 Fellowship
- Annual fund surpasses \$1 million for first time
- Fills Kate Stoneman Chair in Law & Democracy
- Settles lawsuit over UHA
- Takes ownership of the 2000 Building
- Completes major capital improvements on campus
- Appoints school's first Director of Diversity



- Invests in student scholarships, reaches record high of \$5 million
- Tuition does not rise from '08
- Faculty and staff salary do not increase
- Restructures Career Center to reflect job market challenges
- Launches Center for Excellence in Law & Teaching (CELT)
- Focus on student skills and learning



'07

'08

'09

'10



- Minority population reaches 25% for new class
- Applicants up 25%, nationally down 1%
- Transformation to "culture of scholarship" complete
- Publishing, citations and references reach new level.



- Announces he will step down in June '11
- 2,500 applicants for 250 spots sets new record
- Creates China partnership with Shanghai Institute of Foreign Trade
- Fundraising continues to achieve record levels



Alumni Trade Fact for Fiction

BY PAUL GRONDAHL

Jessica Bird '95 rarely calls upon her law degree while she's churning out best-selling paranormal romance novels at a torrid pace, featuring sensual vampires, pulse-pounding suspense and steamy sex scenes that would make a barrister blush. But there's one stage in the writing process in which she reverts to legal eagle, with a sharp pencil and an even sharper attorney's eye.

"I definitely put on my lawyer hat when I read my book contracts," said Bird, who is in the upper echelon of commercial fiction writers and who publishes as J.R. Ward, a pseudonym, and as Jessica Bird. She has more than 5 million books in print and her novels

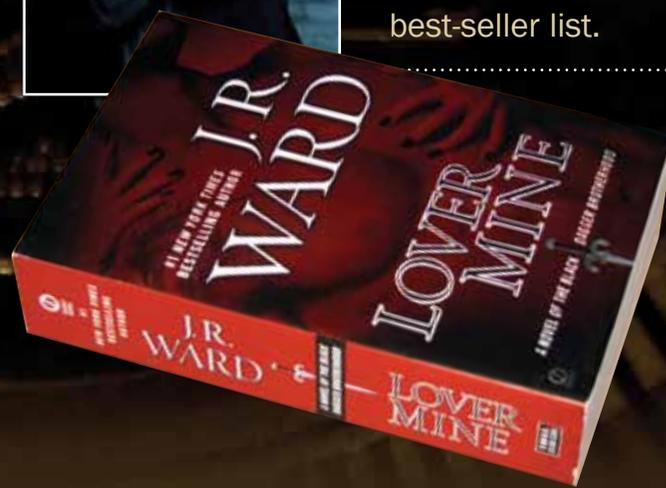
have been published in 19 languages. She takes due diligence seriously when it comes to her book contracts, which involve considerable advances and cover everything from royalties on hardcover and paperback editions, to international and film rights.

"I have an agent who represents my interests and the agent has lawyers look over it, but it's extremely helpful with my knowledge of the law when I'm dealing with so many copyright, intellectual property and contract issues," she said. "When you get to my level as an author, there's a whole business side to it. I've learned to handle that part like a lawyer."

Bird never practiced law.



She has more than 5 million books in print and her novels have been published in 19 languages. Her books have reached No. 1 on the *New York Times* best-seller list.



After passing the bar in both New York and Massachusetts, she went to work in health care administration and became chief of staff at Beth Israel Deaconess Medical Center in Boston. “A law degree was an extra level of education and intellectual discipline that has been extremely helpful to me,” she said. “I went to law school because there’s not a lot you can do in practical terms with a double major in art history and history since I wasn’t interested in academics. I put my head down, got through Albany Law and had no idea where I was going to go afterwards, but I landed a job in health care and ran with it.”

Bird developed a passion for writing fiction at a young age and while at Smith College she focused on short stories and honed her craft, but lacked the confidence to submit them to literary journals. While her unpublished stories piled up, her determination was rewarded when her first novel, *Leaping Hearts*, a contemporary romance, was published in 2002. Today, she has 20 published novels to her credit and is currently under contract to produce two books each year. Her third book in the Fallen Angels series, *Envy*, is due out in September by Signet in paperback. The ninth book in the Black Dagger Brotherhood series, *Lover Unleashed*, will be published at the end of March in hardcover by New American Library, a division of Penguin.

Her books have reached No. 1 on the *New York Times* best-seller list and she has won awards from the Romance Writers of America and reader’s choice prizes from her legion of devoted fans.

A best-selling author’s life is anything but glamorous, Bird conceded, while a relentless pressure to produce is her constant companion. Writer’s block is not an option. “I work seven days a week, 365 days a year. I don’t take vacations and it’s unacceptable to me to lose a day of writing,” she said. “It’s a zero-sum game and I can’t miss a deadline. The sacrifices are large, but so is the compensation.”

Each day, she’s at the computer at 6 a.m., writes until noon, goes for a run or does a workout, deals with the business side of writing in the afternoon, then works some more into the night. When she’s on deadline finishing copy edits or proofreading galleys, she toils for 15 hours or more each day until the manuscript is done.

“The work is grueling, but I’m lucky to be able to do it,” said Bird, who is married and lives in the South. “I’ve worked really hard to get here and I refuse to lose my focus. I practice my craft very well, but I’m not Hemingway. I’m not pretending this is the Great American Novel. I sell an emotional experience to my readers. My books take them outside their own lives and entertain them.”

Why So Many Snitches? When Does Professional Get Personal? Professor Turns to Fiction for Real Lessons

Professor James Redwood’s story of “Brother Daniel’s Roses” is told so patiently, so deliberately, that you get the feeling he is in front of his Constitutional Law class making sure everyone understands the point before moving on. The short story, published in the *Notre Dame Review*, delivers subtle lessons that demand extra inquiry by the reader—pleasure-reading attention levels not acceptable here—particularly when Kim Hong’s uncle spies her at a rock concert in downtown Saigon, 1969, wearing American jeans.

More recently, Professor Redwood examined the conundrum for any lawyer—the personal vs. the professional—as seen through two characters in Anton Chekhov’s writings. Quoting Rudyard Kipling in the *Stetson Law Review* article, he asks, “Never the twain shall meet” or “never the twain shall part?”

Both Chekhov characters practice law and both observe themselves shift between objective and subjective, each one moving in opposite directions. Like his fiction, Professor Redwood offers us no answers, but illumination of the issues. The only clear winner for Redwood is Chekhov, who he celebrates as “one of the few indispensable writers.”

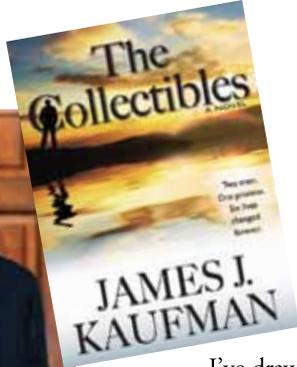
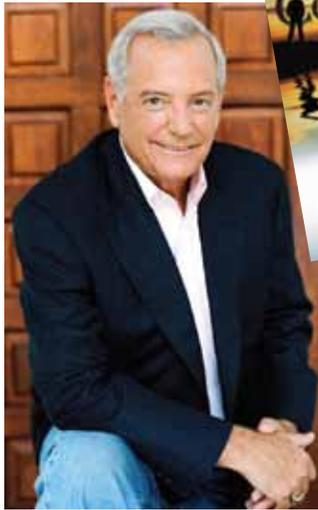
This spring Professor Redwood presented to Albany Law faculty his newest fascination—the character of a “snitch” and the ability of the state to exploit the person.



Professor James Redwood presenting his theories to Albany Law faculty at a scholarship workshop.

The professor examined the published research on 25 motives for ratting out one’s own—reward, fear, revenge, ego, repentance, and so on. He compared this set to the different set of motives given to fictional characters, which included more ambiguous traits like perverse excitement, prejudice, the romantic notion of betrayal, and, for complex Russian characters, those who “don’t even feel the need to justify their acts as snitches.”

But they shared one common ground, Professor Redwood noted: “It’s so easy for them to turn on their own, to consent to weaken their own class, the very class marginalized by the state.... What fascinates me is the success the state has...they don’t have enough resources, so they create the condition to turn citizens on one another.”—DS



Writing His Third Chapter

James J. Kaufman '61 turned to fiction writing after a successful 45-year career as an attorney, town judge and businessman. He was an executive and interim CEO for Riviera Yachts and founded The Kaufman Group Ltd., which provides critical strategic assistance to corporations. But he's rarely had more fun than he's having now as a novelist. His first book, *The Collectibles*, published by independent Downstream Publishing in January, is garnering strong reviews and steady sales nationally and at book signing events in Wilmington, N.C., where he lives with his wife, Patty.

"After I withdrew from private practice, I rented a little place that was very quiet, with no sign on the door, and I wrote

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"After I withdrew from private practice, I rented a little place that was very quiet, with no sign on the door, and I wrote there every morning."
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there every morning," he said. "In creating my characters,

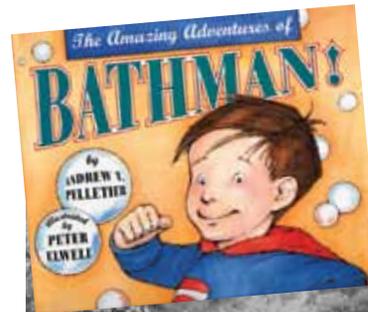
I've drawn heavily on my experience in business, law, and from interactions with people from widely different backgrounds, including people who suffer from bipolar disorder, domestic violence, gambling addiction and Alzheimer's disease. While one of the main characters is a lawyer, 'The Collectibles' is more about relationships and matters of the heart. My readers tell me it has an uplifting message."

Kaufman's novel is a character-driven inspirational tale of two men from separate worlds—one touched by tragedy, the other by greed. Can patrician Preston Wilson, desperate to find a lawyer who can save his empire, keep the promise Joe Hart, an up-by-the-bootstraps orphan, now lawyer, demands? Hart saved Wilson's life the first time in the wilds of the Adirondacks and a second time in a strategic turnaround with banks after he faced bankruptcy. Now, Preston must find and care for six troubled souls that Hart has "collected" throughout his career, none of whom Preston would ever want to know.

"I guess writing is my third act," Kaufman said. "I was totally consumed being the best lawyer I could be in the first phase of my life, and then I got to have a leadership role in the marine industry and spent a lot of time on yachts, which I loved. This third phase I took on because writing fiction is a real challenge and it was different from anything I'd done. Retirement's not for me. I want to keep my bow going up."

Connecting through the Picture Book

Andrew Pelletier '85 worked at a few downtown Albany law firms before establishing a practice as a real estate attorney, working from an office at his home in Voorheesville, N.Y. When he's not reviewing contracts and attending closings, he gives free rein to his inner child as a children's book author. His picture books



include *The Amazing Adventures of Bathman* and *Toy Farmer*, both published by Dutton.

"I seem to connect well with my readers, who tend to be 1st and 2nd graders," Pelletier said. "I think it helps that I have a short attention span."

He's got a secret weapon in his 8-year-old daughter, Maddie. "She has a good sense of what's funny. So I let her read the story and if I see her laughing, I know I'm on to something," he said. "You can't rely on adult friends to be critical because they tend to tell you what they think you want to hear."

Pelletier worked on dairy farms in rural Delaware County

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"It's fun to go from a closing and then visit a school to read for a class of first graders.... When I read them my book, they still make me feel like a rock star, even if I'm not."
.....

growing up, the middle of nine kids, and he and his wife, Erin, sought out a farm-like setting far beyond the city lights in Albany County. He enjoys the juxtaposition of being a practicing attorney, an organic gardener and writing with a young child's mindset.

"It's fun to go from a closing and then visit a school to read for a class of first graders," he said. "Their questions are brutally honest. The first thing they ask me is if I get rich as an author. I tell them the truth, which is quite humbling. But when I read them my book, they still make me feel like a rock star, even if I'm not."

Susan Schaab Pens High-Tech Legal Thrillers While Pursuing LL.M.

BY NICK CROUNSE

Susan Schaab has long had a passion for writing, though her efforts to put pen to paper were delayed as she pursued two demanding careers in technology and the law.

Ultimately, however, Schaab focused on her writing, resulting in the high-tech legal thriller *Wearing the Spider*, her first published work, in 2007. She is currently working on her second novel while finishing an LL.M. at Albany Law School.

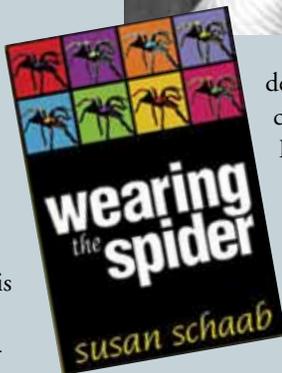
"I was hiking with my husband while on vacation, and we stopped short in front of a large spider web," said Schaab. "I thought, if someone walked through that web, they would end up wearing the spider."

"I wrote down that idea on a trail map and stuck it in my pocket," she recalled, noting that one of the characters in *Wearing the Spider* tells a version of the anecdote. "It turned out to be an interesting metaphor for what happens in the plot."

Wearing the Spider is the story of Evie Sullivan, a rising attorney at a prominent New York City law firm, who finds herself on the run after her identity is hijacked by a rogue partner who uses email impersonation and electronic forgery, implicating her as the orchestrator of an illegal scheme that ultimately leads to murder. With her reputation within the firm in a political vise and the FBI on her heels, she must solve the mys-

tery herself to clear her name.

Schaab is an attorney who spent more than eight years practicing technology and intellectual property law with various firms and as in-house counsel in New York City, Dallas and Los Angeles. Prior to earning her law degree, she worked in software development as a systems programmer,



designer and consultant in Dallas.

The first iteration of Schaab's debut novel emerged during her time as an

attorney. She attended a workshop for lawyers writing legal fiction in 2002 to help hone her craft and continued to polish her novel through subsequent revisions.

