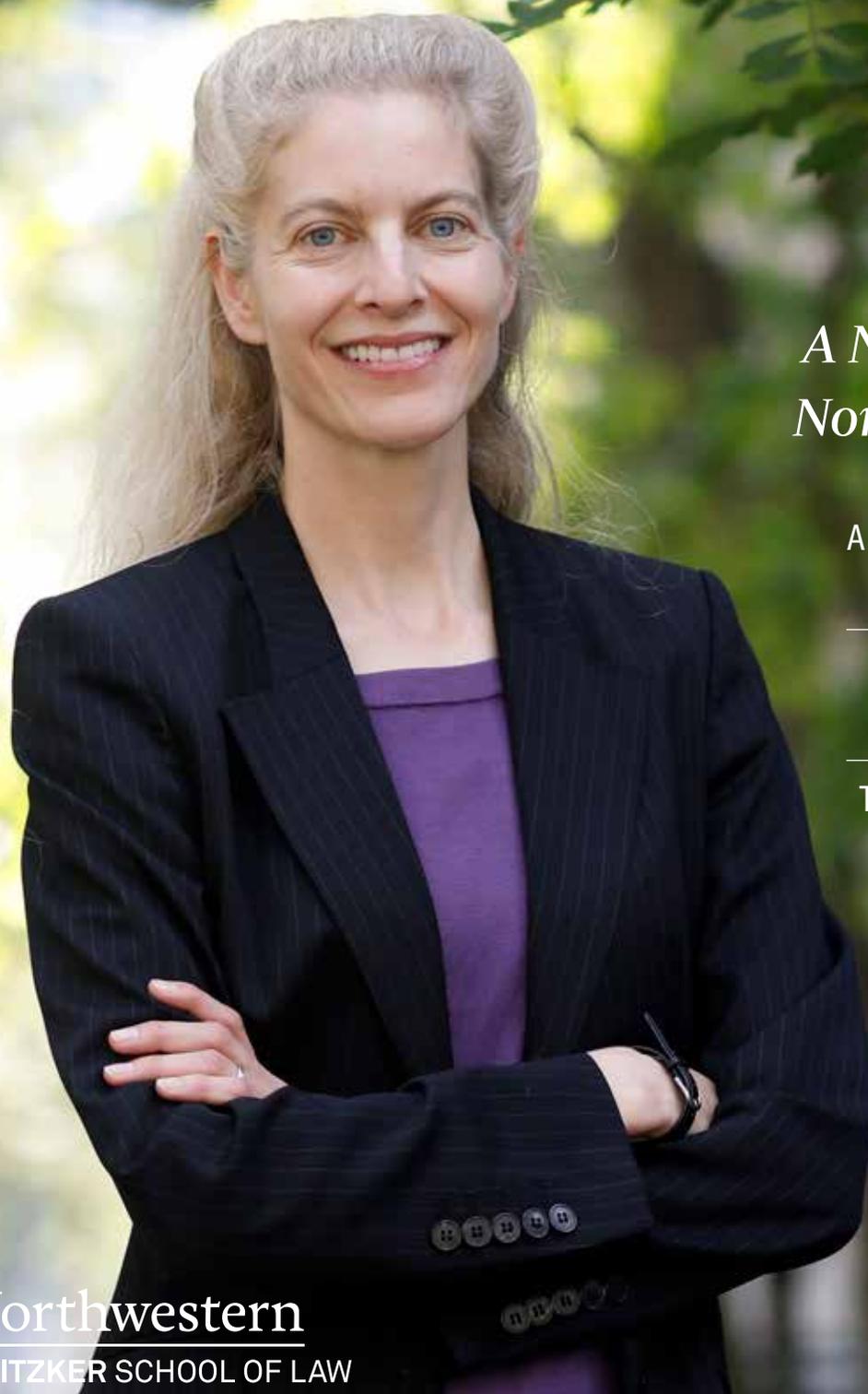


THE MAGAZINE OF NORTHWESTERN PRITZKER SCHOOL OF LAW

NORTHWESTERN LAW REPORTER

VOLUME VII
NUMBER 2
FALL 2018

A portrait of Dean Kimberly Yuracko, a woman with long, light-colored hair, wearing a dark blazer over a purple top. She is smiling and has her arms crossed. The background is a blurred outdoor setting with green foliage.

Dean Kimberly Yuracko: A New Chapter for Northwestern Law

A Legal History of Chicago
in Courtroom Sketches

Clerking Across
the Country

The Unique Experience of
Veterans in Law School

Northwestern

PRITZKER SCHOOL OF LAW

NORTHWESTERN LAW REPORTER
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DEAN AND JUDD AND MARY MORRIS LEIGHTON
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FROM THE DEAN



Stepping into the role of dean at Northwestern Pritzker School of Law is an incredible honor, and one I don't take lightly. Ours is an extraordinary community of scholars, advocates, and activists — truly leaders of our profession and of society. Yet our community is perhaps most extraordinary because of its spirit — a spirit of creativity, collaboration, and caring. Never has this been more clear to me than during this period of transition. Every day I hear from a student, staff member, faculty member, or graduate reaching out not only with well wishes and expressions of support for me and for the Law School, but also with concrete suggestions and offers of assistance aimed at making our great Law School even greater — more effective, more inclusive, and more responsive to the challenges of our day. For this I am profoundly grateful. It is the wisdom and generosity of our community that gives me confidence in our ability to move this extraordinary institution forward.

Indeed, my vision for the Law School in the coming years is to strengthen our community by nurturing it and giving back more. I am working to enrich our curriculum, deepen our career support, and enhance our professional development resources for all graduates. The goal is to make Northwestern Law truly a law school for life. I hope that our graduates will think of Northwestern not only with nostalgic fondness as the institution that helped launch their careers, but as the community that continues to engage, enrich, and support them.

As dean my hope is to return to our community the same care and generosity that has been shown to me in my time here. I look forward to being in touch with our community, to communicating my vision for progress, and to bringing that to reality.

Kimberly A. Yuracko
Dean and Judd and Mary Morris Leighton Professor of Law

NOTEWORTHY

Minow Debate Shows No Neutral Sides on Net Neutrality

On April 1, Northwestern Law hosted the second Newton and Jo Minow Debate, “Preserve Net Neutrality: All Data is Created Equal,” to a packed Thorne Auditorium. After a lively and sometimes heated 90 minutes, the team arguing against the motion won, swaying eight percent of the audience to their side.

“The information superhighway to hell is paved with good intentions,” began Michael Katz, a professor at the University of California, Berkeley and the former chief economist for the Federal Communications Commission, as he launched the case against the motion. Both he and his debate partner, Nick Gillespie, highlighted the risks of giving government more power over free speech and the negative consequences of regulating internet providers, like reducing incentives to serve rural areas and low-income communities. Gillespie is the editor-at-large of *Reason*, the libertarian magazine of “Free Minds and Free Markets.”

Tom Wheeler, former chairman of the Federal Communications Commission under the Obama administration and a current fellow at the Brookings Institute and Harvard Kennedy School, who argued for the motion, emphasized the importance of “non-discriminatory equal access.” He and his debate partner, open-web advocate and Mozilla Corporation chairwoman Mitchell Baker, argued that net neutrality is necessary to prevent internet carriers from controlling what the public can access online. Besides limiting consumer choice, an absence of net neutrality regulations could stifle innovation and create unfair competition, they said. “Without net neutrality, companies also have no motivation to protect your privacy,” argued Wheeler.

At its core, net neutrality is the idea that internet service providers should treat all data on the internet equally and refrain from favoring, blocking, or discriminating against particular websites or apps. The repeal of net neutrality laws officially took effect on June 11, six months after the Federal Communications Commission voted to roll back the rules. But the status of net neutrality is still in flux. In May, the Senate passed a measure to preserve it, and several states have enacted legislation to protect net neutrality within their borders.

The debate touched on common carrier regulations, landmark discrimination cases, and the question of free speech. In her closing statement, Mitchell Baker’s own experience at Mozilla illustrated the importance of an open internet. “Mozilla and Firefox would not be here without net neutrality,” she said. “We were able to create Mozilla because of the open internet.” Gillespie used the opportunity to remind people of the risks of government interference. “We have a very good functioning internet and it’s getting better all the time,” he said. “If you think government is going to

guarantee better quality, better service and free speech, I’m moving to Canada.”

The Minow Debate Series engages outside experts, law school faculty and students on timely legal topics. In 2015, the debaters argued the motion “U.S. Prosecutors Have Too Much Power.” The series, which is free and open to the public, is produced in partnership with Intelligence Squared Debates, a nonpartisan, nonprofit



organization committed to “restoring civility, reasoned analysis, and constructive public discourse.”

John Donovan, author and correspondent for ABC News, hosted the debate, which consisted of seven-minute opening arguments, an audience Q&A session, and two-minute closing arguments. The audience voted for or against the motion before the debate and again after closing statements. The winner was determined not by which side had the highest percentage of votes but by which side changed the most minds. While 60 percent of the audience supported net neutrality both before and after the debate, Gillespie and Katz increased their side’s support from 23 percent before the debate to 31 percent afterward.

Nevertheless, it was the spirit of civilized, public discourse that reigned over the course of the night. “We all came here to compete,” said Donovan. “I’m honored that it was done with respect.”

The Newton and Jo Minow Debate Series was established as part of a generous gift from friends and colleagues of Newton N. Minow (JD ’50) to honor his numerous contributions to public and civic life. Minow is the originator of the televised U.S. presidential debates, which inspired the idea to honor his legacy with a permanent debate program at Northwestern Law. ■

A Novel Idea: Law Faculty on Writing Fiction

It's not unusual for lawyers to try their hand at fiction — just look at Scott Turow and John Grisham, who together popularized an entire legal thriller genre. But while these novelists used their legal expertise to craft gripping courtroom dramas, two Northwestern Law faculty members with novels out this year are telling stories that veer far outside their usual lesson plans. Professor of practice Michael Barsa's *The Garden of Blue Roses* is a gothic psychological thriller, while Harry B. Reese Teaching Clinical Associate Professor of Law Michelle Falkoff's *Questions I Want To Ask You* is her third foray into young adult fiction. The authors sat down to discuss their latest books, how they balance their legal work and writing, and the one skill that all lawyers — and all novelists — need.

Professor Barsa, you teach Environmental Law. What inspired you to write a book about something so entirely different than your area of legal expertise?

Michael Barsa: On the surface, the subject matter seems totally different. Except, what I've always loved about gothic novels is how they deal with nature. In the work of Nathaniel Hawthorne, who is one of the influences of this book, there's always something mysterious and dark about nature — it's where evil lurks. And then you have the English gothic novels which have these really lush descriptions of nature. In my book there's a gardener who shows up and wants to make everything beautiful and rational, and the narrator sort of pushes back on that. There's something about the dark mystery of the woods that he wants to preserve.

So the preservation of nature is an overlapping theme between your legal work and your fiction?

MB: It is, but at the same time, environmental law has gotten so technical and technocratic — there's a huge statute book and it's all about rules and technology and science. That's all useful and necessary in its way, but I think what the environmental movement lacks, or what it leaves behind, is the notion of sublime mystery. The romanticism. Perhaps this book is a little bit of an expression of my love of nature.

Professor Falkoff, you teach Communication and Legal Reasoning, which is obviously quite different from young adult fiction. Is there an overlap in what you teach and the novels you write?