After completing the first draft of *Wearing the Spider* and sending it through its initial round of rejections, Schaab hired a former Doubleday editor who helped

her rework the manuscript while giving her an in-depth education about novel writing in general.

While Schaab maintains her licenses to practice in New York, Texas, California and Washington, D.C., she has several more book ideas resonating in the back of her mind. At Albany Law School,

she is pursuing an LL.M. path that departs from her prior legal career in the corporate world. She is focused on criminal practice, a natural companion to crafting thrillers.

Wearing the Spider won several awards, including first place in Genre Fiction from *Writer's Digest* and a Best New Fiction National Indie Excellence Award. It was shortlisted in 2008 for the coveted Debut Dagger by the British Crime Writer's Association, favorably reviewed by *The American Library Association's Booklist Magazine* among others, and was recently released in a Kindle version.

While He's Written, Lyons' Heart Is in the Publishing

Tony Lyons '93 opened the doors of Skyhorse Publishing five years ago. Today, with more than 1,600 books in print, 612 planned for next year, and five imprints—some recently acquired—Lyons prides himself on his freewheeling, eclectic approach to book publishing.

Called the fastest growing independent publisher in 2010 by *Publisher's Weekly*, the New York City-based company offers a more personal experience for authors than the larger publishing houses. Lyons, Skyhorse's president and general counsel, said he receives thousands of unsolicited manuscripts a year, and another few hundred from agents, but he still loves looking through the daily submissions.

He has written or compiled his own collection of books, including *The Writer's Legal Guide* and the *The Quotable Lawyer*, as well as parenting books on autism—his daughter suffers from autism—like *Cutting Edge Therapies for Autism* and *1,001 Tips for the Parents of Autistic Girls*. Despite these projects, he's quick to tell you his real affinity: "I love publishing books and can't imagine doing anything else."



CAREERSERVICES

Challenges Remain for Diverse Lawyers



From left, Barbara Cottrell, John Higgins and Christina Roberts-Ryba

Zainab A. Chaudhry '98 recalled entering a job interview to find shock on her interviewers' faces, more than once. "They would go through the motions, but they wouldn't really interview me," she told a group of students during a diversity career panel. "They would see my scarf and

would no longer consider me a viable candidate."

Today, as assistant solicitor general for the New York Attorney General's Appeals & Opinions Bureau, the challenges continue. "I have credentials now. But there are times when people see I have a scarf and don't take me seriously.... It

has never been an option for me to be average. I have to be assertive."

John E. Higgins '89, today a partner with Nixon Peabody, described the feeling of isolation when he started his career in another firm as "one of three black lawyers in the whole firm, and one black partner among 95 partners.... You better have confidence in those situations."

Higgins advised the students to seek mentors to help guide their career. "Remember your values," he urged, "you have to be yourself."

Christina L. Roberts-Ryba '01, an associate at Nixon Peabody, also served on the panel. Trustee Barbara



Zainab Chaudhry '98

Cottrell '84, deputy chief, Civil Division, Office of the U.S. Attorney for the Northern District of New York, moderated the panel, offering stories and lessons of her own experience.

Paul Harding Tells Students that Firm Work Requires Marketing



Paul Harding '89, of Martin, Harding and Mazzotti, spoke to a class about law firm work and being your own best marketer. Harding's firm, based in Schenectady, N.Y., is a frequent broadcast advertiser in the Capital Region. Along with discussing client

management, he talked about the impact of recent rules surrounding law firm advertising.



A Judge, a Lobbyist, an Insurer Offer Sage Advice to Job Seekers

A September roundtable highlighted the wide range of careers available to those with a law degree. From right, Edward Bogdan III '92, Bogdan Lasky & Kopley L.L.C.; The Hon. Leslie Stein '81, New York State Supreme Court Third Judicial District; and Robert Balachandran '91, Royal Abstract. Stephen Younger '82, Alumnus in Residence, moderated the panel.

Sustainability and the Urban Forest: An Ecosystem Services Perspective

BY PROFESSOR KEITH H. HIROKAWA

Ecosystem services presents an emerging form of analysis which requires the cooperation of ecology and economics. In this scheme, natural processes are recognized not only for producing those goods that have commodity value, but also for noncommodity goods such as snail darters, unvalued services such as spiritual fulfillment and biodiversity regulation, and undervalued services such as water filtering and provision. These goods and services, which are essential to human well-being, have largely been ignored in economic valuations of natural resources. What is unique about ecosystem services is that its exercise of identifying the vast array of essential services results in an analysis of the value of preserving ecosystem functionality. The complex functionality of ecosystems provides insights into the value—including the economic and social value—of

these services. This perspective alters our understanding of nature “from amenity to living technology.”

At stake in ecosystem services, in particular as applied to urban forestry, is a local opportunity to engage in an exercise of self-determination and local identity. The choices that local governments make on whether and to what extent urban forests should be protected tell a great deal about the manner in which the particular community calculates the value and benefits of natural features—as amenity or natural machine. What makes urban trees so important to the question of local identity is in the nature of the urban forest: the urban forest is fundamentally, and in some ways uniquely, a local community choice. Urban forest planning is an investigation into the ties between

the community’s environmental, economic, and social needs, a realization of the potential of space and natural infrastructure, and ultimately, an exercise in the manipulation of forest ecosystems to maximize the services provided by trees.

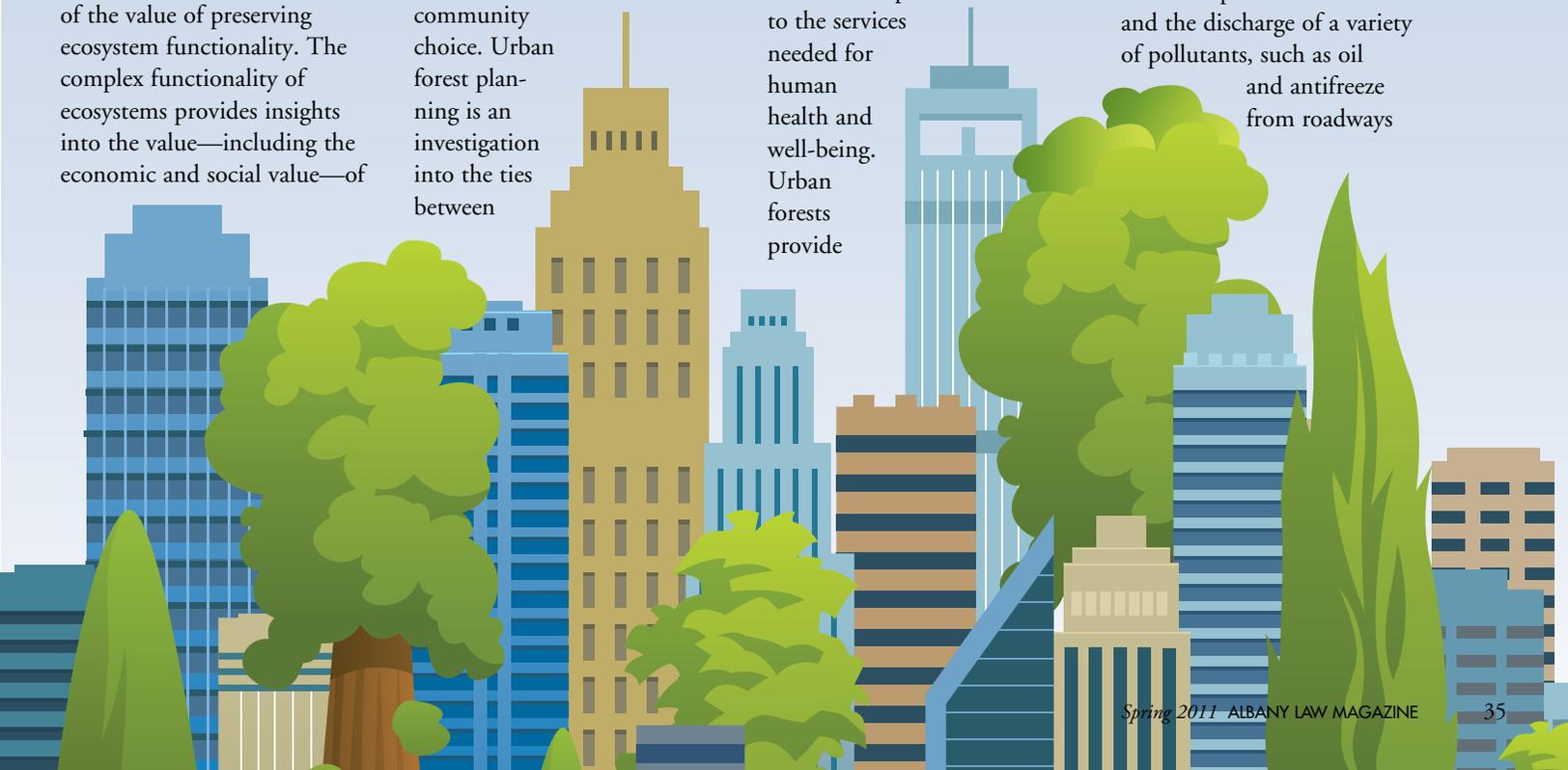
Ecological Services Provided by Trees

Governments at all levels are just beginning to realize the expansive importance of trees in the urban environment. In addition to the aesthetic benefits of vegetative surroundings, “[t]he effects of the urban forest on the physical, biological, and social environments can ripple from the inner city to the farthest reaches of wilderness.” It is important to note how important trees are to the services needed for human health and well-being. Urban forests provide



wildlife habitat, protection from wind, local soil stability, and are essential in providing certain services that are relevant to the mitigation of urbanization and other anthropogenic impacts.

For instance, trees provide mitigation for the loss of pervious surfaces and the associated water quality impacts of urbanization. Water bodies are threatened by disproportionate ratios of impervious surface and trees. The collection of stormwater on impervious surfaces and its transportation to water courses result in water temperature increases and the discharge of a variety of pollutants, such as oil and antifreeze from roadways



and driveways, fertilizers, pesticides, and garbage. An increase in water temperature poses a challenge to temperature-sensitive species, such as trout and small invertebrates. Nutrient loads can accelerate algal blooms and other consequences of nutrient imbalances. Trees provide mitigation to urbanization by reducing and filtering stormwater runoff flows. Some stormwater is intercepted by leaves, branches, and trunks, may return to the atmosphere through evaporation, or even percolate. As a result, the presence of trees reduces the volume of water that might be contained and treated under many development regulatory schemes. These services are particularly important in riparian corridors, where trees serve a wide variety of functions, from erosion control, water flow and water quality regulation, and shade, to wildlife shelter, foraging and breeding areas.

Research shows that productive management of urban tree canopy cover results in air quality improvements and can help local governments in meeting federal clean air standards. Air quality is a concern for all local governments, but is a particular challenge in urban areas where cities and regions struggle to meet air quality standards. Trees are capable of removing a variety of pollutants from the air, including (but not limited to) nitrogen dioxide (NO₂), sulfur dioxide

(SO₂), ozone (O₃), carbon monoxide (CO), and particulate matter (PM₁₀). In addition, as the more widely known ecosystem services, trees release oxygen and reduce atmospheric carbon by absorption. Although some of these removal functions are temporary (occasionally resulting in re-disbursement of atmospheric particles) and are limited by the potential volume of pollutant capture in any particular urban tree, it has been noted that the otherwise modest air quality impacts of urban trees are nonetheless significant and can be increased by productive attention to urban tree canopy cover.

Trees also provide services in the form of energy conservation and climate control. As a direct benefit, trees intercept sunlight before it reaches buildings and surfaces that radiate heat such as asphalt and brick. Shade from trees provides cooling both outside and in buildings they cover, thereby reducing the energy required for air conditioning and other artificial climate control technologies. Moreover, trees provide water vapor cooling through evapotranspiration and other cumulative and indirect climate benefits, such as by mitigating heat island effect and acting as an aid in the maintenance of grey infrastructure elements.

Social Services of Urban Trees

Urban trees, which provide an aesthetic value that may be beyond objective quantification

“can turn city blocks into special places—places for residents to recreate, to gather with family and friends, and to care about.” Although difficult to quantify, urban forests provide a meaningful opportunity for outdoor recreation and interaction with nature.

Health-related benefits illustrate the profound importance of trees and tree services in urban areas. Skin cancer, asthma, and obesity are on the rise, and trees offer protective and preventative services against these problems. Shade from trees reduces sun exposure. Air pollutant filtering mechanisms in trees can reduce the stressors that trigger asthma problems. In addition, studies show that the mere presence of trees increases the frequency of outdoor recreation, particularly in children, tending to fight the obesity epidemic. These benefits are, of course, location dependent, yet urban forests “occur where the vast majority of the human population lives, works, and recreates,” and are more accessible to most than the more “wild” or “natural” experiences offered by wilderness areas, national parks, and national monuments.

Notwithstanding the foregoing, not all communities are so accommodating of the movement toward revitalizing urban forests. For instance, urban forests have been questioned on grounds of safety. Housing authority managers and police have suggested that trees can reduce visibility,

thereby creating sheltered areas for the commission of crimes. Other concerns relate to fears of the wilderness, becoming lost, and natural threats such as Lyme disease.

On the other hand, many foresters contend that these fears are irrational and misplaced. Frances Kuo and William Sullivan examined Chicago’s inner-city apartment buildings and showed that buildings set in green settings tend to experience at least 40% lower crime rates than those buildings that have no greenery. They contend that, contrary to the general feeling that shadows harbor criminal intentions, trees in urban areas may reduce aggression and violence by projecting inclusion, rather than alienation.

Trees provide a basis for valuing local communities and improving residents’ perceptions on the value of environmental quality. With a greater frequency than in treeless areas, communities take advantage of green spaces to congregate and socialize, as well as recreate together, leading to stronger community ties and networks. Such participation can lead to greater security and decreased incidents of crime, perhaps resulting from a greater sense of stake and empowerment.