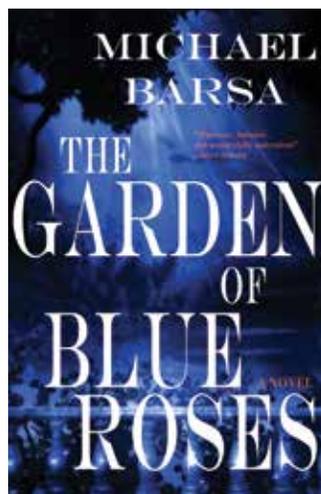
Michelle Falkoff: The link for me is a little more tenuous but I've noticed that — not on purpose — the novels I write have a tendency to be driven by people keeping secrets from one another or being unable to communicate about things that are hard. I'm interested in people who refuse to have conversations that might save them, and in the kinds of secrets people hide from each other for what they believe

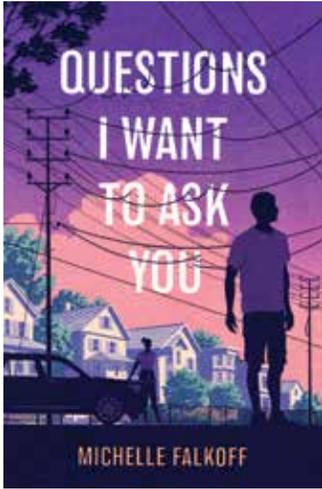
to be good reasons, but they have long-term fallout. In my head, that's sort of a rule-breaking enterprise. Which is to say, if people organized their lives by certain principles or rules, they would have better relationships and better communication and things would be clear and simple and understandable — and that's what I'm trying to teach my students. I want them to understand how clear communication helps lawyers be more effective. In my books, I'm dealing with the fallout of people who can't handle that in their day-to-day lives. It's not a strict one-to-one comparison, but there's a relationship there.

Both of you started out as practicing lawyers. How did you make time for fiction writing?

MB: When I started working on this book I was working as a full-time lawyer in a very stressful and demanding job at a firm in Los Angeles where they just threw you in. There was no hand holding. I would come home in the evening, rather late, and if I could write one good sentence before collapsing and going to sleep I thought the day was a victory. I worked like that for the better part of

Michael Barsa's debut novel, "The Garden of Blue Roses," was published in April.





"Questions I Want to Ask You" is Michelle Falkoff's third novel.

two years until finally I had something that resembled a manuscript.

MF: When I was in practice it was tough — I felt like I was getting far away from my writing, so I started taking fiction writing classes. I worked in Palo Alto, so I took classes at Stanford and my very first class was with someone who had been a lawyer and had quit to go back to grad school for fiction writing. It was mind-blowing to take a class from him, because he talked about writing in a way that spoke to my lawyer heart. Before taking his

class, I always thought writing was a dream that was never going to happen for me, because practical me would never do something so impractical as to waste time writing. But he talked about writing like a job — you practice, you improve. I used to joke that you had to have the lightning bolt of genius to write or it wasn't worth it, and I didn't have it. This professor convinced me that you didn't need the muse to strike you in order to be a writer, and that changed everything.

It seems like there are a lot of lawyers who are interested in creative writing. What is it about a person who wants to be a lawyer that might also make them inclined to write fiction?

MB: Lawyers deal with the written word every single day — a lawyer is a writer, so it's not surprising to me that a person who likes to write would go into law, or that a person who likes to write as a lawyer might also like to write other things.

MF: Lawyers are often very practical people and being a writer is a really impractical thing to do. There are very few people who work solely as writers to make a living and aren't subsidized by a person or a job. I get a lot of students who say, "I want to be a writer, I don't know if I want to be a lawyer," and I say, "You don't have to pick, and you probably shouldn't." We're so lucky to have found a profession where we can commit ourselves to our students but also have some time to get our writing done.

MB: My vision going into law school was that I wanted a job that would give me an interesting lens on the world, but that I could also

balance with writing. I knew that would be hard, and there were months at a time when I didn't have time for much besides work, but my end goal never changed. So whenever my students ask me not just about writing but about their lives and where they should go and what they should do, my overarching message is always to be true to yourself. What is it that you want?

And what if they want to be a lawyer and a novelist, like you? What is your advice?

MF: Keep writing! It's going to take a long time but keep doing it and don't get discouraged. Just as you don't walk into law school as a good lawyer — you need to train your brain — the same is true for writing novels. You have to be patient and you have to be persistent. Of all the people I went to grad school with when I got my MFA in fiction writing, the people who are the most successful as writers are not necessarily the ones who were the most talented; they are the ones who kept writing. Persistence is massive.

MB: You have to write so much bad stuff to get to something that is maybe halfway decent. At the same time, the hardest thing is that you have to be hopeful enough at the beginning of the day to sit down and do it all over again.

How does being a lawyer make someone a better novelist? And how does being a novelist make someone a better lawyer?

MF: When I'm teaching my students about clarity and audience and focus, I explain that when you are writing for lawyers you are looking to do things in a very particular way. And when you are writing fiction, you are doing it another way. But in both scenarios, you are ultimately always trying to persuade somebody of something. Once you understand that, it governs a lot of the choices you make. Sure, the type of writing and the avenues for creativity are different in law versus fiction, but the same kinds of conversations about the purpose of your writing are relevant in each one. Every sentence has to have a job.

MB: The interesting thing about fiction writing is that you learn to see the world from the perspective of different characters. In my book, the narrator is a little bit off, so I had to train myself to see the world from his perspective. That skill is one that is very underappreciated in the law. The best lawyers are able to see a case not only from their client's perspective but also from the other side's perspective. If you can do that, you are much more effective. I've known a lot of lawyers whom I call "bulldog lawyers" — *we are good guys, they are bad guys, we are right, they are wrong* — and they are completely blinded to what the other side might say. The art of imagination and imaginative empathy that you train yourself in as a novelist is something that is incredibly important for all lawyers. ■

“Beyond Our Borders” Dares the Legal Industry to Change

On May 3 and 4, legal industry thought leaders from around the world gathered at Northwestern Pritzker School of Law for “Beyond Our Borders,” a global innovation summit on the changing landscape of the legal ecosystem. The conference consisted



Eva Bruch, founder of Alterwork, Johann Le Frapper, general counsel of the Pierre Fabre Group, and Crispin Passmore, executive director of the Solicitors Regulatory Authority, in discussion at Beyond our Borders.

of 12 different panels, presentations, and networking events that tackled the future of the legal industry at a time when technological advances, new delivery models, and a rapidly shifting marketplace are transforming the profession.

Though the role of technology was at the center of many discussions, the consensus among the speakers was that true innovation was not about digital know-how

but about the imperative to change legal culture. “Until we deal with our cultural challenges, we will not be as successful as we can be, or we’ll be adopting changes in such small increments that it becomes an issue,” said Andrew Arruda, CEO

and co-founder of ROSS Intelligence. “The change must come from within.”

Several of the speakers pointed out that the traditional law firm has not been able to address two of the biggest challenges of the legal sector: broadening access to justice and improving legal delivery services. “The vast majority of individuals and small businesses cannot access the legal services that could change their lives,”

said Crispin Passmore, executive director of the United Kingdom’s Solicitors Regulatory Authority. Cultural innovation can ease this access-to-justice burden, Passmore argued. John Fernandez, chief innovation officer at Dentons, noted that even Biglaw is entering the innovation space by launching tech collaborations, labs, and accelerators to meet the demands of clients who expect quicker, cheaper, and more efficient delivery of legal

services. Though adapting to these changes may prove challenging, panelists approached them with a sense of excitement. “Changes are having a huge, positive impact on humankind,” said Fernandez. “We should embrace it. Lawyers won’t become extinct but innovation will force us to be better.”

Cultural change also means fostering legal education that employs multidisciplinary knowledge, teaches students to be competent with technology, and emphasizes the importance of public service. “We have the imperative and the need to give our students modern skills for a modern world,” said then-Dean Daniel B. Rodriguez in his presentation on law school innovation.

While law tends to be a skeptical industry attached to rigid billing structures that can make modernization difficult, conference speakers agreed that the new legal paradigm is here to stay and those who don’t adapt to it may be left behind. The way forward lies in removing cultural barriers, embracing collaborative thinking, and being keenly aware of how shifting practices in one nation can affect your own local practice. The industry itself has to be willing to take risks. This call to action was summed up by Joek Peters, founder and CEO of LegalBusinessWorld: “Dare to start a fire. Dare to start something new.” ■



Number of countries where Northwestern Law alumni live.

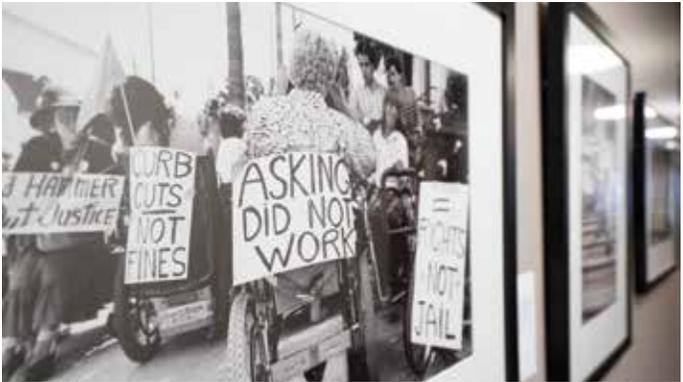


A Lens on Social Justice Comes to McCormick Hallway

Activists crawling up the stairs of the Capitol, demanding the passage of the Americans with Disabilities Act. Elizabeth Eckford facing National Guardsmen during the integration of Little Rock schools. The White House illuminated in rainbow colors after the legalization of same-sex marriage. These are the iconic images of groundbreaking events in modern legal history. Today, these same images grace the walls of the first-floor hallway of McCormick in a new permanent exhibition called “Law + Social Change.”

The exhibition is the latest achievement of the Visibility Initiative, a Student Bar Association (SBA) committee founded in 2013 by Brenna Helppe-Schmieder (JD '16) and Nick Carson (JD '15). The student-led effort seeks to increase the diversity of representation in the Law School’s physical space, in order to create a more inclusive environment. “Visibility refers to being reflective of the type of modern lawyers that not only graduate from Northwestern, but that are leading social activism and social change in our society,” says Melissa Moreno (JD '19), the 2017-2018 SBA President. Over the years, as a part of this initiative, the committee has installed photographs of important legal figures in the Levy-Mayer basement lounge, chosen paintings from Chicago-area artists for the new atrium expansion, and coordinated an exhibit on Tanzanian photography.

In 2016, the committee proposed replacing the McCormick hallway artwork with pieces that reflected the social justice movements that motivated current students to pursue law. They surveyed the student body for specific events they wanted represented in the school and culled a selection from their responses.



“Asking Did Not Work” by photographer Tom Olin. In 1988, disability activists protested the lack of curb cuts by taking sledgehammers to Hollywood’s Walk of Fame.

The committee worked closely with Facilities, Student Affairs, and Alumni Relations to secure the space, acquire the photographs, and raise the funds to see the project through. The result is a series of 10 photographs that depict moments like the farmers strike led by Cesar Chavez, the Black Lives Matter movement, and the Standing Rock protest.

The hallway is meant to highlight the stories of underrepresented groups, but also serve as a reminder of the struggles that continue to this day. “As lawyers to be, we need to understand where we’ve been so we can understand where we ought to go,” says Steven Kobby Aye Lartey (JD '18), a member of the Visibility Initiative. “The hallway represents our humanity as community members, but also our obligation to society to do justice.” ■

ON THE RECORD

“Diversity and parity is not a box-checking exercise; it is a cultural commitment to a common set of core values. It is a statement of and commitment to what the organization stands for. Equal pay, opportunity for advancement, mentorship, retention, work/life balance, flexible working conditions, and zero-tolerance for discrimination of any kind is what the legal industry must aspire to and legal buyers should demand.”