Economic Valuation of Urban Forest Services

The primary advantage of the movement toward ecosystem services concerns the local

ability to understand ecosystem value by comparison to other valuable uses of land. Hence, the Forest Service was asked “whether the accrued benefits from Cheyenne’s street trees justify the annual expenditures?” According to the resulting report, Cheyenne’s street trees improve property values, provide a sense of place, improve air and water quality, and reduce energy costs, thus resulting in quantifiable benefits:

The municipal tree resource of Cheyenne is a valuable asset, providing approximately \$686,000 (\$40/tree) in total annual benefits to the community. The city currently spends approximately \$19/tree on their care. Over the years Cheyenne has invested millions in its municipal forest. Citizens are now receiving a relatively large return on that investment—receiving \$2.09 in benefits for every \$1 spent on tree care. Continued investment in management is critical to insuring that residents receive a greater return on investment in the future.

In the analysis of the City of Bellevue’s urban tree services, American Forests estimated that Bellevue enjoys 46% canopy cover. However, between 1986 and 2006, the City of Bellevue lost approximately 21% of its canopy cover, while adding 20% in urbanized areas. American Forests estimated the loss in

air pollutant removal services at 30,000 pounds annually, valued at \$68,000 per year. The loss also required the City to deal with an additional 755,000 cubic feet of stormwater, at an additional cost of \$1.5 million.

In a study of Charlotte, N.C., American Forests noted that the last 23 years had been devastating to the ecosystem services benefitting the residents. The report stated: “Between 1985 and 2008, Mecklenburg County lost 33% tree canopy and 3% open space while gaining 60% urban area. In the same time period, the City of Charlotte lost 49% tree canopy and 5% open space while gaining 39% urban area.” In 2008, Charlotte’s tree canopy covered 46% of its jurisdiction, providing 662 million cubic feet of stormwater detention. Charlotte’s urban forests also removed 7.2 million pounds of air pollutants, stored 3.7 million tons of carbon, and sequestered 28,000 tons of carbon. Valuation for these services is based on the cost of constructing other means of accomplishing the services: \$1.3 billion for stormwater detention and \$19.2 million per year for air pollutant removal.

The climate in Albuquerque, N.M., supports a much lower ratio of tree canopy and vegetative cover, in which canopy is estimated at only 6% of the jurisdiction. Nevertheless, American Forests reported that between 1990 and 2008,

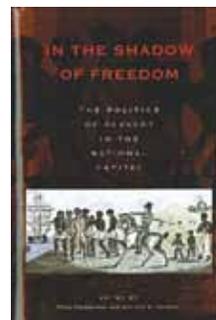
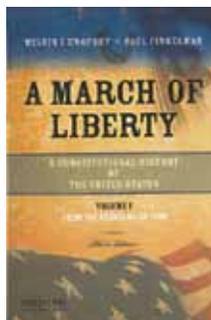
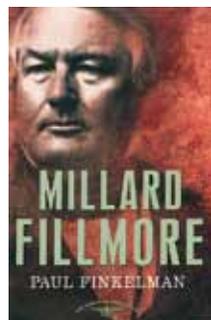
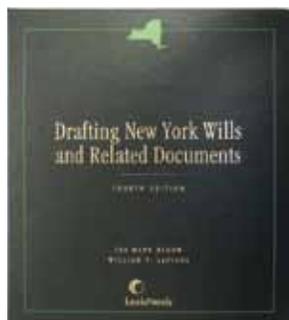
the City lost approximately 7% of its tree cover (43 acres), 24% of open space grasslands (3,569 acres), and 23% of scrub lands (11,586 acres), while converting 15,169 acres into urbanized area. On the whole, American Forests estimates these figures to indicate the loss of the ability to remove 3,000 pounds of air pollutant annually, valued at \$6,800 per year, the need to treat or construct retention facilities for 31 million cubic feet of stormwater (valued at \$6 per cubic foot), and the ability to absorb a variety of waterborne pollutants, including BOD, cadmium, zinc, lead, nitrogen, phosphorous, and suspended solids.

Although the economic valuation of urban forest ecosystem services is still emerging, the rise in ecosystem services analysis is proving self-perpetuating: “the valuation of ecosystem services has stimulated the implementation of policies that reward those responsible for protecting those services,” suggesting the likelihood that an ecosystem services approach will continue to grow and dominate urban forestry programs. Of course, urban trees are not without their own costs, including planning, maintenance, and hazard control. On balance, however, the evidence suggests that local governments are enjoying substantial returns on their tree investments.

This excerpt is part of a larger article that appeared in the volume 51 issue of the Natural Resources Journal, published with the permission of the University of New Mexico School of Law.



FACULTYNOTES



Publications

Professor Ira Mark Bloom published Bloom and Lapiana, *Drafting New York Will and Related Documents*, 4th ed. (LexisNexis) (forthcoming Fall 2010).

Professor Vincent Bonventre's article "Toward the Lippman Court: Flux and Transition at New York's Court of Appeals" was published in 73 *Albany Law Review* 889 (2010).

Professor Melissa Breger's article "Against the Dilution of a Child's Voice in Court" was published in 20 *Indiana International and Comparative Law Review* 175 (2010), and her article "Making Waves or Keeping the Calm?: Analyzing the Institutional Culture of Family Courts through the Lens of Social Psychology Group-think Theory" was published in 34 *Law & Psychol. Rev.* 55 (2010). She was also co-author of the *Cumulative Supplement for New York Law of Domestic Violence*, 2nd ed. (Thomson Reuters) (with Judge Lee Elkins and Jane Fosbinder) (Fall 2010).

Professor Raymond Brescia's article "The Cost of Inequality: Social Distance, Predatory Conduct and the Financial Crisis" was published in 66 *N.Y.U. Annual Survey of American Law* (2010). He published "Leverage: State Enforcement Actions in the Wake of the Robo-Sign Scandal" as Albany Law School Research Paper No. 38 (2010), as well as the article "On Public Plaintiffs and Private Harms: the Standing of Municipalities in Climate Change, Firearms and Financial Crisis Litigation" in 24 *Notre Dame Journal of Law, Ethics and Public Policy* 7 (2010). Professor Brescia's article "Line in the Sand: Progressive Lawyering, 'Master Communities', and a Battle for Affordable Housing in New York City" was published in 73 *Albany Law Review* 715 (2010).

Professor Beverly Cohen '87 published the article "Saving the Savings Clause: Advocating a Broader Reading of the Miller Test to Enable States to Protect ERISA Health Plan Members by Regulating

Insurance" in 18 (no.1) *George Mason Law Review* (2010).

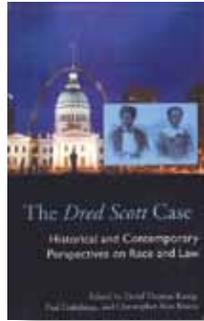
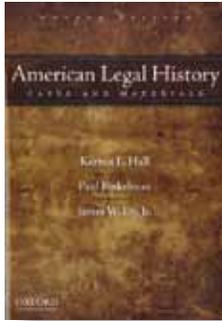
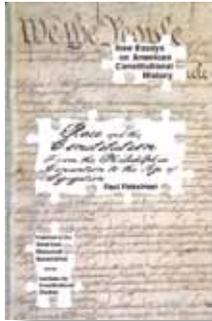
Professor Patrick Connors will publish *Practice Commentaries, New York Rules of Professional Conduct, McKinney's Consolidated Laws of New York* (Thomson Reuters) (forthcoming 2011). His piece "Inadvertent Disclosure: Rules of Professional Conduct vs. Procedure" was published in 245 (no.11) *New York Law Journal* (Jan. 18, 2011), and he also published the *Practice Commentaries, Articles 22, 23, 24, 25, 26, 27 and 30 for McKinney's Consolidated Laws of New York* (Thomson Reuters) (October 2010). Professor Connors also published the following pieces in the *New York Law Journal*: "A Second Bite at the Apple Under CPLR 205(a) Extension" (Vol. 244, No. 56, 2010); "Snatching Defeat from the Jaws of Victory: Uniform Rule 202.48" (Vol. 243, No. 93, 2010); and "New Laws After Fasso Leave Health Insurer Out in the Cold" (Vol. 243, No. 18, 2010). His

article "CPLR 3216 Conditional Orders Requiring Disclosure 'Can't Get No Respect'" in 73 *Albany Law Review* 853 (2010).

Professor Danshera Cords' article "Lien on Me: Virtual Debtors Prisons, The Practical Effects of Tax Liens and Proposals for Reform" was published in 49 *University of Louisville Law Review* (2010).

Professor Megan Fairlie will publish "The United States and the International Criminal Court Post-Bush: A Beautiful Courtship but an Unlikely Marriage" in *Berkeley Journal of International Law* (forthcoming 2011), as well as "Complementarity and Burden Allocation" in *The International Criminal Court and Complementarity: From Theory to Practice*, Mohamed El Zeidy and Carsten Stahn (eds.) (forthcoming 2011, (Cambridge University Press) (with Joseph Powderly).

Professor Paul Finkelman will publish the third edition of his book *Constitutional Law in Context* by Carolina Academic



Press (forthcoming 2011)(with Michael Kent Curtis, J. Wilson Parker, Davison Douglas, William Ross). He published *A March of Liberty: A Constitutional History of the United States*, co-authored with Melvin Urofsky, 3rd edition (New York: Oxford University Press, 2011), as well as *Millard Fillmore*, New York, N.Y.: Times Books, 2011. He also published *American Legal History: Cases and Materials*, co-authored with James W. Ely, Jr., 4th edition (New York: Oxford University Press, 2010); *The Law of American Slavery: Cases and Materials* (Durham, N.C.: Carolina Academic Press, forthcoming 2011); and *Unjust Justices: The Slavery Jurisprudence of John Marshall, Joseph Story, and Roger B. Taney* (Cambridge: Harvard University Press, forthcoming 2011 or 2012). Professor Finkelman published *The Dred Scott Case: Historical and Contemporary Perspectives on Race and Law*, co-edited with David Thomas Konig and Christopher Alan Bracey

(Athens: Ohio University Press, 2010). He also published *Race and the Constitution: From the Philadelphia Convention to the Age of Segregation* (Washington, D.C., American Historical Association, 2010), as well as the section "United States Slave Law" in *The Oxford Handbook of Slavery in the Americas* 424-446 (Robert L. Parquette and Mark M. Smith, eds.) (New York, N.Y.: Oxford University Press, 2010). His article "When International Law Was a Domestic Problem" was published in 44 *Valparaiso University Law Review* 779-823 (2010). He contributed "The Strange Career of Dred Scott: From Fort Armstrong to Guantanamo Bay" in *The Dred Scott Case: Historical Perspectives on Race and Law* (Co-edited with David Thomas Konig and Christopher Alan Bracey) (Athens: Ohio University Press, 2010) 227-251, and served as editor-in-chief of *Milestone Documents in African American History: Exploring the Primary Sources of Notable Americans*, 4 vols. (Dallas, Texas: Schlager Group, 2010).

A Prolific Salkin Draws 1,300 Blog Subscribers, Thousands Download Her Articles

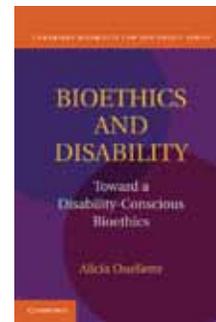
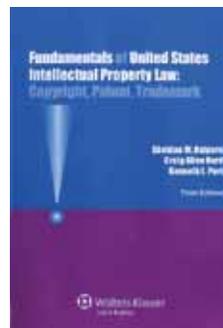
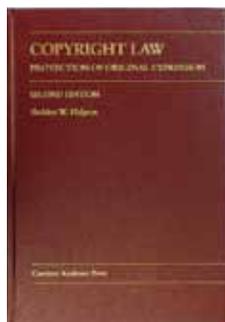
This past year, Associate Dean Patricia Salkin '88 published her second book for the Nutshell series "*Climate Change and Sustainable Development Law in a Nutshell*," completed her term as chair of the State and Local Government Law Section of the Association of American Law Schools (AALS), was selected for Attorney General Eric Schneiderman's transition team, attended a White House invitation-only forum on environmental justice, gained her 1,300th subscriber for her daily blog "Law of the Land," published more than a dozen articles and chapters in law journals and books, spoke on a dozen-plus panels at conferences around the country, and had writings cited in numerous state court decisions both in and out of New York.

In the past year her papers have been downloaded more than 4,100 times through the Social Science Research Network (www.SSRN.com) and she is ranked in the top 100 law professors by downloads.

Dean Salkin, the director of Albany Law School's Government Law Center, is the Raymond and Ella Smith Distinguished Professor of Law. Her research ranges widely but mostly centers around land use law and state and local government, which encompasses ethics, environment, energy, and municipal law, to name some of her core areas. She is the author of the five-volume leading land use treatise, *American Law of Zoning*, 5th ed., and the four-volume *New York Zoning Law and Practice*, 4th ed.

She speaks to reporters at least once a week as an expert source, and is often quoted in newspapers across the country.

She recently helped solidify a relationship between Albany Law School and the Shanghai Institute of Foreign Trade (SIFT) in China. The Government Law Center hosted a visiting scholar from SIFT in the fall. In the winter, she hosted 12 law students from SIFT, and in the spring she introduced a new course on Chinese Law. As part of the course, Salkin took 31 Albany Law Students to China (Beijing, Xian and Shanghai). She will speak in the fall in Beijing at the William & Mary Law School's Property Rights Conference where they will be honoring Sandra Day O'Connor; and in 2012, she will lead a delegation of lawyers through China.



His article “Introduction: Symposium on Lincoln’s Legacy: Enduring Lessons of Executive Power” (co-authored with Ali A. Chaudhry) was published in 3 *Albany Government Law Review* ix-xiv (2010). He also contributed “A Land that Needs People for its Increase: How the Jews Won the Right to Remain in New Netherland” in *New Essays in American Jewish History* 19-50 and 488-496 [notes] (Pamela S. Nadell, Jonathan D. Sarna, and Lance J. Sussman, eds.) (Cincinnati: American Jewish Archives of Hebrew Union College-Jewish Institute of Religion, 2010).

Professor James Gathii will publish *African Regional Trade Agreements as Legal Regimes*, forthcoming Cambridge University Press (2011), and *Kenyan Company Law*, East African Publishers. His article “The Neo-Liberal Turn in Regional Trade Agreements” was published in 83 *Washington Law Review* 3 (2011). His article “The Underappreciated Jurisprudence of African Regional Trade Judiciaries” was published in the *Oregon Review of International Law* (forthcoming 2010), and his contribution “Irregulars and the Use of

Force Under the UN Charter” was published in *The Meaning of Armed Conflict in International Law*, Mary O’Connell (ed.) (forthcoming). Professor Gathii also contributed “The Promise of the African Economic Union” in *The African Union: Its Constitutive Act, Protocols and Charters—A Manual on the New Pan African Organization* (2010), Yusuf Abdulqawi (ed.). His article “Kenya’s Piracy Prosecutions” was published in the 104 *American Journal of International Law* 416 (2010), and his article “The Use of Force, Freedom of Commerce, and Double Standards in Prosecuting Pirates in Kenya” was published in 59 *American University Law Review* 1321 (2010). Professor Gathii’s article “African Regional Trade Agreements as Flexible Legal Regimes” was published in 35 *North Carolina Journal of International Law and Commercial Regulation* 571 (2010), and his article “The Financial Accounting Task Force and Global Administrative Law” was published in *Journal of the Professional Lawyer* 197 (2010).

Professor Maria Grahn-Farley’s review of *War,*

Commerce and International Law was published in 38 (no.1) *International Journal of Legal Information* (2010).

President and Dean Thomas Guernsey will publish *Trial Practice* 2nd ed. (LexisNexis, forthcoming) (with Dubin et al.). He also published the fourth edition of *Problems and Simulations in Evidence* (LexisNexis, 2010), as well as the article “Continuing Professional Development in Law Schools in 41 *Toledo Law Review* 291 (2010) (Symposium: Leadership in Legal Education).

Professor Peter Halewood will publish “Citizenship as Accumulated Racial Capital” in *Columbia Journal of Race and Law* (forthcoming 2011), as well as “Sameness/Difference, International Human Rights Law, and the Political Meaning of Torture” in *Berkeley La Raza Law Journal* (forthcoming 2011). His article “Trade Liberalization and Obstacles to Food Security: Is Food Sovereignty the Answer?” is soon to be published in the *University of Miami Inter-American Law Review*.

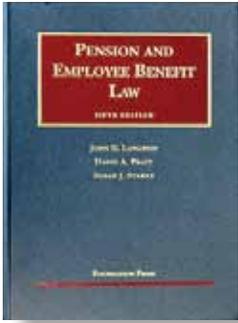
Professor Sheldon Halpern is scheduled to publish the *International Encyclopaedia of*

Intellectual Property (United States Volume) rev., as part of *Kluwer’s International Encyclopaedia of Law* (Kluwer Law International) (with Nard and Port) (forthcoming 2011).

Professor Lenese Herbert published *Constitutional Criminal Procedure*, 4th ed. (Foundation Press, 2010) (with Taslitz and Paris).

Professor Keith Hirokawa will publish “Sustainability and the Urban Forest: An Ecosystem Services Perspective” in the 51 *Natural Resources Journal* __ (forthcoming 2011); “Three Stories about Nature: Property, the Environment, and Ecosystem Services” in the 62 *Mercer Law Review* __ (forthcoming 2011); “Property as Capture and Care” in the 74 *Albany Law Review* __ (forthcoming 2011); and “Disaster and Ecosystem Services: From the Cuyahoga to the Deepwater Horizon” in the 74 *Albany Law Review* __ (forthcoming 2011). His article “Regulating the Vacancy of Property” was published in 42 *Urban Lawyer* 627 (2010) (Co-authored with Ira Gonzalez).

Professor Michael Hutter published in the *New York Law*



Journal on April 11 the article, “Does Attorney-Client Privilege Protect Client E-Mail?” He also published “Admissibility of Patient’s Statement in Medical Record” in the *New York Law Journal* (Dec. 2, 2010) and “Who’s in Charge?: Proposals to Clarify Gubernatorial Inability to Govern and Succession in the 12 *Government Law and Policy Journal* 1 (Spring 2010).

Professor Timothy Lytton is scheduled to publish “Tort as a Litigation Lottery: A Misconceived Metaphor” in 52 *Boston College Law Review* (forthcoming 2011) (with Robert Rabin and Peter Shuck), as well as “An Educational Approach to School Food: Using Nutrition Standards to Promote Healthy Dietary Habits” in *Utah Law Review* (2010). His article “Banning Front-of-Package Food Labels: First Amendment Constraints on Public Health Policy” was published in *Public Health Nutrition* 1 (2010). Professor Lytton also published “Signs of Change or Clash of Symbols?: FDA Regulation of Nutrient Profile Labeling” in 20 *Health Matrix* 93 (2010) and “Allowing Patients to Waive the Right to Sue for Medical Malpractice: A Response to Thaler and Sunstein” in 104

Influencing Federal and State Court Decisions: Faculty Scholarship in 2010

BY COLLEEN OSTIGUY '03, ELECTRONIC SERVICES LIBRARIAN

In 2010, faculty scholarship had an important and influential role on federal and state court decisions.

Professor James Gathii had two of his articles cited several times in *United States v Hasan*, a federal district court decision dealing with the prosecution of pirates who overtook the USS Nicholas. In *Hasan*, the court engaged in a lengthy review of national and international piracy legislation, decisions and articles. While specifically looking at the various definitions for piracy, the Court cited Professor Gathii’s articles, *Jurisdiction to Prosecute Non-National Pirates Captured by Third States Under Kenyan and International Law* and *Kenya’s Piracy Prosecutions*.

Professor Patrick Connors has contributed his legal knowledge and expertise to practice commentaries for many sections of the New York Civil Practice Laws and Rules. These practice commentaries were cited in approximately twelve 2010 New York court decisions, two of which were from the Court of Appeals, New York’s highest court (*Gibbs v St. Barnabas Hospital*, and *Howard S. v Lillian S.*). He was cited in a number of other New York court decisions for his *New York Law Journal* articles, *New Laws After Fasso and Snatching Defeat from the Jaws of Victory: Uniform Rule 202.48*.

Professor Paul Finkelman’s article, *Ten Commandments on the Courthouse Lawn and Elsewhere*, was cited in *ACLU v Kentucky*, a federal circuit court decision pertaining to the removal of the Ten Commandments from a historical display posted at a county courthouse.

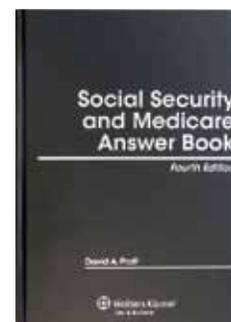
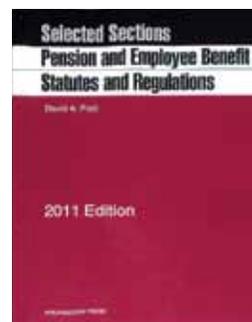
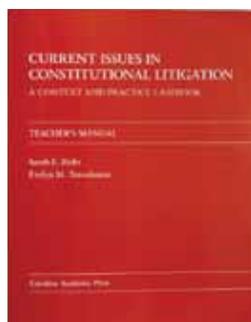
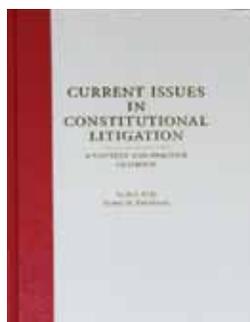
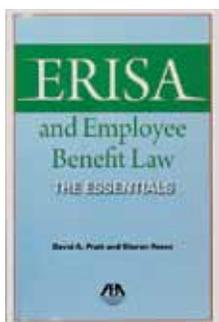
The faculty published a number of scholarly treatises and law review articles. Professor Melissa Breger co-authored a supplement to

the treatise *New York Law On Domestic Violence*. Professor Ira Bloom edited and substantially authored the multi-volume, fourth edition treatise *Drafting New York Wills and Related Documents*. Professor Lenese Herbert co-authored the fourth edition of *Constitutional Criminal Procedure*. Professor Sheldon Halpern co-authored the third edition of *Fundamentals of United States Intellectual Property Law: Copyright, Patent, and Trademark*. Professor James Gathii wrote the treatise *War, Commerce And International Law*.

Professors Raymond Brescia and Christine Sgarlata Chung each wrote articles dealing with aspects of the financial industry. Professor Brescia wrote an article on the increasing rise of fraudulent foreclosures (*Leverage: State Enforcement Actions in the Wake of the Robo-Sign Scandal*) and another article on income inequality and the financial crisis (*The Cost of Inequality: Social Distance, Predatory Conduct, and the Financial Crisis*). Professor 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*, contains a unique historical to modern day look at how gender has affected securities regulation.

Professor Timothy Lytton’s articles *Signs of Change or Clash of Symbols?: FDA Regulation of Nutrient Profile Labeling and Banning Front-of-Package Food Labels: First Amendment Constraints on Public Health Policy* focus on issues concerning food labeling.

Overall, Albany Law School faculty members published topical treatises and articles that had impact on a wide range of the legal community.



Northwestern Law Review 233 (2010) (with Tom Baker).

Professor Nancy Maurer's article "Addressing Problems of Power and Supervision in Field Placements" was published in 17 *Clinical Law Review* 145 (2010) (with Robert Seibel).

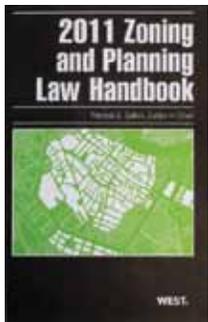
Professor Daniel Moriarty published "Dumb and Dumber: Reckless Assistance to Reckless Wrongdoers" in *Southern Illinois University Law Review* 647 (2010).

Professor Alicia Ouellette '94 published *Bioethics and Disability* (Cambridge University Press), as well as the article "Putting Law in the Room: A Response to Diekema and Fost" in 10 *American Journal of Bioethics* (2010) (commentary). She also published the *Cambridge Dictionary of Bioethics* (Cambridge University Press, 2010) (co-edited with Laurence McCullough and Robert Baker). Her article "Hearing the Deaf: Cochlear Implants, The Deaf Community, and Bioethical Analysis" was published in 45 *Valparaiso University Law Review* (2011).

Professor David Pratt is co-editor of *Pension and Employee Benefits Law* (Foundation Press) (with John Langbein and Susan Stabile). He published *Retirement Planning: The Essentials* (American Bar Association, 2010), and he also contributed "Reforming the American Retirement System" in *Proceedings of the 2009 Conference of European Network for Research on Supplementary Pensions* (2010). Professor Pratt also published the fourth edition of *Social Security and Medicare Answer Book*, Wolters, Kluwer (Aspen Publishers, 2010), as well as *Taxation of Distributions from Qualified Plans* with Dianne Bennett, et al. (2010/2011 edition, Thomson Reuters) and *ERISA and Employment Benefit Law: The Essentials* co-written with Sharon Reece (Chicago, IL: American Bar Association, Senior Lawyers Division (2010)). He contributed "Focus On... Cash Balance Plans in the 21st Century, Part II" to the 17 *Journal of Pension Benefits* 2 (2010) and "Focus On... Retirement Plan Leakage" to the 17 *Journal of Pension Benefits* 3 (2010).

Professor Patricia Salkin '88 will publish her article "From Bricks and Mortar to Mega-Bytes and Mega-Pixels: The Changing Landscape of the Impact of Technology and Innovation on Urban Development" in ___*The Urban Lawyer*___ (forthcoming 2011), and her article "Practically Grounded: Convergence of Land Use Law Pedagogy and Best Practices" will be published in 60 *Journal of Legal Education*___ (forthcoming 2011) (with Nolon). She is also scheduled to publish the article "Relationships, the Rules of Professional Conduct and Land Use: Ethical Quagmires for Land Use Attorneys" in ___*Real Estate Law Journal*___ (forthcoming Winter 2011), as well as *Land Use and Sustainable Development: Cases and Materials*, 8th ed. (with Nolon), Thomson-West (forthcoming 2011). She published *Climate Change and Sustainable Development Law in a Nutshell* (with Nolon) (Thomson-West, 2010). Professor Salkin's article "Social Networking and Land Use Planning and Regulation: Practical Benefits, Pitfalls and Ethical Considerations" was published in 31 *Pace Law Review* 54 (2011), and her

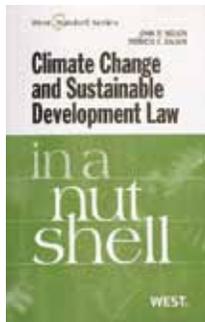
article "No Protectable Property Interest in Making Land Use Decisions and Other 2010 Ethics in Land Use Issues" was published in 42 *The Urban Lawyer* 649 (2010). She also published "Facility Siting and Permitting" in Gerrard, ed., *The Law of Clean Energy: Efficiency and Renewables* (ABA Press 2010); *Sustainable Development, Climate Change and Land Use for New York Local Governments, New York Zoning Law and Practice Report* (September/October 2010); an entry on "Judge Constance Baker Motley" in the *Encyclopedia of African American History* (Facts on File, 2010). Professor Salkin also published the articles: "Community Benefit Agreements and Comprehensive Planning: Balancing Community Empowerment and the Police Power" in 28 *Journal of Law and Policy* 157 (2009); "Medical Marijuana Meets Zoning: Can You Grow, Smoke and Sell that Here?" in 62 *Planning and Environmental Law* 8 (August 2010) and "Cooperative Federalism and Climate Change: New Meaning to 'Think Globally, Act Locally'" in the 40 *Environmental Law Reporter* (2010). She contrib-



uted the article “Can Urban University Expansion and Sustainable Development Co-Exist: A Case Study in Progress on Columbia University” in 37 *Fordham Urban Law Review* 637 (Spring 2010), as well as the article “The Intersection Between Environmental Justice and Land Use Planning” in issue 22 of *SUSTAIN* (Spring/Summer 2010) and “Integrating Sustainable Development Planning and Climate Change Management: A Challenge to Planners and Land Use Attorneys” in 63 *Planning and Environmental Law* (March 2011). Her article “Feeding the Locavores, One Chicken at a Time: Regulating Backyard Chickens” was published in 34 *Zoning and Planning Law Report* (March 2011).