—CPEI Distinguished Fellow Mark Cohen, “Why Does the Gender Wage Gap Persist in Law?” *Law.com*, 4/3/18



“Amid the current controversy about gun control, a variety of commentators and media outlets use the phrase ‘supporters of the Second Amendment’ to refer to those who oppose one suggested control measure or another. This way of characterizing opposition to control measures is fraught with ambiguity at best and outright misunderstanding at worst. For if opponents of gun control measures are supporters of the Second Amendment, then it might seem that proponents must be opponents of the Second Amendment. That is just plain wrong.”

—Professor Emeritus Robert W. Bennett, “What Does it Mean to Support the Second Amendment?” *The National Law Journal*, 4/6/18



“The choice isn’t ‘join [a gang] and if you don’t want to join, go back to what you are doing.’ The choice usually is ‘join and if you don’t join, die.’ And so when the child is presented with that option, they feel that they have no choice but to leave and come to the United States and seek safety. ... They are not leaving their country and walking across deserts and hopping on trains just for a slightly better life. The reason why they are coming is because they feel that if they remain in their country, they will die.”

—Professor Uzoamaka Nzelibe, “Immigration in America: Unaccompanied Minors in the U.S. Immigration System,” *Wisconsin Public Radio*, 7/12/2018

“It’s hard to be the person to start the difficult conversations, particularly during times of great public sensitivity. Arguably, though, that’s what public intellectuals are supposed to do — the protections of tenure exist to encourage them to speak their minds freely and without fear of repercussion, provided they don’t run afoul of the first amendment.”



—Professor Michelle Falkoff, “Thoughts on Tenure and Free Speech from an Untenured Faculty Member,” *Los Angeles Review of Books*, 5/30/18

—Professor Steven Lubet, “Can Trump Commit Treason and Get Away With It?” *The Daily Beast*, 6/11/18

“Unlike countries where government leaders have unfettered power to announce, direct, and disregard the law — Iran, Venezuela, North Korea — the United States is a constitutional democracy, where even the highest elected official is subject to the same laws as every other citizen. Trump has already articulated an expansive view of treason when it comes to other people, having called congressional Democrats “treasonous” for failing to clap at his State of the Union Address. Alas, it is not too farfetched to imagine that he might try to excuse, or even pardon, himself for all manner of conduct far worse than insufficient applause.”

“As people become more familiar with how sexual violence is perpetrated — normally not by a stranger in an alley with a knife — long-standing myths and biases will loosen their hold. More sexual violence survivors will feel empowered to recount violations to family members, friends, neighbors, co-workers and even law-enforcement officials. The possibility of justice, even justice delayed, offers compelling reason for survivors to tell their stories.”

—Professor Deborah Tuerkheimer, “Let’s Ease Statutes of Limitation in Rape Cases,” *The Washington Post*, 5/25/18



A New Chapter for Northwestern Law

Dean Kimberly Yuracko steps into the role with an eye toward progress and a passion for community.

BY RACHEL BERTSCHE

When Kimberly Yuracko started teaching at Northwestern Law in 2001, she didn't envision one day becoming the dean. As a visiting assistant professor of law teaching courses in employment law, family law, and property, she was entirely focused on instruction and research — and that focus paid off. Only two years later, her first book, *Perfectionism and Contemporary Feminist Values*, was published by Indiana University Press. In her first year at the Law School, she received a Dean's Teaching Award Honorable Mention, and she was the recipient of the award itself or an honorable mention almost every year following, until she took on the role of associate dean for academic affairs in 2009. (The only year she wasn't on the Dean's Teaching Award short list was in 2004, when she won the Outstanding Professor of a Small Class Award.) In 2016, she was named Judd and Mary Morris Leighton Professor of Law.

Seventeen years after teaching her first Northwestern Law class, Yuracko has packed up her Hall of Heads belongings and moved into the dean's office, a post she assumed on September 1. Dean Yuracko comes to the position with experience — in 2011, she served as interim dean, a role she says taught her a great deal about the Law School community at large as well as some of the finer points of running an academic institution. "I learned during my time as interim dean how broad our constituent base is and how important it is as a leader to nurture all facets of our community," says Yuracko, who has also served at the University level on the Provost's Advisory Council on Women Faculty, the Search Committee for Associate Provost of Diversity and Inclusion, and as co-chair of the Organization of Women Faculty. "When one is thinking about steering this really great law school, one must take into account the vision of

all these different groups — students, graduates, faculty, staff, and the broader university. We need to bring together all these viewpoints when we think about ways to move forward, not because every step is going to serve each constituency equally, but because these different groups are our community and all of them care deeply about this institution.”

The interests of that wide-ranging and passionate community are at the core of some of Yuracko’s most immediate initiatives for the Law School, including strengthening career

really important respects. Fairness sometimes, indeed often, doesn’t mean treating people the same. I’ve been grappling with what it means to treat people in ways that are respectful and fair and will allow them to participate fully in a community, be it a workplace or the public sector or a law school, for a long time.” This fall, Yuracko plans to meet regularly with a group she is calling the Dean’s Diversity Council, which will include the associate deans and the heads of student affinity groups, to discuss social issues that are affecting students and the Law School.

Additionally, she and former Dean Daniel B. Rodriguez recently announced the hire of Shannon Bartlett, a new associate dean for diversity, inclusion and outreach. Yuracko also plans to launch a women’s leadership initiative, which will facilitate discussions between current and future leaders of the profession regarding the pathways to success.

“I think it really does matter to younger women to see women in positions of authority as they envision their own paths,” says Yuracko, who is the first female dean of Northwestern Law. “Women have been 50 percent of law school classes for quite a while now, so having women in leadership roles is a reflection of the evolution of our profession.” And while she says it is a “great privilege” to be one of the women who might serve as a role model to younger lawyers, Yuracko, a graduate of Stanford Law, is most excited to be stepping into this job at a time when

“Making sure that we are inclusive, and that we figure out a way to respect each other’s viewpoints, is critical.”

support for alumni and continuing to increase diversity within the student body and faculty. Her commitment to ongoing career support is a reflection of changes within the legal profession, she says. “People no longer leave law school and stay at one firm for their entire career. They move around — into government, into business — and it’s important for the Law School to serve as a resource during these transitions.” To kick-start that initiative, the Law School will be launching professional development webinars, creating peer groups focused around particular career milestones, and increasing networking and mentorship opportunities amongst alumni. “The goal will be for graduates to look to the Law School at particular pivot points in their careers for training, support and guidance,” Yuracko says.

Increasing diversity and inclusion across all areas, Yuracko’s other most immediate initiative, is vital not only because it will strengthen our community, she says, but because lawyers must learn to engage respectfully and fairly with opposing perspectives and opinions. “Making sure that we are inclusive, and that we figure out a way to respect each other’s viewpoints, is critical,” Yuracko says. Her scholarship in employment and family law, including her 2016 book *Gender Nonconformity and the Law* (Yale University Press), has only increased her commitment to these issues. “I’ve spent my career thinking about what it means to treat people fairly and equally when people are different in

“It really does matter to younger women to see women in positions of authority as they envision their own paths.”

the importance of lawyers and legal education is back in the spotlight. “When I was thinking about going to law school, I viewed lawyers as the people who protected the powerless and made sure that we really were a nation ruled by laws, not force. I was inspired by the civil rights lawyers and women’s rights lawyers who transformed our society to more fully realize our own ideals,” she says. “We’re seeing the same kind of recognition at this particular cultural moment. There’s a renewed sense of the importance of laws and lawyers, and that’s tremendously exciting.” ✨

Drawn to a Life of Crime

By Ines Bellina

In the summer of 1969, Andy Austin, a mother of school-age children and former art school student, was bored of drawing at home, so she began wandering Chicago in search of artistic inspiration. What she found instead was a career.

"There was an important trial coming to Chicago known as the Chicago Conspiracy Trial, and I thought it would be a great place to draw," says Austin. The trial, which saw the so-called Chicago Eight (later the Chicago Seven) face charges including conspiracy and inciting a riot for their role in demonstrations at the 1968 Democratic National Convention, would come to be known as one of the defining legal cases of the turbulent '60s. For Austin, it was the case that launched her professional life. Upon arriving at the courtroom at the beginning of the trial, the marshal confiscated Austin's art supplies because she wasn't a member of the press. During the days following, she snuck them in and spent several weeks battling the crowds to find room to draw. Finally, Austin telegraphed Judge Julius Hoffman to help her get into the press section and, to her surprise, it worked. That was where she overheard an ABC reporter fretting about hiring a new courtroom sketch artist to cover the case. Austin seized the opportunity to show him her artwork and was hired on the spot. "It was pretty terrifying. I had no idea what I was doing," she says. "That's how I started."

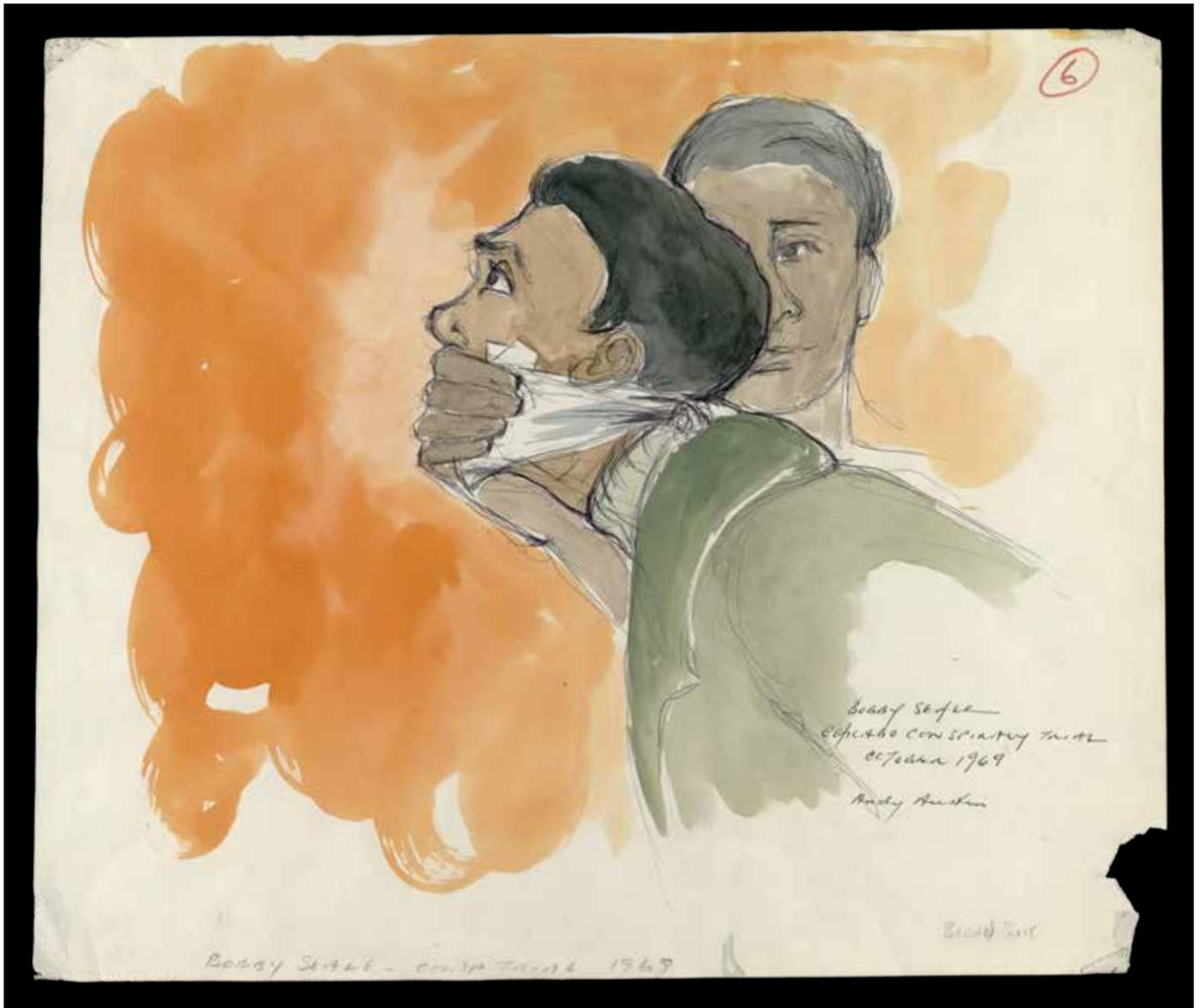
A few weeks later, Austin's sketch of a bound and gagged Bobby Seale, one of the defendants in the trial, was picked up by the Associated Press and appeared in newspapers across the country, including *The New York Times*. The drawing launched her career as one of Chicago's preeminent courtroom sketch artists. For 43 years, Austin had a front-row seat to some of the city's most important courtroom proceedings, including those of Governors George Ryan and Rod Blagojevich, serial killer John Wayne Gacy, mobster Joey the Clown, the notorious drug-trafficking El-Rukns gang, and even Michael Jackson. The result? Over 3,000 watercolor sketches depicting Chicago's – and the country's – history through the inner workings of its legal system.

The impressive collection has found a new home in the Pritzker Legal Research Center, where it will be preserved for future generations of scholars. "The Andy Austin Collection visually represents some of the most important moments in Chicago legal history," says George H. Pike, director of the Pritzker Legal Research Center. "As courtroom sketches, they represent a valuable and otherwise unavailable snapshot into the courtroom process and the lives that become entwined with those processes in a way that files and transcripts can't convey."

"It's amazing what the court cases show about a city's life and history. Since I had this material, I felt like it would be wonderful if it were preserved, catalogued, organized, and able to tell a story of what was going on for those 43 years," Austin says of her decision to donate her life's work. "The courts changed and the reporting changed too."

The sketches trace the social, political, and technological changes that shaped the city. Austin recorded the struggles of the civil rights movement, the rise and fall of the Chicago Outfit, the flourishing drug trade in poor neighborhoods, the concerns over terrorism after 9/11, and even the appearance of new crimes like cyberfraud. In tandem, her profession evolved from one that used film and catered to the local evening news to today's digital world and the relentless 24-hour news cycle.

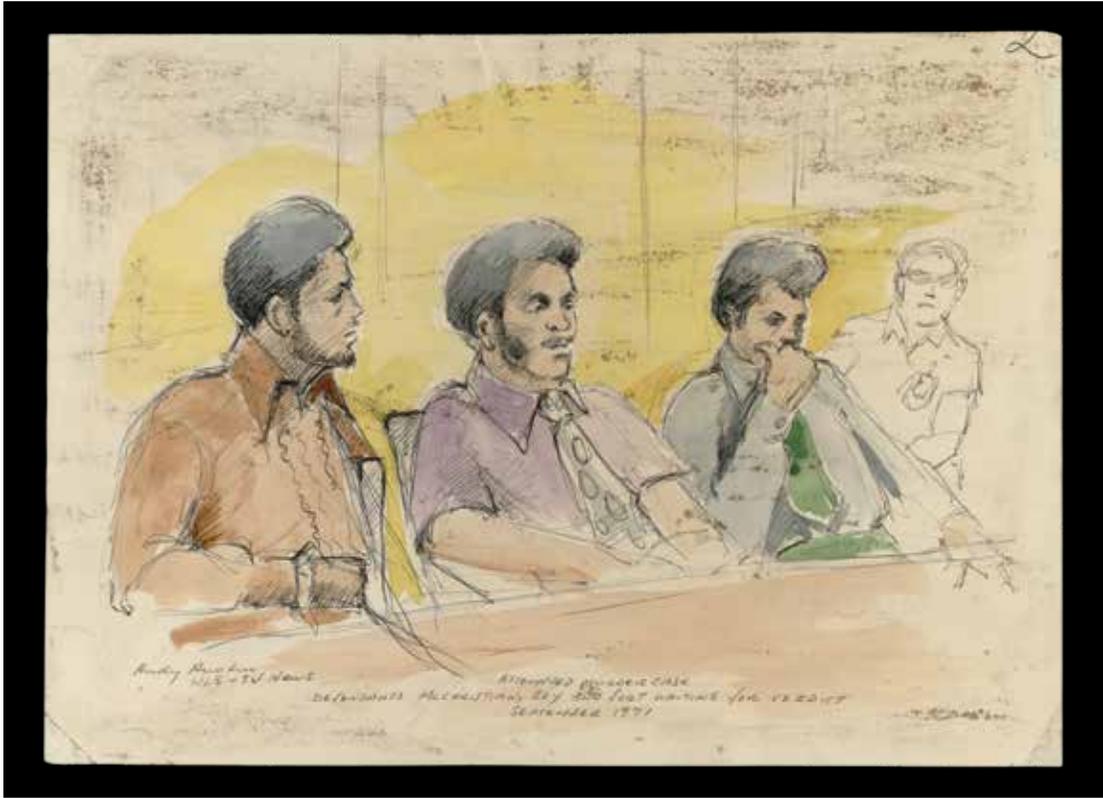
Some things, however, remain the same. "Chicago politics has certainly been eventful," Austin says of the countless public officials who have been memorialized by her black marker. It's the complexity of human nature, though, that sticks out most in her memory. "What surprised me was how I could often like or at least understand some really awful people. I found that there's some pretty horrible people who, in other parts of their lives, were really good guys. They took care of the sick, of widows, paid people's bills. People are so much more complicated than most of us realize. Human nature is far more varied and interesting than I would have thought." ●



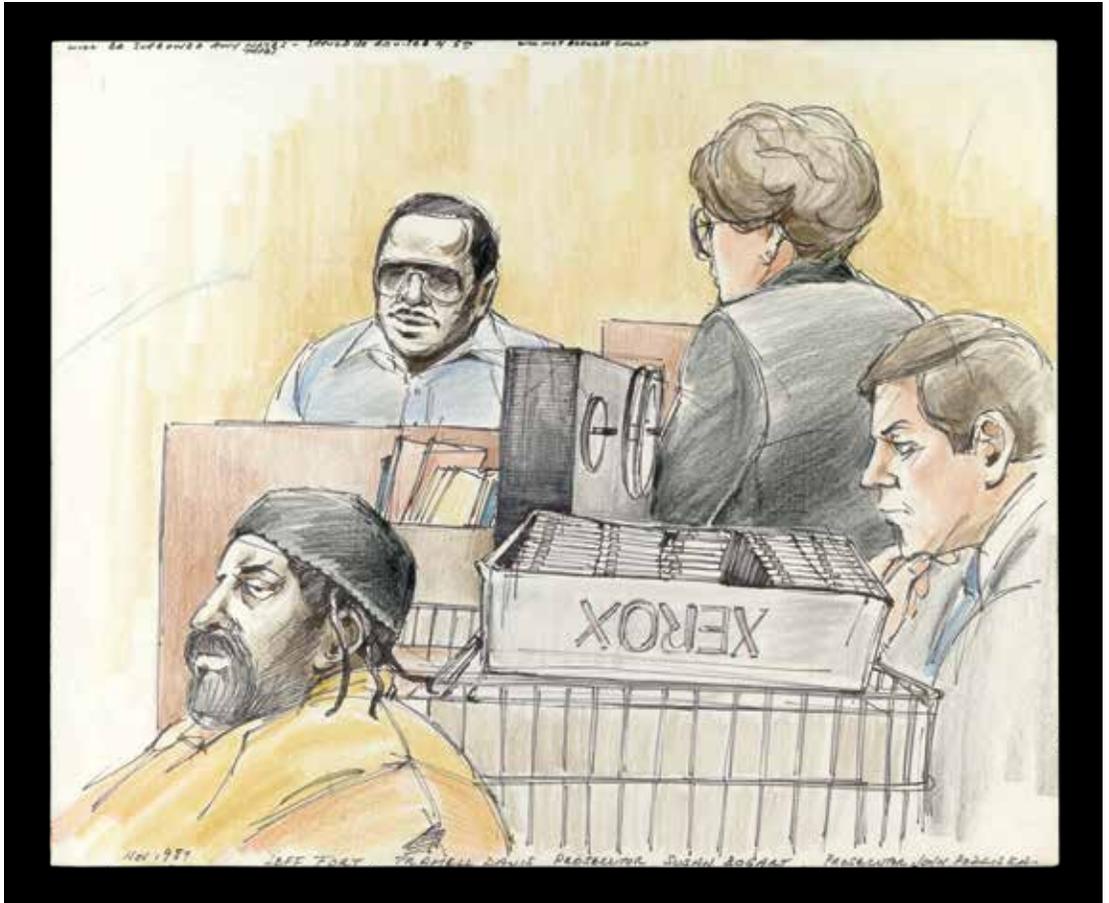
Chicago Conspiracy Trial, 1969

"There was a lot of fighting. It was scary. It was also very hard to draw. You were being pushed out of the way and people were all over the floor. It wasn't that I was terrified about getting hurt but about being able to get drawings of this. Then, Bobby Seale was bound and gagged in the courtroom for several days. He could see, but he couldn't talk. It was horrifying."





© Andy Austin

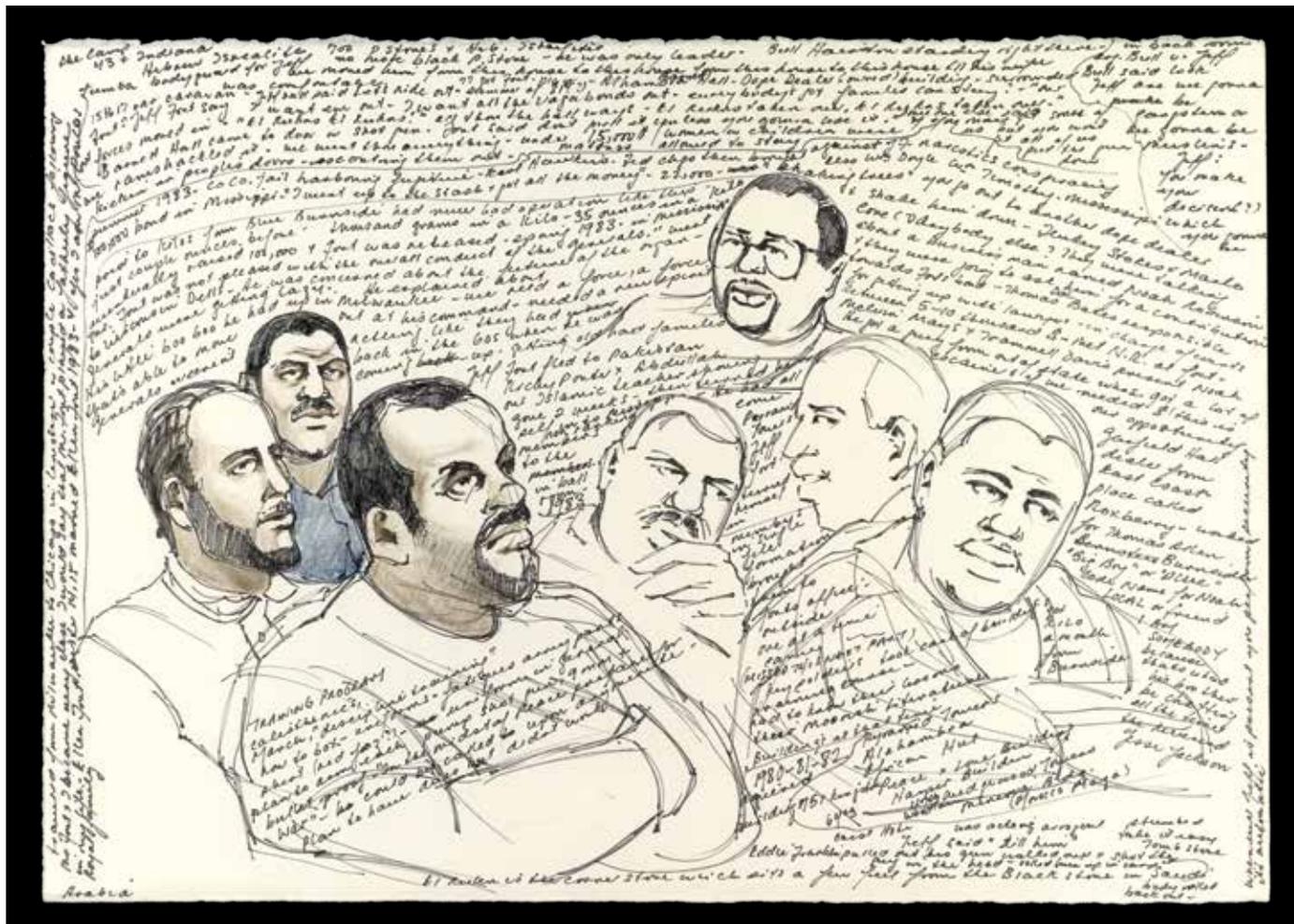


© Andy Austin

Blackstone Rangers Trial, 1971 (top left)