Professor Jenean Taranto contributed several chapters to *Condemnation Procedures and Techniques, Nichols on Eminent Domain* (Matthew Bender & Co., Inc., forthcoming).

Professor Evelyn Tenenbam contributed two chapters to *Current Issues in Constitutional Litigation*, a context and practice textbook published by Carolina Academic Press, as well as a contributing author of



the associated teacher’s manual.

Professor Donna Young will publish the article “Discrimination and Equality in the Global Workplace” in ___*Berkeley La Raza Law Journal* ___ (forthcoming 2011), and she will also publish the article “Post Race Posthaste: Towards an Analytical Convergence of Critical Race Theory and Marxism” in ___*Columbia Journal of Race and Law* ___ (forthcoming 2011). Professor Young will also publish *Gender, Work and the Law: Cases and Materials* (Carolina Academic Press)(forthcoming 2011). She published the article “To the Stars Through Difficulties: The Legal Construction of Private Space in the Wizard of Oz” in 20 *Southern California Interdisciplinary Law Journal* 135 (2010) and the article “The Jurisprudence of Vulnerability: Property Rights, Domestic Violence and HIV/AIDS Among Woman in Uganda” in the 9 *International Review of Constitutionalism* 2 (2010).

Professor Hutter Named Evidence Columnist for N.Y. Law Journal

Professor Michael Hutter was selected by the *New York Law Journal* to write its Evidence column several times a year, addressing N.Y. state and federal evidence developments.

His first column ran Dec. 2, titled “Admissibility of Patient’s Statement in Medical Record,” which ran again on Feb 3. He has also written *Privilege Issues:*

Clients Use of E-Mail to Communicate with Attorney, published April 7. For the *Government Law and Policy Journal*, he published two articles: “Who’s in Charge?: Proposals to Clarify Gubernatorial Inability to Govern and Succession” (Vol. 12, No. 1, Spring 2010) and “Imposing Civil Liability Upon Commercial Providers of Alcoholic Beverages: New York’s Statutory Scheme,” (Vol. 12, No. 2, Fall 2010).

This year he presented to the New York State Bar Association three separate times, addressing attorney client privilege and waiver in December, admissibility of electronic and computer-generated evidence in October, and issues around enforcing employee covenants not to compete in July.

He was recently named to Gov. Cuomo’s Third Department Judicial Screening Committee.



Lytton Convenes Scholars to Discuss History of Administrative Law

Professor Timothy Lytton hosted an all-day workshop for administrative law and legal history scholars to discuss a book manuscript on the history of administrative law. This year’s conference attracted participants from Yale, Harvard, Columbia, NYU, Stanford, Berkeley, Georgetown, the University of Michigan, and the University of Virginia law schools.

The event centered on the manuscript written by Jerry Mashaw, Sterling Professor of Law at Yale Law School, which looks at federal administrative law from its founding to 1890.

Lytton, the Albert and Angela Farone Distinguished Professor of Law, organizes an annual book manuscript conference where leading scholars help authors develop works in progress. It also connects leading scholars to the Albany Law campus and relevant faculty members. The program is sponsored by the Government Law Center.

Faculty Achievements

Professor Ira Mark Bloom, Justice David Josiah Brewer Distinguished Professor of Law, participated in the N.Y. State Bar Association webcast “New York’s Power of Attorney Law after the August 2010 Technical Corrections Bill” on Sept. 8, 2010.

Professor Melissa Breger participated in a panel on “Economics, Family Law, and Vulnerable Mothers” during “Taking Stock: A Symposium Celebrating The NYS Judicial Committee on Women in the Courts” at New York University School of Law on April 5, 2011. She presented a CLE on “Current Developments in Family Law” to judges and practitioners as part of Albany Law School’s CLE in Saratoga Seminar Series on Aug. 6, 2010.

Professor Raymond Brescia discussed the unequal distribution of wealth in the United States at a conference, “The United States of Inequality: Causes, Costs and Consequences,” hosted by the New America Foundation in Washington, D.C., on Nov. 1, 2010. He presented on combatting credit discrimination and ensuring fair and impartial access to credit through data analysis, the establishment of new policies

and disparate impact litigation at the Federal Reserve Bank of Richmond on Sept. 20, 2010.

Professor Patrick Connors 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 on April 1 and 2. Professor Connors is the Reporter for the Special Committee and drafted the Proposed Rules and Comments. He also presented a New York Civil Practice Update at the New York State Court of Claims Annual Law Clerks Conference held in Saratoga Springs, N.Y., on March 30, 2011. He participated in an ethics presentation for the justices and law clerks of the Appellate Division, Third Department, titled “It Really Happened—The Ethics Game Show” in Albany on Oct. 8, 2010. With **Distinguished Professor Emeritus of Law David Siegel**, Professor Connors presented a New York Civil Practice Update at Albany Law School’s CLE in Saratoga Seminar Series on Aug. 13, 2010. He also presented a New York Civil Practice Update and Ethics Update to the New York State Bar Association’s Trial Lawyers Section at their Annual Summer Meeting in Manchester,

Vt., on Aug. 2, 2010. Professor Connors presented an ethics program to the Federal Court Bar Association of the Northern District of New York entitled “The New Rules One Year Later” in Auburn, N.Y., on June 24, 2010, and he also moderated a panel of three federal district court judges on “Judicial Perspectives on Ethical Issues.” Again with Professor Siegel, Professor Connors presented a New York Civil Practice Update to the Onondaga County Bar Association on June 11, 2010.

Professor Danshera Cords presented as part of a panel on “Social Justice: Teaching and Service Through Scholarship” at the Central States Law Schools Association’s Annual Meeting on Sept. 24, 2010. She presented her paper “Lien on Me: Virtual Debtors Prisons, The Practical Effects of Tax Liens and Proposals for Reform” at the Central State Law Schools Association’s Annual Meeting on Sept. 25, 2010.

Professor Anthony Paul Farley, James Campbell Matthews Distinguished Professor of Jurisprudence, participated in a panel on “Hip Hop Nation in the Law School Classroom” at American University Washington College of Law in Washington, D.C., on April 13, 2011. He delivered the keynote speech

“Radical Nemesis: Re-envisioning Ivan Illich’s Theories on Social Institutions” at the Western New England School of Law on April 1, 2011.

Professor Paul Finkelman, President William McKinley Distinguished Professor of Law and Public Policy, was the keynote speaker at the “American Civil War-The Trial of a Nation” on April 14 at Peru State College, Neb. He also spoke about slavery and the drafting of the constitution as part of the program “The Constitution and Sectional Conflict” at Rutgers University School of Law - Camden on April 12, 2011. He delivered a presentation in recognition of the 150th anniversary of the beginning of the Civil War at the University of South Carolina School of Law on March 15, 2011. He delivered the lecture “Secession, Emancipation and Lincoln: How Slaves Became Free” at Rutgers University in New Jersey on Feb. 8, 2011. He presented on “Race and the Law” as a keynote speaker at Monmouth University’s Interdisciplinary Conference on Race on Nov. 11, 2010. Professor Finkelman also presented “Fugitive Slaves and Undocumented Aliens: Is the Arizona Immigration a Replay of the Fugitive Slave Act of 1850?” at Indiana University Northwest on Sept. 21, 2010.

Professor James Gathii, Associate Dean and Governor George E. Pataki Professor of International Commercial Law, delivered the 2011 Brendan Brown Lecture, titled “Food Sovereignty for Poor Countries in the Global Trading System,” at Loyola University New Orleans College of Law on April 12, 2011. He also presented on “The New Global Administrative Law” at the “Symposium on Global Law and its Exceptions: Globalization, Legal Transplants, Local Reception and Resistance,” held at the University of Washington School of Law on Feb. 25, 2011.

Professor Peter Halewood presented a paper on the use of categories of sameness and difference in international human rights law at the LatCrit International & Comparative Law Colloquium, Cité Internationale Universitaire de Paris, in Paris, France, on July 27, 2010.

Professor Sheldon Halpern, The Honorable Harold R. Tyler Jr. Chair in Law & Technology, delivered the presentation “An Uneasy Fit: Adapting the U.S. Model of the Right of Publicity to UK and EU Jurisprudence” at the Queen Mary Intellectual Property Research Institute at the University London on March 10, 2011. He also

participated in a two-day seminar on “Oral History in the Digital Age” at the U.S. Library of Congress, sponsored by the Library of Congress and Michigan State University’s MATRIX. He also gave a lecture on U.S. defamation law and U.K. defamation law reform to the law school community at Queen Mary University in London, as well as another lecture to the law school community at Edinburgh University on the U.S. copyright construct of “fair use,” as compared to the UK “fair dealing” doctrine.

Professor Robert Heverly ’92 spoke on “Cyber Law for the Smart Grid” at a Tech Valley Energy Forum on April 21 in Albany. He also spoke on Net Neutrality on April 13 at Albany Law School’s Justice Jackson Symposium. He presented a paper “Breaking the Internet—International Efforts to Play the Middle Against the Ends: A Way Forward,” at Syracuse Law School on April 4, Drake University School of Law on April 1, Georgetown Law School on March 21, and at the inaugural New York Law School/Santa Clara Law School “Internet Scholars Work in Progress Series” workshop on March 5. He participated in the 2011 Intellectual Property Scholars Roundtable at Drake University Law School’s Drake

Intellectual Property Center in Des Moines, Iowa, on April 1 and 2, 2011. He participated in the *Georgetown Journal of International Law’s* symposium “International Cyberlaw: Issues and Challenges” on March 21, 2011. Professor Heverly participated in the Internet Law Work-in-Progress Series at Santa Clara Law’s High Tech Law Institute in Santa Clara, Calif., on March 5, 2011. He also participated in a panel on “Federal Universal Service Reforms and Broadband Deployment” for the Federal Communications Bar Association’s New York chapter on Oct. 6, 2010.

Professor Keith Hirokawa’s paper, “Three Stories About Nature: Property, the Environment, and Ecosystem Services,” was selected for presentation at the Natural Resources Law session at the AALS Annual Meeting in January 2011.

Professor Michael Hutter was elected vice president of the Albany County Bar Association for the 2011 term. He will serve as president-elect for the 2012 term, and in January 2013 he will become the organization’s president for one year. Professor Hutter also presented his paper “Attorney-Client Privilege and Waiver: An Overview and Discussion of Emerging and Related

Issues” to New York state legislative counsel and their staff on Dec. 8, 2010.

Professor Benjie Louis participated on the panel “To Stay or to Go: Why Public Interest Attorneys of Color Stay or Leave Legal Services/Legal Aid” at the New York State Bar Association’s 2010 Legal Assistance Partnership Conference on June 16, 2010.

Professor Timothy Lytton, Albert and Angela Farone Distinguished Professor of Law, presented “The Legal System, the Catholic Church and the Clergy Abuse Issue” as part of Southern Vermont College’s Citizenship through Empowerment lecture series on Oct. 4, 2010.

Professor Alicia Ouellette presented “Body Modification, Adolescents, and the Law” on April 15 at the University of Maryland School of Law.

Professor David Pratt presented, via phone, to the Employee Benefits Committee of the Taxation Section, State Bar of Michigan, on service provider fee disclosure. On March 31 he spoke at the ABA Joint Committee on Employee Benefits Governmental Invitational Conference in Baltimore on employer provided health benefits and alternatives to the current system.

Professor Elizabeth Renuart spoke at a program at the Harvard Club, New York City, titled “A Federal Reserve for the 21st Century: Maximizing Employment, Stability, and Sustainable Growth” on April 27. She addressed the New York City Bar at its program “The Residential Foreclosure Crisis: Where Do We Go From Here?” on March 29, 2011. The program discussed the federal and state government’s responses to the foreclosure crisis and the new policies on the horizon to address these problems. She participated in a panel on “Advanced Truth in Lending Rescission Issues: Judicial Developments” at the National Consumer Law Center’s Consumer Rights Litigation Conference in Boston on Nov. 13, 2010. She presented “Standing to Sue in Foreclosure Cases and Establishing the Owner and Holder of Mortgages and Notes” as part of a series of webinars underwritten by the New York State Division of Housing and Community Renewal/Housing Trust Fund Corporation on Sept. 24, 2010.

Professor Gerald Rock ’97 delivered the presentation “The Lost Art of Letter Writing” at the 11th Annual Rocky Mountain Legal Writing Conference at the William Boyd School of Law at the University of Nevada Las Vegas on March 26, 2011. He presented an Administrative Law Update CLE for the New York State Public Service Workshop Program on Jan. 14, 2011.

Professor Patricia Salkin, Associate Dean and Raymond and Ella Smith Distinguished Professor of Law, moderated a panel on “Land Use and Sustainability: From Plan to Implementation” for the Environmental Law Institute on March 30, 2011, and she spoke at the symposium “The Interplay Between Land Use Law and Regional Food-Sheds,” held at Fordham Law School and sponsored by the Environmental Law Review and Natural Resources Defense Council, on March 4, 2011. She presented at the “Law and Sustainability Symposium: The Energy-Land Use Nexus,” held at Florida State University College of Law and co-sponsored by The Institute for Energy Systems, Economics and Sustainability on Feb. 25, 2011. Professor Salkin attended the White House Forum on Environmental Justice in Washington, D.C., on

Dec. 15, 2010, and she was also named to the transition team for N.Y. attorney general Eric Schneiderman. She presented “Climate Change and Sustainable Development Law in a Nutshell” at Pace Law School’s conference “Rediscovering Sustainable Development Law: In the Community and In Legal Practice” on Oct. 22, 2010. Professor Salkin participated in the panel “Green Building Codes and Ordinances: Challenges and Opportunities for Property Owners and Local Governments” for the ABA Section of Real Property, Trust and Estate Law and the ABA Section of State and Local Government Law on Sept. 15, 2010.