Jeff Fort Terrorism Trial, 1987 (bottom left)

“One thing that is really interesting about Chicago is how often I drew the same people over 43 years. I started drawing [gang leader] Jeff Fort in the ‘70s. I don’t remember how many times I drew him. The El-Rukns gave us a picture of Chicago that most people had no sense of whatsoever.”



© Andy Austin

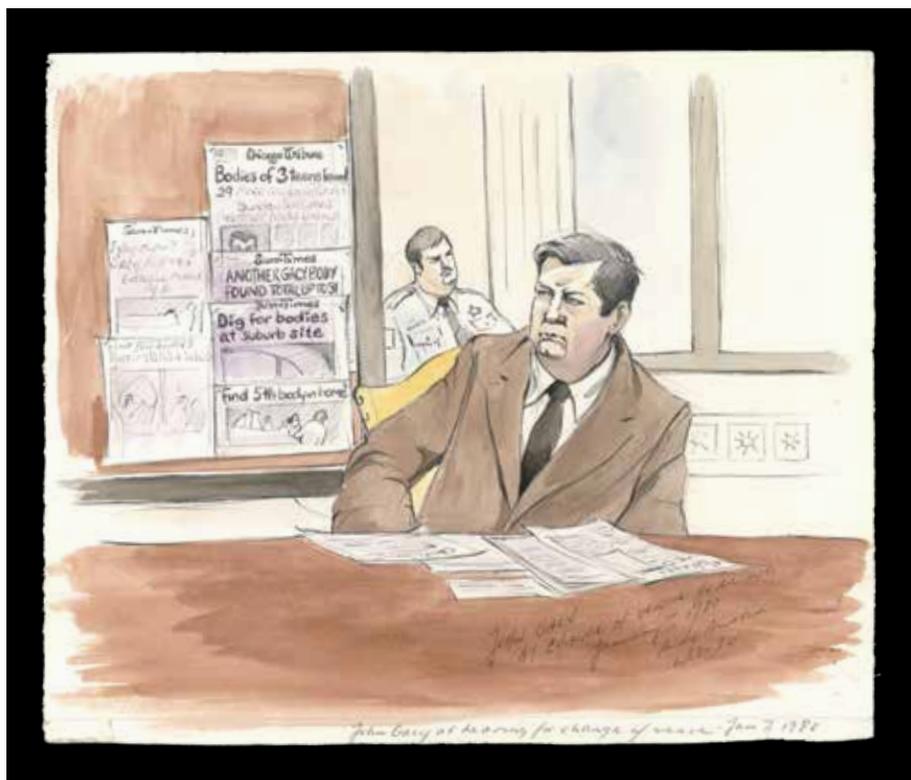
Jeff Fort Drug-Trafficking Trial, 1983

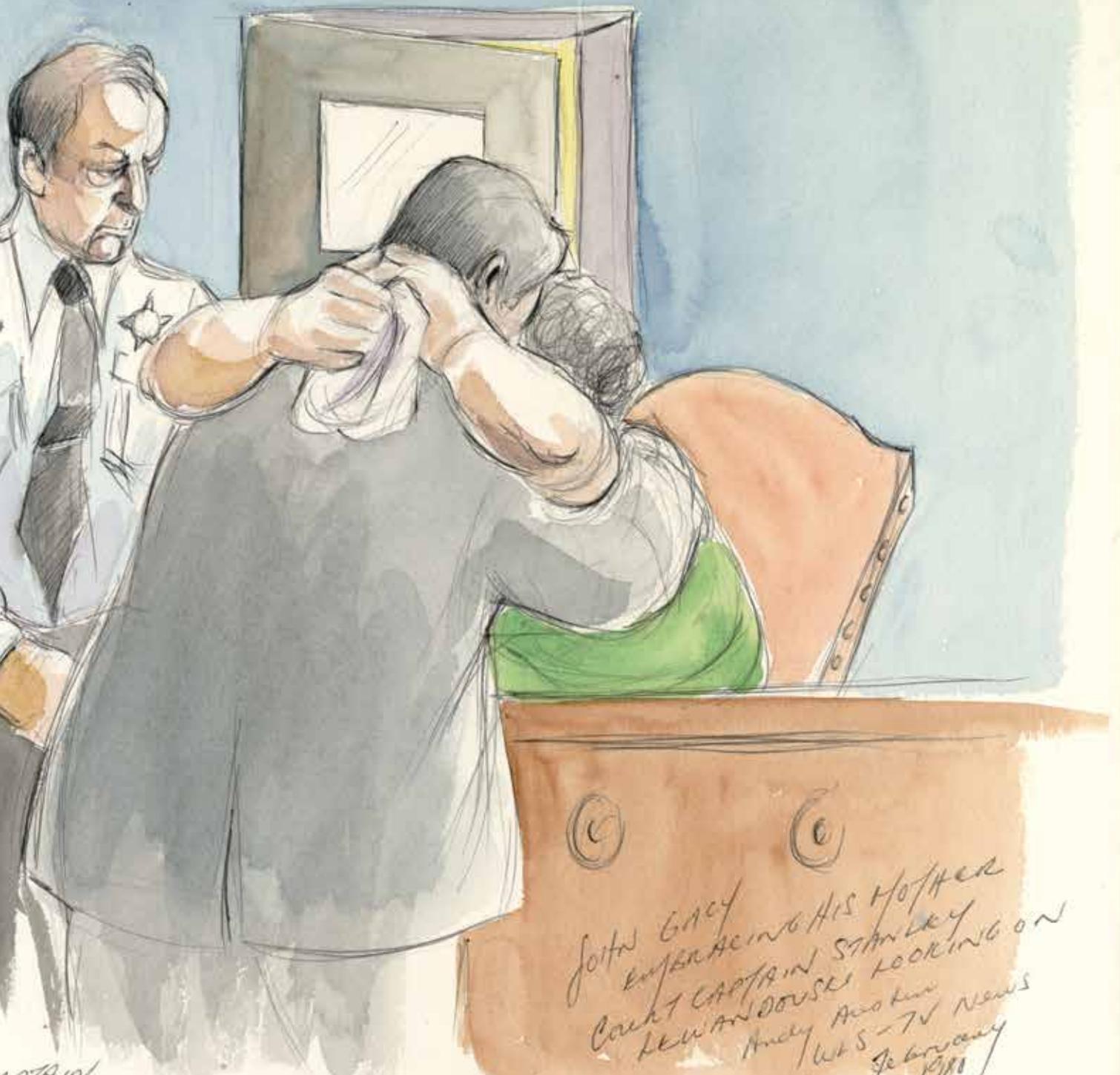
“At first, the notes were the most interesting things people said. Often the assignment desk didn’t know if a case was worth covering with a reporter and would have me work alone. In general, I always listened. I couldn’t lose myself in the drawing without listening.”

John Wayne Gacy Trial, 1980

"[Gacy] had people who loved him. His mother was an adorable little old lady who was nice to everybody. They let him hug his mother after she testified in the courtroom. His ex-wife liked him. His neighbors liked him. That really threw me."

"Gacy's case was the most unsettling. That somebody could be so weird, so evil, and yet have this one side of him that fit right into suburban life. Nobody suspected that he was hiding bodies under his crawl space."



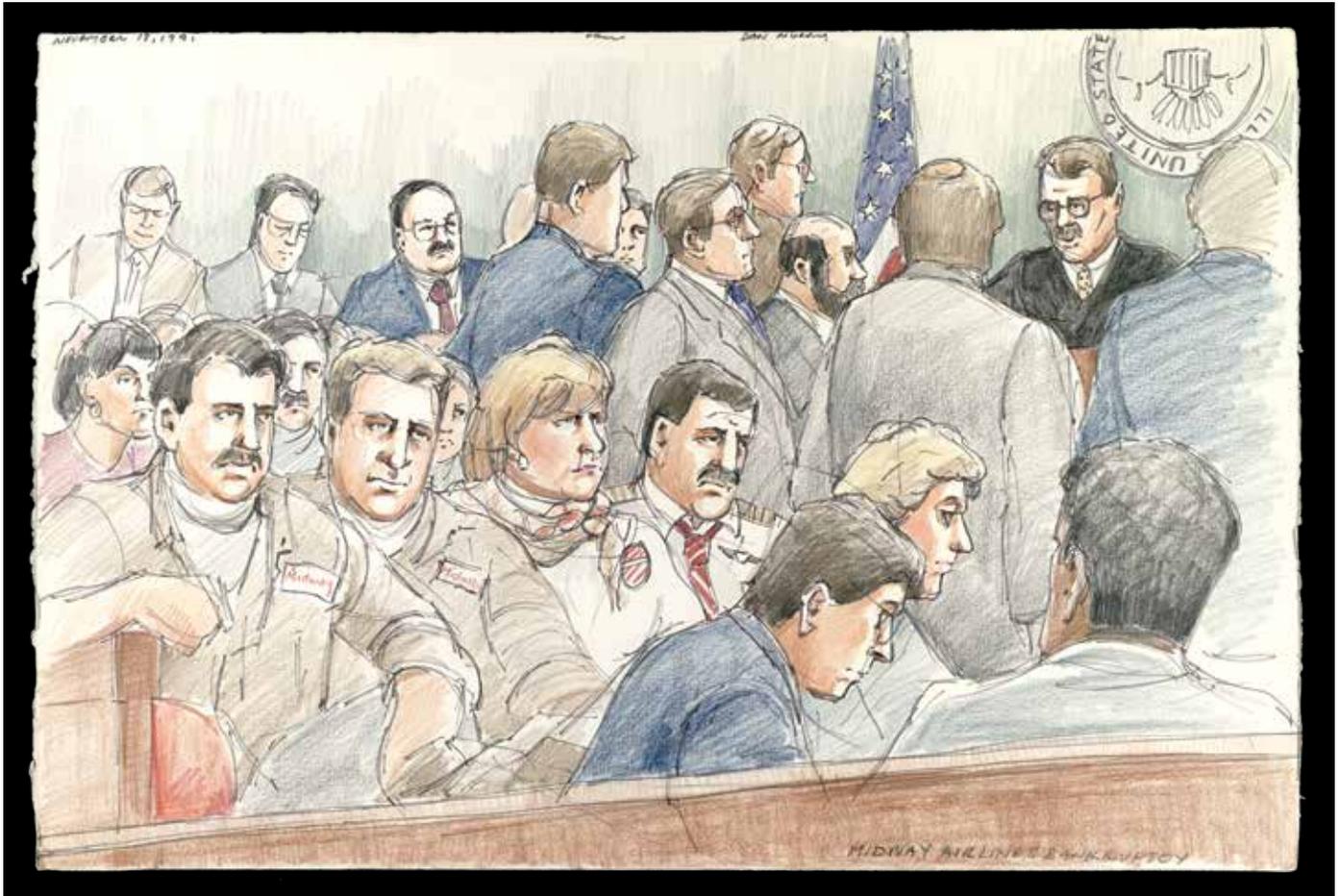


CAPTAIN
LEWANSKI

JOHN GACY

JOHN GACY
 EMPEROR OF HIS MOTHER
 COURT CAPTAIN STANLEY
 LEWANSKI DOUBLES LOOKING ON
 Andy Austin
 WTS-TV News
 February
 1981

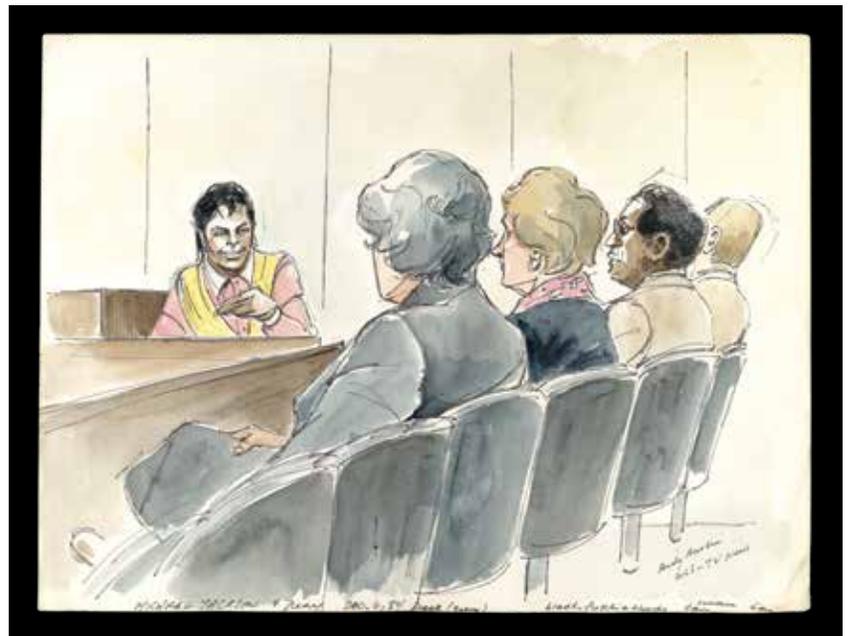
SHOOT WIDE - GO IN ON HUG



© Andy Austin

Plagiarism and Copyright Lawsuit Against Michael Jackson, 1984

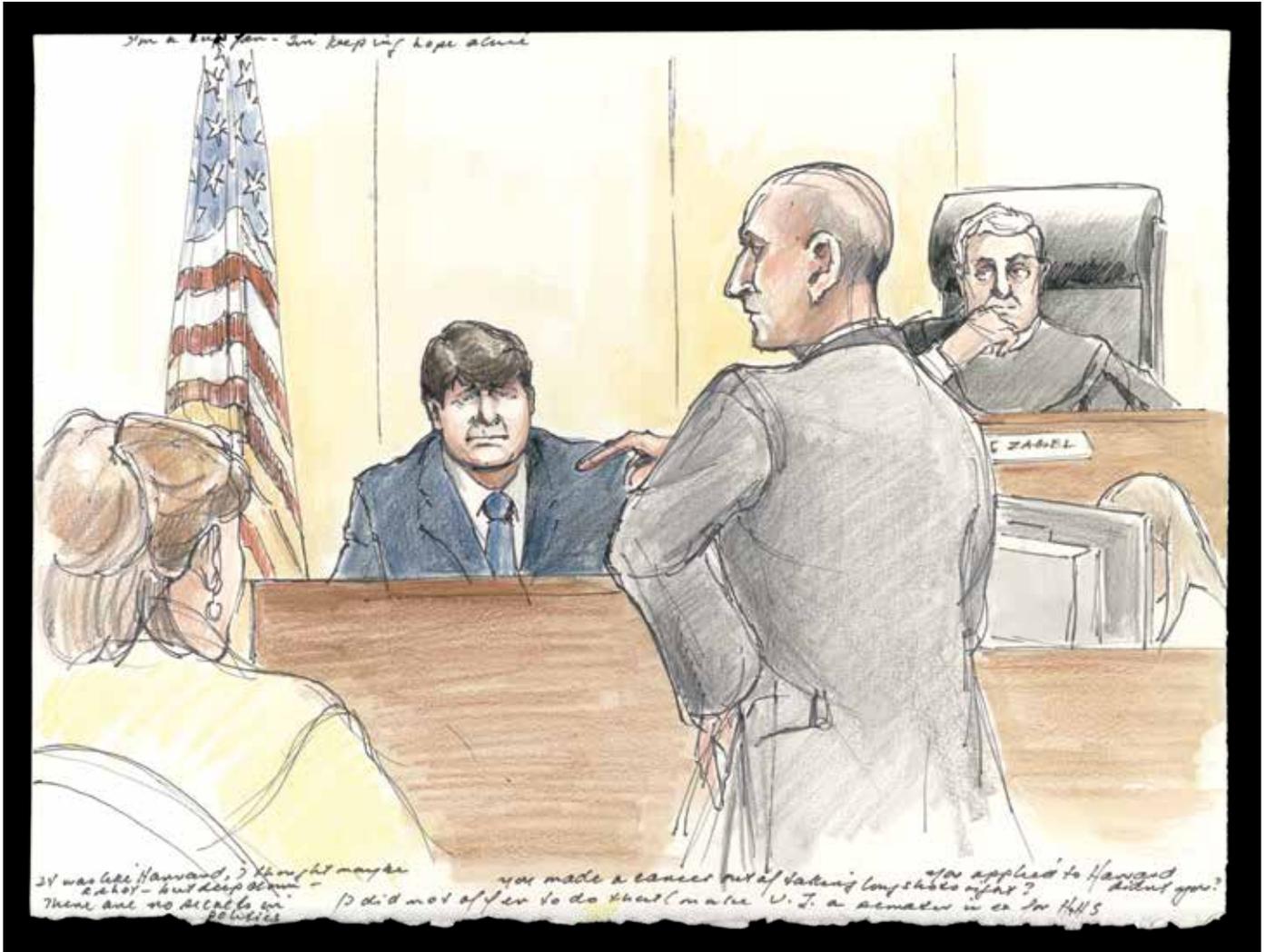
“Apparently he was a nervous wreck. They kept him in the back until he took the witness stand. He was shaking all over. Of course, he wore his white gloves.”



© Andy Austin

Midway Airlines Bankruptcy Trial, 1991

"[Bankruptcy trials] are very passionate. They have very good lawyers on both sides who give wonderful arguments. I shouldn't say they are fun, but they kind of are. A lot of people care. There's a lot of money involved. As I said, there's good lawyering so I enjoyed them."



Rod Blagojevich Public Corruption Trial, 2011

"Blagojevich was sort of appealing. Like a naughty boy who got away with much more than he expected to."



LEGAL



**FROM FIGHTER
PLANE COCKPITS TO
THE COURTROOM –
A LOOK AT THE
LIVES OF VETERANS
WHO PURSUE A NEW
CAREER PATH IN LAW**

BY CLAIRE ZULKEY

EAGLES



Surviving the first year of law school is hard enough before you add commuting to Great Lakes military base, doing drills, watching recorded lectures, and getting exams rescheduled due to conflicts with military orders. But that was life for naval reservist Davion Chism (JD-MBA '18) as she embarked on her degree at Northwestern Pritzker School of Law. To navigate the chaos, Chism drew inspiration where she could. In her case, it was Professor Bruce Markell's Contracts class.

Air Force veteran Craig Sanders (JD '17) flies above the Arabian Gulf in 2013.

"He was always putting things in perspective, saying, 'Look, you signed up to be here,'" Chism says. She found a life lesson in the topic of damages. "You want things to work out, but they don't always, so you figure something else out." This classroom reminder helped motivate Chism when she felt overwhelmed by her responsibilities. "You thought you were going to study but you fell asleep and you have to be on base next weekend? Just figure out a backup," she says. Law school and the military, it turns out, are not that different. "It's overwhelming, but take a deep breath and push forward. You can do this."

Law students like Chism, who come from the military, tend to be equipped with a big-picture perspective that lends itself to the stresses of law school. Margarita Botero (JD '16) served as a medic in the Air Force from 2009 to 2013. "I was a first responder; we were faced with life and death situations," she says. "Sometimes you lose people; sometimes you lose people you know." These experiences grounded her during 1L finals. "I remember seeing other students crying or stressed out — when you go from dealing with people's lives to potentially getting a B, it wasn't a big deal to me."



I HAVE HAD PEOPLE ASK ME, ‘DO YOU KNOW HOW TO THINK FOR YOURSELF? CAN YOU DO THIS WITHOUT SOMEONE TELLING YOU EXACTLY WHAT TO DO?’



KENDRICK WASHINGTON II (JD '10)

Veterans in the Northwestern Law community see a legal career as a natural path after service to the nation. “People in the service feel a little constrained sometimes. The law is a great place to be free from those constraints and creatively put together solutions,” says Kendrick Washington II (JD '10), who enrolled in Northwestern Law at 32 after several years serving as chief of media relations for the Army in Hawaii. Today, Washington is an adjunct professor at the Law School, teaching Children in Conflict with the Law, and a civil rights attorney for the U.S. Department of Education. “People who are committed to the service of others are, in my opinion, the perfect lawyers,” he says.

Botero, like Washington, entered law school after studying journalism in the military because she wanted to pursue work where she could more directly advocate for other people. “In the military I had a great boss who always said I was great at arguing,” she says. “He suggested that maybe law school or politics would be a good fit for me.”

But the transition from military life to student life, especially at an urban law school with a vocal student body, can be difficult. Fortunately, service people at Northwestern Law have support. Botero leaned on the Veterans Law Association (VLA) while she adjusted to life as a civilian in a major city like Chicago. “I moved to America [from Colombia] and joined the military right after [in 2009], so [law school] was a culture shock. In the military we’re stationed in very small cities.” In the VLA, she found other veterans who helped maintain a semblance of the nearly familial support system she had in the Air Force — veterans who helped her feel less like a fish out of water. “The military is a very conservative environment and law school is a very progressive environment,” which she says was another cultural shift. While she appreciated new perspectives, in the VLA she could comfortably speak with other students whose viewpoints were more like her own.

Chism, who is now an associate at Kirkland & Ellis, could also breathe a sigh of relief — or get a pep talk — when she commiserated with her network of Northwestern veterans during her “mess” of 1L. “I think no matter what your background is, no matter what branch you are, there’s just a commonality, certain silly jokes you make,” she says. She liked listening to the speakers the VLA brought in, and their talks helped her decide how long she wanted to remain in the reserves. “Hearing these speakers discuss how they transitioned out of the military or went back in, it was great to get those different perspectives.”

There are some more minor culture clashes, too, when a veteran enters law school. Craig Sanders (JD '17) discovered one big difference between exams and military briefings. “I was taught [in the Air Force that] if you can say something in three words and you used five, expect to be debriefed on that and never do it again,” says Sanders, who came to Northwestern Law after more than 10 years as an Air Force fighter aviator. “Law school exams are exactly the opposite. I had to learn to say, ‘Let the fingers fly and the word vomit flow, and keep on trucking.’”