Professor Joan Stearns Johnsen moderated “The Future of Mandatory Arbitration: A Conversation About Dodd-Frank and the Arbitration Fairness Act” for the American Bar Association Section of Dispute Resolution on Feb. 8, 2011. She participated in a panel on “Settlement Counsel: What You Should Know About an Emerging Area of Law Practice” for the New York City Bar on Nov. 16, 2010. She also moderated a teleconference on the advantages and disadvantages of caucusing in mediation for the American Bar Association

Section of Dispute Resolution on Sept. 14, 2010, and she presented a program on mediation advocacy and negotiation at the New York City Bar on July 20, 2010.

Professor Evelyn Tenenbaum is now also a professor of medical education at the Alden March Bioethics Institute at Albany Medical College.

Professor Donna Young presented a paper on comparative and international theories of equality at the LatCrit International & Comparative Law Colloquium, Cité Internationale Universitaire de Paris, in Paris, France, on July 27, 2010.

DEVELOPMENT MATTERS

Endowed Fund in Dean Guernsey's Name to Support Faculty Scholarship



Trustee Dan Nolan '78 announcing the endowment at a dinner honoring Dean Guernsey in April.

A new endowed fund created as a tribute to Dean Guernsey's achievements will support research and scholarship for the faculty. Trustee Dan Nolan '78 announced in April that he and a core group of alumni and friends raised an initial \$250,000 to launch the endowment.

The Dean Thomas F. Guernsey Faculty Scholarship Endowment Fund will support faculty projects like symposia, summer research grants and research assistants.

"Dean Guernsey transformed the school on several levels," said Nolan. "One of his lasting legacies will be the culture of scholarship that pervades the campus today.

Nolan expects all Board of

Trustees members to participate in the endowment, as well as contributions from alumni and friends.

"Tom clearly feels that strong research activity raises the level of teaching, and is essential for a law school's national reputation," said Helen Adams-Keane, vice president for Institutional Advancement.

The core group that launched the fund includes trustees James Benedict '74, William Brewer '77, E. Stewart Jones Jr. '66, Robert Miller '68, Thomas Mullin '76, Harry Robinson '65 and Robert Stiles '76.

Estate Gift of Miriam "Mimi" Netter '72 Establishes Stoneman Scholarship Fund

A new scholarship will go to an incoming student who best exemplifies the spirit and tenacity of Kate Stoneman. Established by an estate gift from Miriam "Mimi" Netter '72, who passed away this year (see page 65), Albany Law School seeks the medallion level of \$100,000 within the next year for the scholarship fund.

Building the School's scholarship endowment is considered critical to the long-term vision of Albany Law School. This year, \$5 million will be invested in the incoming class to ensure a quality student body, and to remain one of the most affordable private law schools in New York.

"This new scholarship fund further strengthens the Stoneman Program at Albany Law School," said Helen Adams-Keane, Vice President for Advancement and Co-Chair of the Kate Stoneman Committee. Adams-Keane referred to the faculty chair, annual Stoneman events, a Commencement prize and now the scholarship fund. "This is a tribute to the spirit of the women at Albany Law School and the tremendous responsibility they feel in giving back to support those who come after them."

Miriam "Mimi" Netter '72



Mimi Netter '72

was a driving force behind the establishment of the Kate Stoneman Program nearly 20 years ago. Since its inception, the Kate Stoneman initiatives have brought over 60 women recognized as legal trailblazers—scholars, judges and practitioners—to campus to share their careers and wisdom inspiring our female students and graduates.

Gifts to the Kate Stoneman Scholarship Fund in memory of Mimi Netter '72 can be made to James R. Kellerhouse, Director of Development by contacting jkell@albanylaw.edu or 518-445-3219.

ALUMNI EVENTS

Albany Law School Alumni Events

Numbering more than 10,000 worldwide, Albany Law alumni maintain connections through our many resources and events. This powerful network of alumni comprises 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 or visit www.albanylaw.edu/alumni to view upcoming events.

June 10, 2010

**Capital Region Alumni Happy Hour
Taste (formerly dale miller), Albany, N.Y.**



From left, Brian McCartney '85, Thania Fernandez '85, Kevin Laurilliard '85.

June 17, 2010

**New York City Alumni Happy Hour
Vermilion, New York, N.Y.**



From left, Sofya Peysakovich '05, Beth Cooper '05, Howard Sanders '80, Amanda Jehle '05.



From left, Sean Tomko '01, Katherine Sheehan '94, Patrick Jordan '02.



Abigail Nitka '05, John Degasperis '09.

August 27, 2010

**14th Annual Day at the Races, Saratoga Race Course
Saratoga Springs, N.Y.**



Albany Law alumni and friends in the winner's circle for the Honorable DeForest C. Pitt '35 Albany Law School Race with jockey Cornelio Velasquez.

October 14, 2010

**Saratoga Alumni Reception
Brindisi's Restaurant, Hosted by Lou Brindisi '58
Saratoga Springs, N.Y.**



From left, Timothy O'Hara '96, Brian Lussier '96.



From left, Mark Kaplowitz '06, Viju Rajan '08, Laura Carroll '07.

October 21, 2010

**Hartford Alumni Reception
Northeast Utilities, Hosted by Greg Butler '88, Hartford, Conn.**



From left, Rachael Hunsinger, Director, Albany Law School Fund, Peter Rydel '00.



From left, Michael O'Hare '79, Darren Cunningham '01 and Matthew Berardino '11.

January 20, 2011

**New York State Bar Passers Reception
Empire State Plaza, Albany, N.Y.**

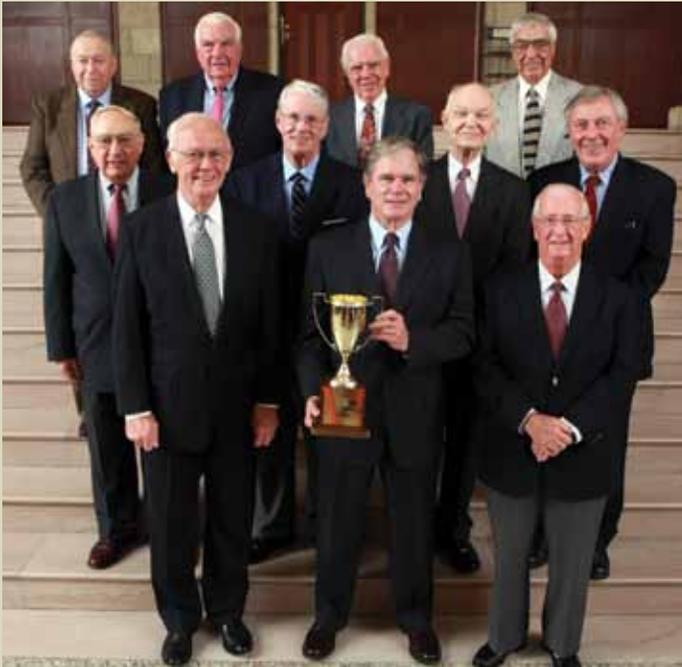


From left, all from the Class of 2010: Andrew Wilson, Stephanie Hughes, Sara Cirba, Nicholas Braman and Jillian Kasow '10.

Reunion Weekend 2010

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

The Class of 1960 won the Class with Class Award for the highest increase of participation for their reunion class gift and to the Class of 1990 who had the largest attendance of classmates.



The Class of 1960 celebrating their 50th Reunion.



Participants at the start of the 3rd Annual 5K Fun Run/Walk to benefit Albany Law's Loan Repayment Assistance Program (LRAP) for graduates who wish to pursue careers in public interest law.



TGIF: Mark Pelersi '75, Peter Kopff '75, William Nikas '75, Donald Alvarez '75, Rory Radding '75, Arthur Anderson '75.



Reunion Dinner Celebration: Attendees arrive to the school for the Reunion cocktail reception and dinner celebration.



President & Dean Thomas Guernsey poses with Alumni Achievement recipient Megyn Kelly '95 and Chair of the Board of Trustees Mary Ann Cody McGinn '83.

The Kate Stoneman Series Tackles Issues for Professional Women

Two events focused on women's issues took place in Rochester this year as part of the Kate Stoneman Series, launched last year in honor of Kate Stoneman's induction into the National Women's Hall of Fame.

The spring event addressed challenges and opportunities facing women running for office. Professor Nora Bredes, director of the Susan B. Anthony Institute at the University of Rochester and a former Long Island legislator, suggested that the principles guiding Anthony's life can guide women through the political process and their daily lives. Professor Bredes moderated a panel discussion with Judges Joanne Winslow '86, Monroe County Supreme Court, Joan Kohout '74, Monroe County Family Court, and Karen Morris, Brighton Town Court, on their experiences running for the judiciary. While each woman had her different perspectives, they shared similar obstacles for breaking into the political community and the need to have a champion—male or female—to mentor their paths. Constellation Brands hosted the event attended by 25 alumnae.

The fall event at the Rochester offices of Nixon Peabody drew on break-out groups with a range of attorneys at different career points to address "How did you get to the next level in your career?" and "What responsibility do we have as women to influence and change work culture?"

Discussion leaders for the break-out session included Andrea Quercia '83, general counsel, ITT Geospatial Systems; Lovely Warren '03, president, Rochester City Council, and chief of staff, Assemblyman David Gantt; Susan Roberts '88, corporate vice president and chief compliance officer, Bausch & Lomb, Inc.; Hon. Patricia Marks '74, supervising judge Criminal Courts, Seventh Judicial District; and Kristen Mollnow Walsh '97, of counsel, Nixon Peabody LLP.

Gail Norris '83, vice-provost—Technology Transfer, University of Rochester, and member, Albany Law School Board of Trustees, delivered closing remarks.



TGIF: Samantha Holbrook '90, Jessie Aitchson '95, Hon. Elizabeth Garry '90, Robin Boyle Laisure, Carrie Lamitie '90, Cara Steiner-Riley '90, Hon. Leslie Stein '81.

Save the Date

SEPTEMBER 23-25, 2011

For members of classes ending in 1 & 6

Reunion Weekend 2011 will be held on
September 23-25, 2011.

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



Leading the fall event at Nixon Peabody were, from left, Kristen Mollnow Walsh '97, Lovely Warren '03, Andrea Quercia '83, Judge Patricia Marks '74, and Susan Roberts '88.



Panelists for the May event at Constellation Brands included, from left, Hon. Joan Kohout '74, Professor Nora Bredes, Director of the Susan B. Anthony Center, University of Rochester, Hon. Joanne Winslow '86, Hon. Karen Morris.

January 26, 2011

**New York City Alumni Reception
Le Parker Meridien, New York, N.Y.**



David Rosenberg '76, Larry Schiffer '75, Lynelle Bosworth '08.

March 30, 2011

**2nd Annual New York City *Law Review* Alumni Reception
Squire Sanders & Dempsey LLP, Hosted by Brian D. Starer '72**



From left: Deon T. Retemeyer '97, Furine E. Blaise '05, Wahida Bhuyan '12, Lori G. Stern Feldman '90, Debra C. Bookes '98.



Benjamin Wolf '04, Lisa Bonacci '03, Earl Redding '03, Amy Kellogg '02, Megan Rurak '94.



Editor-in-Chief Caitlain Devereaux Lewis '11, Brian D. Starer '72.

May 5, 2011

**Constellation Brands, Hosted by Thomas Mullin '76
Victor, N.Y.**



From left, Trustee Thomas Mullin '76, Trustee Gail Norris '83, Dean Guernsey, Professor Kathe Klare, Trustee Robert Stiles '76.

Alumni Initiative in Mentoring (AIM) Program



The Office of Alumni Affairs is looking for mentors for its 2011–2012 program. Please contact Christina Sebastian, Director of Alumni Affairs, at 518-445-3361 or cseba@albanylaw.edu to learn more.

Mentor Melinda Seiden '10 and first-year student Irene Rekhviashvili meet at Albany Law this spring for an AIM dinner.

CLASSNOTES

1955

Joseph V. Monachino, a pioneering National Guard Bureau attorney who was instrumental in founding the Youth ChalleNge Program retired on March 12, 2011. The Young ChalleNge is a program that provides young people a chance at a better life.

1963

Marvin I. Honig has retired from the active practice of law and resides in Saint Petersburg, Fla.

Donald J. Snyder received the Marvin A. Rapp Award for Distinguished Trustee Service given by the New York Community College Trustees, Inc., for his service as Herkimer County Community College Board of Trustees Chairman.

1966

Hon. Norman I. Siegel is Justice of the Supreme Court of the Fourth Judicial District for the State of New York.

1969

Harvey Randall authored an article, "Appointment to Positions in New York State's Civil Service," published in the fall 2010 issue of *Municipal Lawyer*.

1970

Hon. Erik E. Joh has been named president and CEO of Cypress Trust Company in Palm Beach, Fla.

Hon. Frank B. Williams has retired from the New York

State Supreme Court 4th Judicial District.

1971

Michael J. Novack has retired as Clerk of the Court after a 38-year history with the Appellate Division of the New York State Supreme Court.

1973

Thomas L. Chapple has retired from Gannett Co. Inc., after a 30-year career. He recently formed The Chapple Leadership Group LLC.

James E. Nelson has been named town attorney for Poughkeepsie, N.Y.

1974

Joseph J. Carline joined Couch White, LLP as Of Counsel in Albany.



Randall J. Ezick has joined D'Agostino, Krackeler, Maguire & Cardona, P.C. as of counsel in Albany.

Hon. Patricia D. Marks has stepped down as Monroe County Court Judge after 25 years. She plans to remain with the New York State Criminal Jury Instructions Committee, which she co-chairs, and the Permanent Sentencing Commission.

Lucien A. Morin II was presented with the 2010 William E. McKnight Volunteer Service Award by Volunteer

Legal Services Project of Monroe County, N.Y.

Hon. Francis D. Phillips II began his seventh term as Orange County District Attorney in January 2010.



Doreen A. Simmons has been named the 2011 Syracuse Environ-

mental Lawyer of the Year by *Best Lawyers*, a peer-review publication in the legal profession.

1975

Richard E. Casagrande has been named general counsel to New York State United Teachers.

James P. Clough has joined Rutan & Tucker LLP as partner in the Corporate Section in Costa Mesa, Calif.

Charles W. Stiefel has been appointed to the board of directors for Electro-Optical Sciences, a medical technology company in Irvington, N.Y.

Sharon P. Stiller has joined Abrams Fensterman as a partner and director of the Employment Law Practice in Rochester, N.Y.

1976



David I. Rosenberg was honored by the Board of Jewish Education

of Greater New York and Suffolk Association for Jewish Educational Services recognizing his lifetime of achievement and influence on Jewish education.

1977

Barbara A. Asheld has joined Nixon Peabody LLP as counsel in the health services practice and will be based in the firm's Albany office.

Mitchell H. Pally has been hired as CEO of Long Island Builders Institute in Islandia, N.Y.

Claudia A. Wagner has joined Manatt, Phelps & Phillips, LLP as a partner in the Government Division in New York, N.Y.

1978

Robert D. Mayberger has been appointed Clerk of the Court for the N.Y. State Supreme Court Appellate Division, Third Department.

1979

James N. Baldwin has been appointed chief of staff of the New York State Education Department in Albany, N.Y.

Mark S. Ruderman is labor counsel for the borough of Tenafly, N.J.

Dale Skivington has joined Dell Computers, Austin, Texas, as chief privacy officer. She recently retired from Kodak as assistant general counsel.

Stephen V. Treglia retired as assistant district attorney after

Alumnae Trio—Including Managing Partner— Move Syracuse Firm Forward

Maureen Maney '01 was inspired to work for Hancock & Estabrook right out of law school after reading the bios of her soon-to-be mentors **Doreen Simmons '74** and **Janet Callahan '80**.

"Hancock already had a reputation for allowing women to build strong careers," said Maney, "but it struck home when I understood the positions of leadership held by two women from my school—that was exciting."

Maney went on to thrive at the Syracuse firm—she was recently named partner—and rode a fast-track to vice president of the Women's Bar Association of the State of New York, where she will be president in 2012. "This could not have happened without the firm's support."

Simmons, who has watched and mentored Maney's surging career, has enjoyed her own recent accolades, including *Best Lawyers' 2011 Environmental Lawyer of the Year*, an award bestowed on only three other New York lawyers.

The head of Hancock's Environmental Practice Group, Simmons recalls her first case 28 years ago handed to her because "no one else at the litigation assignment table knew the difference between an organic and inorganic compound."

She shot up to earn the spot of female partner—a first for any large Syracuse firm at the time. Previously Simmons was Onondaga County's first full-time female assistant D.A.



From left, Janet Callahan, Maureen Maney and Doreen Simmons.

and was the first and founding president of the Northern District of New York Federal Court Bar Association in 2003. "For 25-plus years the Hancock firm has given me the support and confidence to grow what was initially a new practice area," Simmons said, "while raising three children."

Callahan, the firm's managing partner, is the first woman to lead this large a firm in Central New York. As the head of the Litigation and Appellate Practice Groups, she commended the firm's culture for fostering autonomy and rewarding creative thinking. "My approach calls for a lot of collaboration, a lot of execution based on teamwork," Callahan said. "That we can pursue what works best for us makes this firm great."

The firm is doing well, despite the economic downturn, and is cautiously expanding, recently opening an Albany office, hiring former congressman Michael Arcuri and bringing in three summer associates.

Callahan noted that more women in power on the client side has helped shift the para-

digm for many firms traditionally less progressive than Hancock. Despite this shift, all three women lamented that still too many of their counterparts from their graduating classes no longer practice or have not attained positions of leadership in private practice.

"They created a structure at Hancock so flexible that you don't consider quitting, even while raising children," Callahan said.

Though wide-ranging in class years, they each rattled off similar professors they called influential: Professors Hutter, Bloom, Siegel and Anderson. The younger Maney praised Professor Mary Lynch as a "tremendous teacher" who gave her practical experiences through the Clinic programs that stuck with her through the years.

"Albany Law prepared three women very differently for success," said Simmons, the most senior of the three, "and Hancock has nurtured our different strengths and interests, gave us the infrastructure to develop. We've been very lucky."

working at Nassau and Queens counties. He works now as legal counsel at Absolute Software, a Vancouver-based corporation.



Don H. Twietmeyer has been named a partner at Hiscock & Barclay LLP

and practices out of the firm's Rochester, N.Y. office.

Hon. Elizabeth B. Volz has been appointed judge of the 18th Judicial District in Colorado.

1980



Janet D. Callahan has been elected managing partner at Hancock &

Estabrook LLP. She is the first woman to be elected managing partner of a major law firm in Syracuse N.Y.

Mark S. Gorgos has been elected to serve as vice-president for the Sixth Judicial District on the Executive Committee of the New York State Bar Association.



James A. Ritter has joined the law firm of Gross McGinley, LLP as

partner in Allentown, Pa.

Reid A. Whiting continues to work at his firm, Boylan, Morton & Whiting LLP but is also the attorney for the Village of Avon and the Town of LeRoy, N.Y.

1981

Hon. Peter G. Crummey was appointed to the New York State Bar Association Special Committee on Youth Courts.

Carol Doran Klein has joined the U.S. Council for International Business as vice-president and international tax counsel in Washington, D.C.

David E. Woodin has joined the law office of Sean J. Doolan in Catskill, N.Y.

1982



J. David Sampson has been appointed executive deputy commissioner of the N.Y. State Department of Motor Vehicles.

1983

James P. Milstein was named an Albany County public defender.



Joel H. Moser has joined Bingham McCutchen LLP as a partner in New York City.

Paul Pelagalli has been appointed as part-time assis-

tant district attorney for Saratoga County, N.Y.

Holly Taylor Sellers, Chief Administrative Officer of the Supreme Court of Connecticut, served as the 2010–2011 Supreme Court Fellow assigned to the Administrative Office of the U.S. Courts in Washington, D.C.

1985

Elaine Crosson has been appointed vice president for external relations at Stony Brook University.

Gloria Herron-Arthur has been recognized in the Albany *Times Union's* Capital Profile for her work as director, pro bono affairs for the New York State Bar Association.

1986

Hon. David H. Guy has been elected as Broome County, N.Y., Surrogate Judge.

Gary E. Phelan has joined Cohen and Wolf's Employment Litigation Practice in Bridgeport, Conn.

1988

David P. Miranda has been re-elected as secretary of the New York State Bar Association.

1989

Hon. Glen T. Bruening has been approved as a judge for the New York State Court of Claims.

Hon. Craig J. Doran was appointed as administrative judge for the Seventh Judicial District of New York State.

John E. Higgins has been elected partner in the international law firm of Nixon Peabody LLP at the Albany office.

Richard J. Miller Jr. has been elected president of the Metropolitan Opera Guild, New York City.

Brian S. Reichenbach is affiliated of counsel to the firm of Stafford, Carr & McNally, PC in Lake George, N.Y., where he also serves as town justice.

Sabrina M. Ty has been appointed as deputy secretary of legislative affairs for the State of New York.

1990

Susan Bartkowski was honored by the Northern District of New York Federal Court Bar Association as a recipient of the Pro-Bono Service Award from the U.S. District Court for the Northern District of New York. She also traveled to Kenya as a trustee of the Loisaba Community Conservation Foundation in Laikipiak.

Paul R. Edwards has a solo practice in Albany concentrated on criminal defense.

Hon. Ann-Marie Jolly was appointed family court judge in New York City.

1991

Timothy J. Quinlivan has been promoted to senior vice president, chief counsel contracting and compliance at Meritain Health in Buffalo, N.Y.

1992

Kristina L. Baldwin has rejoined the Property Casualty Insurers Association of America as assistant vice president, state government relations. She will assume responsibility for state government relations activities in New York and Connecticut.

Heath S. Berger was recognized as pro bono attorney for March 2011 by the Nassau County Bar Association.

David J. Fernandez has joined Carter Ledyard & Milburn LLP, New York City, as partner.

Gary R. Hotvedt was appointed assistant treasurer for legal, compliance, and audit for the Tennessee Department of Treasury.

Jon L. Krahulik is managing director and global head of clean technology investment banking at Bank of America Merrill Lynch, in their Palo Alto, Calif., office.

J. Kevin Morrison is a partner at Jones Clifford in San Francisco, Calif.

1993

Stephanie Graf joined UBS Investment Bank, New York, N.Y., as director and legal counsel in 2005. She has published in the *Journal of International Taxation*.

Theresa E. Mullen has been installed as the head of the Union County (N.J.) Bar Association.

Randolph B. Soggs has been named Utica Economic Development Commissioner, Utica, N.Y.

Scott F. Thompson, a navy commander, earned the Bronze Star Medal for his performance as a senior adviser to the chief of legal affairs for the Afghan National Police in Kabul.

1994



Kristen H. Martin has been promoted to senior vice president at the Utica

National Insurance Group in New Hartford, N.Y.



James P. Milbrand has joined Hiscock & Barclay, LLP, in Buffalo,

N.Y., as a commercial litigation partner.

Robert A. Rausch was elected president of the Capital District Trial Lawyers Association.

1995

Anthony J. D'Elia has been elected to membership with Green & Seifter, Attorneys, in Syracuse, N.Y.

Kathleen A. Leo has been named general counsel with Gilt Groupe in New York, N.Y.

Kathryn A. McCarthy has been named of counsel with Simpson Thacher & Bartlett, in New York, N.Y.

Regina G. Morano-Lattuca received a Top Counsel Award from *The Daily Record*, Rochester, N.Y. She is the vice president, general compliance officer, Ameritox, Baltimore.

1996

Amber L. Barber has received the award for Outstanding Service from the Vermont Bar Association.

Dana C. Hansen Chavis gave the commencement address at Finger Lakes Community College and also received the Distinguished Alumni Award for 2010.

Jennifer J. Corcoran has become partner to the firm of Tully Rinckey PLLC in Albany.



Christopher J. Hanifin joined Hiscock & Barclay, LLP as counsel in Albany.

Deborah K. Hoffman is a senior vice president, general counsel at Digital Risk, based in Orlando, Fla. She is also a visiting instructor at Florida A&M College of Law, and serves an adjunct instructor in the Business School of the University of Central Florida.

Michael F. Piecuch was appointed district attorney of Snyder County, Pa.

James S. Wolford has been recognized in the *Rochester Business Journal* as a Forty Under 40 award winner.

1997

Leigh A. Hoffman has been named partner at Deily, Mooney & Glastetter, LLP in Albany.

Alexander T. Leventhal is president and chief executive officer of Taylor Rafferty, LLC in New York, N.Y.

Lt. Col. George D. McHugh has been appointed liaison officer between military services and the director of the American Bar Association's Military Pro Bono Project.



L. Michael Ordway Jr. has been appointed to the Salvation Army of the Syracuse Area Advisory Board.

Debbie A. Ting wrote an article "Teaching Attorneys to Drive on the KM Highway" that was published in ILTA's June 2010 *Knowledge Management* white paper. She is a litigation resource attorney in the Knowledge Management Department of Paul, Weiss, Rifkind, Wharton & Garrison in New York City.

1998

Jennifer L. Bensman has been named program director of Immigration Legal Services of Catholic Charities Atlanta.

Karen V. DeFio was named senior counsel at Bond, Schoeneck & King in Syracuse, N.Y.

Ralph L. Puglielle Jr. has been named partner with Drake, Loeb, Heller, Kennedy, Gogerty, Gaba & Rodd in New Windsor, N.Y.

1999

Eric D. Harris has been named managing director for Stroz Friedberg's office in Dallas.

Ian S. MacDonald was named partner with Daniels and Porco in Pawling, N.Y.

Karen L. Roth joined Google as a legal and public policy sourcer in New York City.

2000



William J. Decaire has been named to the St. Peter's Hospital Foundation

Associate Board of Directors in Albany. He has also been appointed to ALFA International's Transportation Group Steering Committee.



Frank H. Hamlin, III has been chosen as president and chief executive

officer of Canandaigua National Bank & Trust and Canandaigua National Corporation.

Catherine M. Hedgeman was appointed as a member of the New York State Commission on National & Community Service.

Doreen S. Martin has been named partner at Venable, LLP in New York City.

Jeffrey H. Pearlman has joined Greenberg Traurig as of counsel in Albany.

Hon. Michael A. Sciortino received a Top Counsel Award from *The Daily Record*, Rochester, N.Y.

2001



April M. Wilson has joined McNamee, Lochner, Titus & Williams

in Albany.

Mark J. Lemire has joined the firm of Lemire Johnson LLC in Malta, N.Y.

2002

Matthew H. McArdle has been promoted to partner at Fischer, Bessette, Muldowney & Hunter, a law firm in Malone, N.Y.



Mia D. VanAuken has been named partner at D'Agostino, Krackeler,

Maguire & Cardona, P.C. in Albany.



Karla M. Williams Buettner has been named principal

at Bartlett, Pontiff, Stewart & Rhodes, P.C. in Glens Falls, N.Y.

2003

Jennifer L. Carlson has joined the School Administrators Association of New York State (SAANYS) in Latham, N.Y.

John J. Hoke and **Wayne A. Smith Jr.** have formed their own firm, Smith Hoke, PLLC in Albany, N.Y.

Laura M. Jordan is now a partner in the firm of Powers & Santola, LLP, Albany, N.Y.