Craig Sanders with his son, Craig Sanders III, at Mountain Home Air Force Base, Idaho, in 2014.



And don't get service people started on civilian law students' idea of punctuality. Jason Moehlmann (JD '17), who enrolled at Northwestern Law after serving as a Navy lieutenant, was surprised whenever he saw classmates stroll in after a lecture had begun. "The Navy's mantra is, if you're early, you're on time, and if you're on time, you're late."

Jose Basabe (JD '20) started law school in 2017 after 15 years of active duty as an Air Force intelligence officer.

to toss [service members] aside. But Northwestern bucked that trend by offering to take us back without any problem," Osajda says. "The school went out of its way to help us out."

Today, the Law School offers scholarship assistance to service members through the Frances & Earl Perry Memorial Veterans Scholarship and the Barnett Howard & Williams Military Veteran Scholarship, as well as the Post-9/11 GI Bill Yellow Ribbon Program. The money from the GI Bill helped



THE ABILITY TO GO FROM STARTING POINT A TO FINISHING POINT B, WITH LITTLE TO NO GUIDANCE, AND JUST GET IT DONE, THAT'S GOING TO HELP WITH THE NATURE OF LAWYERING.



CRAIG SANDERS (JD '17)

As the VLA's current president, he wants to improve the group's connection to the wider Chicago-area community by providing legal assistance to veterans in need, such as "green card veterans" who are in danger of deportation.

"We can't let things happen where someone who served our country is treated as a stranger,"

Basabe says.

Assisting aspiring veteran lawyers is of equal importance. In fact, Northwestern Law has a history of helping service members get their law degrees. Mike Osajda (JD '76) enrolled in the Marine Corps in 1968, after his 1L year. At the time, the Law School assured all students who were leaving for the service that they would be guaranteed automatic re-admission once their time was served. Osajda, who took advantage of that opportunity after five years of active duty, was so inspired by that support that in 2018 he made a generous bequest to Northwestern Law. "Given the political climate of the time, the feeling of the populace — especially in university education — was

Botero pay for her books, housing, and part of her tuition while she was at Northwestern. "Not having to get loans for those kinds of costs was huge," she says, "That helped me graduate without having a huge amount of debt."

One of the VLA's priorities is to make sure Northwestern

Jason Moehlmann (JD '17), right, with Commander Randy Yaden, after being sworn in as an officer in 2008.





Kendrick Washington II (JD '10) during basic training at Fort Knox, Kentucky, in 1995.

Law is known as a veteran-friendly school, ensuring, for instance, that VLA members accompany prospective military students who visit campus. “Going back to the Vietnam era, there was a lot of tension between activists and military. That’s hung around in some law schools,” says Moehlmann. While he says this isn’t an issue at Northwestern Law, he adds that the VLA’s mission is to illustrate that “our job was going and fighting wars, but we’re still people.” The VLA, which is open to civilians as well as veterans, hosts social events like monthly happy hours and organizes larger events, like panels featuring JAG scholars to talk about veterans’ issues and the law.

The importance of promoting such an understanding of veterans is underscored in some of the uncomfortable questions and assumptions that servicemembers with law degrees have faced. “I have had people ask me, ‘Do you know how to think for yourself? Can you do this without someone telling you exactly what to do?’” says Washington. Once, he was asked on a job interview if he’d ever shot someone. “Fortunately, I hadn’t. But as I later explained to the folks in career services, if I had, that could have been a very traumatic question.”

Sanders says he hopes to help dispel some civilian assumptions that vets are either “Captain America or on the edge of sanity.” He wants hiring managers to consider, while weighing a veteran candidate, that “he’s probably more adept at rolling with flexible assignments, getting yelled at without weeping on the ground, a little better at embracing the gray areas, and not saying ‘I wasn’t given a delineated task and I don’t know what to do.’”

Overall, veteran lawyers feel that they are seen and valued for their breadth of experience. Moehlmann, an associate at Latham & Watkins, says his time driving warships like the 844-foot amphibious assault ship the USS *Essex* gave him a leg up during interviews, helping to demonstrate that he was comfortable working with higher ups. “I’ve had captains and commodores drilling me about operational plans — I can come in and a partner can grill me about this legal issue I do research on.”

He is grateful that, in turn, he is in a position to give back to the military community. “Latham partners with the National Veterans Legal Service Project and does a lot of pro bono work helping vets get access to medical care through the VA and representing veterans with disabilities who think they were mistreated by the VA or by their branch of service,” he says, adding that firms with veteran associates are better equipped to counsel clients who may suffer from PTSD.

Sanders, who just completed a judicial clerkship and will soon join Jones Day as an associate, draws direct parallels between his time in the legal world to the 2013 experience of preparing for a combat flight. “I know we’re on the ground and we have to fight combat sorties tomorrow, but the stops in between are invisible,” he says. “The ability to take a starting point A to finishing point B, with little to no guidance, and just get it done, that’s going to help with the nature of law.”

“
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LEGAL ISSUE I’M RESEARCHING.**

”
JASON MOEHLMANN (JD '17)

Clerking Across the Country

Northwestern Law broadens its clerkship network in the 2018 term and beyond.

BY AMY WEISS

In 2018, a diverse group of 49 Northwestern Law alumni secured clerkships with state, federal, and even international courts, continuing the school's recent clerkship successes. In addition, 22 judges hired Northwestern Law clerks for the first time. "That's pretty significant and shows that Northwestern applicants are appealing to a broad array of judges," says Janet Siegel Brown, director of judicial clerkships and a lecturer at Northwestern Law. "We are constantly creating new relationships and pipelines for clerkship opportunities."

In the past three years, under Brown's leadership, Northwestern Law alumni have clerked in 34 states, Washington D.C., Puerto Rico, Israel, and Palau. Brown emphasizes that with the creation of her position in 2014, Northwestern is devoting extensive resources to helping students navigate the increasingly competitive clerkship application process. She helps applicants manage their application materials, prepare for interviews, and connect with the right opportunities. According to Brown, Northwestern Law is one of the only law schools that offers these services for alumni as well as current students. "Our graduates find that once they've completed a clerkship, all kinds of opportunities are open to them that wouldn't be otherwise," she says, noting that clerking is a great way to both start a career or make a mid-career shift.

Leading the 2018 clerkship pack is Julie Karaba Siegal (BS '10, JD '14) who began a clerkship at the Supreme Court for Chief

Justice John Roberts in July. "This was definitely something I dreamt of in law school," Siegal says.

Throughout her time at Northwestern Law, Siegal crafted an educational experience that would help her achieve that dream, including taking the Bluhm Legal Clinic's Supreme Court Clinic in the Appellate Advocacy Center, which confirmed her interest in the Court. She participated in Julius H. Miner Moot Court and served as senior articles editor for the *Northwestern University Law Review*. Her senior research project with Martin Redish, Louis and Harriet Ancel Professor of Law and Public Policy, was published in the *Boston University Law Review* and recognized by Reuters as one of the most important procedure articles of 2015.

"Doing the senior research program with Professor Redish was helpful preparation for clerking. Meeting with him one-on-one to present my work and defend my ideas was similar to a lot of interactions between clerk and judge. It helped increase my confidence in that kind of situation."

After graduating in 2014, Siegal clerked for Judge Gary Feinerman of the U.S. District Court for the Northern District of Illinois, then for Judge Brett Kavanaugh of the U.S. Court of Appeals for the DC Circuit, President Trump's nominee to replace Justice Anthony Kennedy on the Supreme Court. "I've been fortunate to have bosses who are invested in being mentors and teachers to their clerks," she says. "I feel really, really lucky that they were

interested in us, and invested in our learning, our success, and in our long-term careers.”

Aside from building relationships with the judges, Siegal calls working with her fellow clerks the most valuable part of the clerkship experience thus far. “It is enriching to meet fellow young lawyers from other schools

and backgrounds, and to take on this intense experience together, learning from and challenging each other,” she says. “You develop a camaraderie and friendship with them that is quite unlike other professional environments.”

In 2016, after leaving Kavanaugh’s chambers, Siegal participated in the prestigious Bristow Fellowship program in the Office of the U.S. Solicitor General, helping prepare the federal government’s cases before the Supreme Court. In 2017, she joined the D.C. office of Sidley Austin, where she worked until beginning her clerkship for Chief Justice Roberts.

Of course, not everyone who ends up in a clerkship heads there straight from law school. “I took an unconventional path into a federal clerkship,” says L. Raymond Sun (JD ’11) of his winding journey from a firm in Vermont, to the Superior Court of Guam, to legal aid in Australia, to the Superior Court of Vermont, to the Second Circuit, to the District Court for the District of Vermont. “I didn’t know clerkships were a thing coming into law school, but as soon as I realized they were, I knew it was something I wanted to do — to sort of sit under a learning tree for a year with a wise old wizard of law who could teach me a great deal.”

Sun was in his first year out of law school, working in his home state of Vermont, when he applied for and received a clerkship opportunity in Guam. “It was the middle of February in Vermont, it was super cold, and I was seeing these pictures of white coral sand beaches and fresh coconuts and mangoes,” Sun says. “I would have taken the job anyway, but that was certainly an added draw.”

Sun worked for Judge Arthur R. Barcinas of the Superior



“Doing the senior research program was helpful preparation for clerking. Presenting my work and defending my ideas was similar to interactions between clerk and judge. It helped increase my confidence.”

—JULIE KARABA SIEGAL (BS ’10, JD ’14)

Court of Guam and found the tiny island territory offered enormous opportunity. “Guam is a ‘wild west’ jurisdiction without much binding precedent,” he says. “I felt really blessed to have the opportunity to be on the frontier and to look at a lot of legal issues for the first time, as well as Guam-specific issues, like the Ancestral Lands Commission, which is trying to trace back ancestral title to lands that were taken by eminent domain.”

After a year in Guam, and some time assisting legal aid and criminal defense organizations in his wife’s home country of Australia, Sun secured a clerkship with Vermont’s Superior Court. There he developed a good relationship with Judge Bill Cohen, who recommended him to his former law partner, Judge Peter Hall of the U.S. Court of Appeals for the Second Circuit.

“Law students or early career lawyers who are interested in clerking and want to get that federal clerkship merit badge should know that one way to get there is to clerk in a superior court or some other lower court and try to impress the judges that you’re working with there,” Sun says. “I feel like that may be an underappreciated and underutilized path into federal clerkships.”

Sun followed up his clerkship for Judge Hall with another clerkship, this time for Judge Geoffrey Crawford of the District of Vermont. In June, he was chosen to be a Supreme Court Fellow for the 2018-19 term. The highly competitive fellowship program selects four fellows each year to work for one of four federal judiciary agencies. Sun is assigned to the United States Sentencing Commission. The program is great for “people who are coming out of a federal clerkship and want the experience of seeing judicial decision making from another perspective,” Sun says.

Northwestern Law students are especially well-positioned to succeed in and benefit from clerkships, Brown notes. “We’re seeing how much judges value the skills and expertise that come from both a high-quality educational experience but also practical experience,” she says. “One thing that makes Northwestern students uniquely qualified is that they tend to come here with experience that prepares them well for the challenges of the workplace and then they get all of this hands-on experience through our

“I didn’t know clerkships were a thing coming into law school, but as soon as I realized they were, I knew I wanted to sit under a learning tree with a wise old wizard of law.”

—L. RAYMOND SUN (JD ’11)





“I want to assemble a group of great team players who are going to think through difficult issues from multiple perspectives.”

—MICHAEL SCUDDER (JD '98)

clinical programs, extensive internship offerings, and simulation-based or practical courses. They show up at a clerkship really well prepared and ready to hit the ground running.”