Judith M. Mayle has been promoted to partner at Donoghue Thomas Auslander and Drohan LLP located in Hopewell Junction, N.Y.

2004



Adam H. Cooper was promoted to director at Carter Conboy in Albany. He

has also been elected as president of the Board of Directors for the Defense Research Institute of Northeastern New York.

Eliza Filipowski has joined Aaronson Rappaport Feinstein & Deutsch, LLP, New York City, as an associate and has been appointed president of the Bronx Women's Bar Association.

Daniel S. Glaser opened his practice in Clifton Park, N.Y.

Peter J. Glennon was recognized in the *Rochester Business*

Journal as a Forty Under 40 award winner.



Mackenzie C. Monaco was promoted to director at Carter Conboy in

Albany. She also has been elected to the Capital District Trial Lawyers Association Board of Directors.

2005



Lorenzo L. Angelino is an associate at McCabe & Mack LLP in

Poughkeepsie, N.Y.

Catherine M. DeAppolonio has been elected president of the Women Lawyers of Union County, N.J.

Erica S. DeTraglia is chief clerk of the Dutchess County Surrogate's Court.

Theresa A. Wells is an associate at Tully Rinckey PLLC, Albany.

2006



Brian D. Carr was elected to the board of directors for the Defense

Research Institute of Northeastern New York.



Francine R. Vero has joined Towne, Ryan & Partners, P.C. as an associate in

Saratoga Springs, N.Y.

2007

Ross F. Goodman is the assistant director for business development and economic outreach at the University at Albany, College of Nanoscale Science and Engineering.

Justin D. Myers has joined the Barbaruolo Law Firm, P.C. in Latham, N.Y., as an associate.

Marla B. Siegel joined the staff of the Ulster County, N.Y., Comptroller's Office.

2008



Ryan P. Keleher has joined Hiscock and Barclay as an associate attorney in Albany.

Cory K. Kestner authored an article that was selected for *At the Cutting Edge 2010: Land Use Law from the Urban Lawyer* published by the ABA.

Robert S. Rosborough has joined Whiteman Osterman and Hanna LLP as an associate in Albany.

Carmina K. Tessitore has joined the Connecticut Judicial Branch as a mediation specialist.

Zaid '92 Featured in *National Law Journal* and *N.Y. Times* for His Comics Exhibit at Yale Law

Mark Zaid '92 is no stranger to media attention. With a practice in Washington, D.C., he has handled numerous high profile cases, including a suit against the Government of Libya for the victim's families of the 1988 bombing of Pan Am Flight 103.

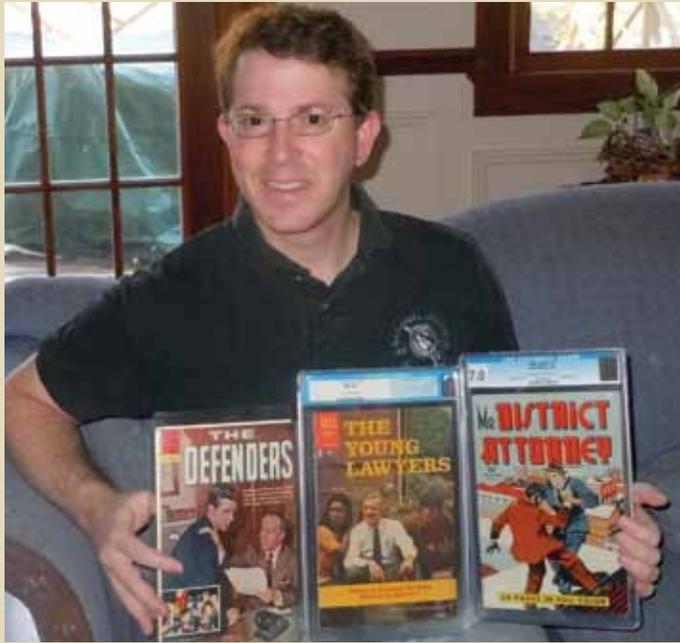
But his most recent featured story with photos in the *National Law Journal* and *The New York Times* focused, of all things, on his comic book collection, and his role as curator for an exhibit at Yale's law library.

Called *Superheroes in Court! Lawyers, Law and Comic Books*, Zaid displayed comics that carried legal themes—like Superman on trial—or demonstrated how intellectual property shaped storylines and titles.

Zaid's larger collection centers mostly on 1933–1955, when, he said, "Comic books capture the tenor of our time.... Comic writers had the United States joining World War II before the government did."

He owns several other collections, including hundreds of books, postcards and items on the assassinations of Presidents Lincoln and Kennedy. This includes, for example, postcards on the locations of the shootings, where they died, the assassins, etc. Along these lines, he has represented relatives of John Wilkes Booth in an effort to exhume his alleged remains, as well as several of John F. Kennedy's secret service agents, including one accused of "accidentally" killing Kennedy.

His latest pursuit is the legal



Mark Zaid '92.

filings of U.S. presidents before they ascended to their more visible positions, "when they were just another lawyer like me." He noted documents he owns of William McKinley, a fellow graduate of Albany Law, William Howard Taft, and Lincoln.

Zaid remembers carrying a backpack full of comics to sell and trade with his 6th grade classmates on Long Island. While his collecting slowed during his college and law school days, it picked up again a few years later after he established his practice.

But his best times were in the early days of eBay, before dealers discovered it, when unsuspecting sellers lacking comic book knowledge unloaded their childhood collections from their attic. "It was a short window of time, but I was able to buy some

great books then."

Zaid is clear about his drive to collect. "Primarily I view it as a window into history; it brings me closer to the actual event than I can actually be. In many ways I am simply a custodian to ensure these items are preserved for the future." On another level, he simply likes the activity around it. "I enjoy obtaining items that are rare and esoteric and it is a thrill to show off the collection and watch others enjoy it the way I do."

.....
 "Comic writers had the United States joining World War II before the government did."

2009



Brian C. Borie has joined Bartlett, Pontiff, Stewart & Rhodes,

P.C. as an associate attorney in Glens Falls, N.Y.

Myles B. Fischer has joined the firm FitzGerald Morris Baker Firth PC in Glens Falls, N.Y.

Lynelle Hopkins has joined Towne, Ryan & Partners, P.C. in Albany, N.Y.



Lauren L. Hunt joined Young Sommer LLC as an associate

attorney in Albany.

2010

Martin P. Bonventre has joined Smith, Sovik, Kendrick & Sugnet, P.C. as an associate in Syracuse, N.Y.

M. Ali M. Naquvi has joined *Legal Trends in Bioethics Journal* at Center for Ethical Solutions as CES Scholar and Editor, headquartered in Washington, D.C.



Sarah A. Pellerin has joined Harter Secrest & Emery as an associate in

Rochester, N.Y.

INMEMORIAM

Krupa A. Shah has joined O'Connor Redd LLP as an associate in White Plains, N.Y.

Scott R. Swayze has joined Vindigni & Betto, PLLC in Oneida, N.Y., as an associate.

Marriages

Jason M. LaFlam '03 and Lauren R. McMullen were married on May 22, 2010, in Altamont, N.Y.

Erica A. Brauer '05 and Jason D. Navarino were married on Sunday, May 2, 2010 in Hackensack, N.J.

Nicholas S. Tuffarelli '05 and Nicole (Casara) Tuffarelli were married on May 1, 2010 in Merrick, N.Y.

Stephanie A. Straw '06 married Joseph Huffnagle on September 11, 2010 in Buffalo, N.Y.

Kerri-Ann J. Wright '07 and **Shervon M. Small '07** were married on July 1, 2010 in Bedford, N.Y.

Judy Tsang '07 and Jeffrey Chow were married on November 19, 2010.

Kathleen "Casey" A. Copps DiPaola '09 and Jeffrey S. DiPaola Jr. were married on June 11, 2010 in Rexford, N.Y.

Arlene (Akiwumi-Assani) Osterhoudt '09 and John Osterhoudt were married on July 4, 2010, Beacon, N.Y.

Births and Adoptions

Shannon D. Frazier '00 gave birth to daughter Kaira Leigh on March 3, 2010.

Sarah K. Delaney Vero '04 and **John R. Vero '00** welcomed their daughter, Isabella Maley Vero on February 3, 2011.

Molly J. Slingerland Philipp '03 and **Helmut S. Philipp '03** welcomed their daughter, Marigold Jane Philipp, on May 1, 2009.

Julie N. Perez '04 gave birth to daughter Gabriella Rose Laquidara on March 4, 2010.

Meghan R. Keenholts '05 and Doug Keenholts welcomed daughter, Saige Olivia, on September 2, 2009.

Sonya Smelyansky Van Bortel '06 and **Peter Van Bortel '07** welcomed their son Zachary on April 30, 2010.



Leo Sawyko '35

Leo T. Sawyko died on June 16, 2010. He was 98 years old. Leo's family has honored their father's legacy by endowing a \$50,000 memorial scholarship in his name.

Leo was proud that he never missed an annual Rochester alumni event or his class reunion.

He practiced law in Rochester through his career, staying close to his law school roommate Lester Rapaport '35, who died last year at the age of 98.

Leo's career began in 1935 when he hung his single in the boarding house section of his parents' saloon known as the Dutchtown Hotel in Rochester. In addition to maintaining a general practice, Leo also worked in the law office of Jack McNerney. From there, he moved to the U.S. Immigration Service of the U.S. Department of Justice where he became a hearing officer. He then joined the Monroe County Legal Department as an assistant attorney in the tax foreclosure office. In 1960, he was appointed town attorney for Greece, N.Y. He also maintained a private law practice through most of his career. In 1967, Leo retired and divided his time between Rochester and Florida, before returning full time to Rochester 25 years later.

1943

George E. Whalen, Dover Plains, N.Y., November 15, 2010.

1950

Donald B. Frederick, Waverly, N.Y., December 19, 2010.

1951

Richard R. Rowley, Slingerlands, N.Y., October 3, 2010.

Stewart Schantz, Cooperstown, N.Y., February 15, 2010.

1952

Conrad (Ted) Carlson III, Delmar, N.Y., August 10, 2010.

1953

Adelaide I. Cartwright, Vero Beach, Fla., December 27, 2010.

1955

Henry J. Gelles, Menlo Park, Calif., December 11, 2010.



Hon. James P. King '59

Hon. James P. King '59 died June 11, 2010. He was the first recipient of the James P. King Lifetime Achievement Award for Public Service, named in his honor, in a ceremony held at Albany Law School on March 28. He was a Brigadier General and served as director of the Judge Advocate

Division USMC. Judge King was assistant attorney general in New York; led a Tort Unit-Claims Bureau, where he defended many cases in the State Court of Claims and the federal courts; served three terms in the N.Y. State Assembly; and was appointed both to the N.Y. Court of Claims and as general counsel for the N.Y. State Department of State.

During the 1960s and 1970s he served in the U.S. Marine Corps as trial and defense counsel and chief trial counsel in Okinawa, as well as division civil affairs officer in Vietnam. Judge King became an adjunct professor at Albany Law in 1984, teaching Trial Tactics and Advocacy until 2009. Upon retirement, he became a judicial hearing officer and was appointed as a hearing officer for the N.Y. State Retirement System. Judge King was also appointed as the first government lawyer in residence at the Albany Law Government Law Center, and as the distinguished jurist in residence at Siena College.

1961



Bradford H. Brinton, Port Kent, N.Y., September 27, 2009.

The Hon. Donald Corbett, Keuka Lake, N.Y., July 30, 2010.

Robert Lutz, New Hartford, N.Y., September 3, 2010.



John J. Lynch, Caroga Lake, N.Y., May 13, 2010.

William Ward, Schenectady, N.Y., August 3, 2010.

1962

Howard Roth, Loudonville, N.Y., September 20, 2010.



Miriam "Mimi" Netter '72

Miriam "Mimi" Netter '72 died on September 9, 2010.

A founder and fervent advocate of Kate Stoneman Day, Mimi served as an Alumnae in Residence, on the committee for the Kate Stoneman Chair in Law and Democracy, and on the advisory board for the Science and Technology Center for several years. She was honored with her own Kate Stoneman Award in 1996. While a student, she was a member of the Justinian Society and an editor of the *Albany Law Review*.

Albany Law School awarded the first annual Miriam M. Netter '72 Award this March, which will be awarded annually to the Kate Stoneman Day keynote speaker (see page 10 for this year's winner).

The New York Bar Foundation's Intellectual Property Law Section Fellowship was renamed in Mimi's honor. Mimi was a partner at Pattison, Sampson, Ginsberg & Griffin in Troy, N.Y., and served as general counsel at MapInfo, Rensselaer Polytechnic Institute and Russell Sage College. She was president of the Legal Aid Society, and served on the boards of several organizations including Wildwood Programs and Capital Repertory Theatre.

1969

Kyran Flannery Jr., Albany, N.Y., July 7, 2010.

1972

Gary L. Lombardi, Schenectady, N.Y., January 28, 2011.

1973

Kenneth Oliver, Kattskill Bay, N.Y., August 14, 2010.

1979

Sharon O'Connor, Albany, N.Y., September 10, 2010.

John V. Sylvester IV, Springfield, Va., July 8, 2009.

1982

Robert Short, Kingston, N.Y., July 19, 2010.

1993

Sean M. Seely, Schodack, N.Y., September 28, 2010.

SEE THE FUTURE

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THE NATIONAL ALUMNI ASSOCIATION'S GIVING INITIATIVE TO RAISE THE ALUMNI PARTICIPATION RATE TO 20%.

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Fordham	18%
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Vermont	20%
Cornell	22%





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SAVE THESE DATES

June 16

Metro New York Alumni Happy Hour, Outdoor Beer Bar
at Café Centro, NYC

August 5

15th Annual Day at the Races, At the Rail Pavilion,
Saratoga Race Course, Saratoga Springs, N.Y.

September 23–25

Reunion Weekend 2011, Albany Law School, Albany, N.Y.



www.albanylaw.edu/events