Northwestern’s strong interdisciplinary focus probably doesn’t hurt either. “I am looking for clerks with strong academic records and diverse backgrounds,” says Judge Michael Scudder (JD '98) of the Seventh Circuit Court of Appeals, who was nominated by President Trump and confirmed by the Senate earlier this year. “I want to assemble a group of great team players who are going to think through difficult issues from multiple perspectives.”

When he was just out of law school, Scudder clerked for Judge Paul Niemeyer of the Fourth Circuit and Supreme Court Justice Anthony Kennedy, and he knows how worthwhile the experience can be. “Clerking is a valuable form of public service that provides young lawyers with the opportunity to sharpen their skills and see how courts and judges decide cases, and the judge-law clerk relationship is a special one that most often leads to lifelong friendships and invaluable mentoring.”

Scudder has served as an adjunct professor at the Law School and frequently collaborated with the Bluhm Legal Clinic on pro bono cases as a partner at Skadden, Arps, Slate, Meagher & Flom. He has hired two Northwestern Law alumni — Abigail Parr (JD '14) and Bradley Tucker (JD '17) — as clerks for the current term.

Despite their different paths to clerkships, Siegal and Sun both recognize the importance of their Northwestern Law education and the Northwestern Law community in preparing them to succeed. “I was one of the younger people in my law school class, and I feel like being around people with more work experience was a huge benefit to me,” Sun says. “You learn a lot in those first few years of your career and I could absorb a little bit of that professional wisdom by osmosis. I always had the feeling that everyone around me wanted me to succeed and that was a huge help. From my professors to the administration to classmates, just everyone.”

To anyone considering a clerkship, Siegal is unequivocal. “If you’re thinking about a clerkship at all you should go for it,” Siegal says. “It’s a wonderful experience and offers a chance to hone your skills and continue to develop the way that you approach the law and think about problems. Clerking offers a unique behind-the-scenes look at how decisions are made as well as a chance to develop invaluable relationships.” ★

Clerkships for the 2018 Term

Stephanie Asplundh (JD '17)

James K. Bredar
U.S. District Court for the District of Maryland
Baltimore, MD

Lydette Assefa (JD '18)

Office of the Staff Attorneys
U.S. Court of Appeals for the Seventh Circuit
Chicago, IL

Joseph Becker (JD '18)

Hanan Melcer
Supreme Court of Israel
Jerusalem, Israel

Ross Berlin (JD '17)

Kevin G. Ross
Minnesota Court of Appeals
St. Paul, MN

Evan Bianchi (JD '17)

William J. Kayatta
U.S. Court of Appeals for the First Circuit
Portland, ME

Barrick Bollman (JD '18)

Kenneth F. Ripple
U.S. Court of Appeals for the Seventh Circuit
South Bend, IN

Valerie Brummel (JD '17)

Andrea R. Wood
U.S. District Court for the Northern District of Illinois
Chicago, IL

Hilary Christian (JD '11)

John M. Walker
U.S. Court of Appeals for the Second Circuit
New Haven, CT

In Cho (JD '14)

Jeremy D. Peterson
U.S. District Court for the Eastern District of California
Yosemite, CA

Richard Cipolla (JD '16)

Victor Marrero
U.S. District Court for the Southern District of New York
New York, NY

Daniel Cohen (JD '18)

Peter J. Maassen
Alaska Supreme Court
Anchorage, AK

Joseph Delich (JD '16)

Leslie H. Southwick
U.S. Court of Appeals for the Fifth Circuit
Jackson, MS

2019 and Beyond...

The following students and alumni are among those who have already secured clerkships for the 2019-20 term and beyond.

Carlos Andreu (JD '18)

Gustavo A. Gelpi
U.S. District Court for the District of Puerto Rico
San Juan, PR

Ross Berlin (JD '17)

Paul C. Huck
U.S. District Court for the Southern District of Florida
Miami, FL

Hillary Chutter-Ames (JD '19)

Jed S. Rakoff (2021 term)
U.S. District Court for the Southern District of New York
New York, NY

Robert A. Katzmann (2022 term)

U.S. Court of Appeals for the Second Circuit
New York, NY

Kayla Doyle (JD '18)

David Mannheimer
Alaska Court of Appeals
Anchorage, AK

Brendan Duffy (JD '17)

Amy C. Barrett
U.S. Court of Appeals for the Seventh Circuit
South Bend, IN

Anna Farias-Eisner (JD '14)

Consuelo Maria Callahan
U.S. Court of Appeals for the Ninth Circuit
Sacramento, CA

Farhad Fatakia (JD '16)

Steven N. Berk
Superior Court of the District of Columbia
Washington, DC

Daniel Fishbein (JD '15)

Dora L. Irizarry
U.S. District Court for the Eastern District of New York
Brooklyn, NY

Ian Flanagan (JD '18)

Albert Diaz
U.S. Court of Appeals for the Fourth Circuit
Charlotte, NC

Katherine Funderburg (JD '18)

John Z. Lee
U.S. District Court for the Northern District of Illinois
Chicago, IL

Adithi Grama (JD '18)

Anthony J. Trenga
U.S. District Court for the Eastern District of Virginia
Alexandria, VA

Shams Hirji (JD '17)

John B. Nalbandian
U.S. Court of Appeals for the Sixth Circuit
Covington, KY

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Margaret A. Ryan
U.S. Court of Appeals for the Armed Forces
Washington, DC

Charlie Hogle (JD '18)

Henry F. Floyd
U.S. Court of Appeals for the Fourth Circuit
Spartanburg, SC

Stephen Laudone (JD '17)

Christopher C. Conner
U.S. District Court for the Middle District of Pennsylvania
Harrisburg, PA

Kirsten Lee (JD '18)

John J. Tharp, Jr. (JD '90)
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Albert Diaz
U.S. Court of Appeals for the Fourth Circuit
Charlotte, NC



The Campaign for Northwestern Pritzker School of Law

Major Gifts Between February and July 2018

Anonymous

An anonymous gift of \$150,000 will establish an LLM Tax Scholarship at the Law School. Launched in 2002, the Tax Program prepares an average of 40 students per year as experts in the field of tax law. The nine-month program boasts a comprehensive curriculum, outstanding faculty, and one of the lowest student-to-faculty ratios of any graduate tax program in the country. This LLM Tax Scholarship is the first donor-funded scholarship of its designation at the Law School.

Richard Campbell (JD '96) and Kathleen Dunn (JD '96)

Mr. Campbell and Ms. Dunn's generous gift of \$100,000 will support the Law School Scholarship Fund and the Bluhm Legal Clinic Fund. This is their second campaign commitment, following their major gift to support the Kirkland & Ellis Endowment in August 2012. Mr. Campbell is a corporate partner in the Chicago office of Kirkland & Ellis. Ms. Dunn formerly practiced law at the Bucks County (PA) Public Defender's Office.

Christine Evans (JD '03, LLM-IHR '11) and Mike Evans

The Evanses have, through their family foundation, extended their support for the Christine M. Evans LLM-IHR Scholarship Fund. Their gift will support an international student with demonstrated financial need by providing full tuition and a living stipend, allowing the recipient to graduate debt-free. A portion of their pledge will also support the Bluhm Legal Clinic Fund. Ms. Evans is the Legal Director of the Chicago Alliance Against Sexual Exploitation (CAASE), which focuses on prevention, policy reform, community engagement, and legal services related to sexual violence and exploitation.

Jerome Gilson (JD '58) and Jamie Gilson (COMM '55)

The Gilsons' generous gift of \$125,000 will establish a scholarship to support students at Northwestern Law. Mr. Gilson is a renowned expert in trademark law and the

original author of the treatise *Gilson on Trademarks*. He has counseled clients for more than 50 years at Brinks Gilson & Lione, during which he has received countless awards for his contributions to the field.

Jeffrey C. Hammes (JD '85)

Mr. Hammes' generous six-figure commitment to the Law School Annual Fund provides unrestricted support for scholarships and grants, student programs and services, clinical programs, and faculty at Northwestern Law. Mr. Hammes is a member of the Law Board and the Law Campaign Cabinet. He serves as the Global Chairman of Kirkland & Ellis LLP.

The Kenneth & Harle Montgomery Foundation

The Kenneth & Harle Montgomery Foundation has deepened its support of the clinical fellowship program it established years ago with another major gift. This program trains aspiring clinical teachers and public interest lawyers. Montgomery Foundation Fellows work in conjunction with the Bluhm Legal Clinic faculty and supervise law students on projects focused on the reduction of jail and prison populations, including client work and policy development.

TOTAL DOLLARS

\$232,000,000
AS OF 8.31.2018

\$250 MILLION
GOAL

Buzz Ruttenberg (JD '66) and Biff Ruttenberg (KSM '71)

Buzz Ruttenberg and his brother Biff have recently committed to adding \$120,000 to the scholarship that bears their parents' names, the David C. and Sarajeon Ruttenberg Scholarship. In addition to the family's long-standing tradition of supporting scholarship at the Law School, their family arts foundation has donated many of the noteworthy pieces that can be seen throughout the Law School.

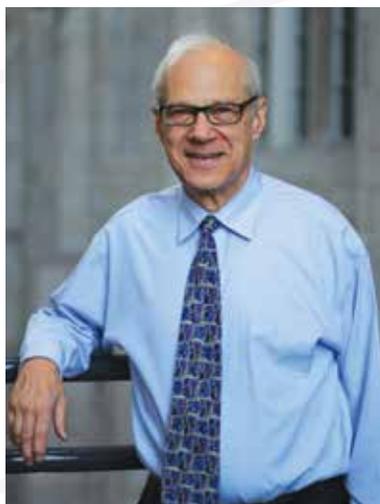
Estate of Jon Waltz and Ross Edman

Northwestern Pritzker School of Law received a bequest of nearly \$1 million from the estate of former Law School professor Jon Waltz and his partner Ross Edman to establish the Waltz-Edman Scholarship, which will provide merit-based awards to law students. This gift will allow the Law School to continue offering financial support to recruit the brightest and most qualified candidates.

Robert Wilson (JD '99) and Erin Wilson

The Wilsons' generous gift of \$250,000 will establish an endowed scholarship at the Law School in honor of Mr. Wilson's father, Ervin (BA '42, JD '45), and mother, Vida. The scholarship honors the Wilson family legacy by supporting students who graduated from the family's alma maters, including the University of Wisconsin-Madison. Mr. Wilson is a partner in the corporate transactional group at Kirkland & Ellis, and both he and Ms. Wilson attended college at Wisconsin. The Wilsons live in Winnetka with their two children. ▶

Bob Bennett, Former Law School Dean, Increases Scholarship Gift



Former dean of the Law School and longtime faculty member Robert W. Bennett has generously included the Law School in his estate plans. Bennett's deferred gift will augment a scholarship that he established in 1984 in honor of his parents, Lewis and Henrietta Bennett.

Bennett is a longtime member of the Northwestern Law community, joining as a faculty member in 1969 and serving as dean from 1985 to 1995. During his tenure as dean, Bennett was instrumental in nearly

tripling the number of endowed faculty positions at the Law School. He went on to hold one of those newly endowed positions when he was named the Nathaniel L. Nathanson Professor in 2002, a title he held until his retirement in 2016. Additionally, he has taught law abroad in Qatar and South Korea.

"There are few among us who have made more of an impression on this Law School than Bob. He has given nearly a half century to this great institution and his contributions to this school are innumerable," said then-Dean Daniel B. Rodriguez upon announcing the gift. "Gifts from faculty and staff are a testament to the strength and commitment of our Northwestern Law community and there is no one more committed to this community than Bob."

Bennett's extraordinary planned gift is part of the \$250 million Motion to Lead campaign, which raised \$225 million as of July 31. ▶

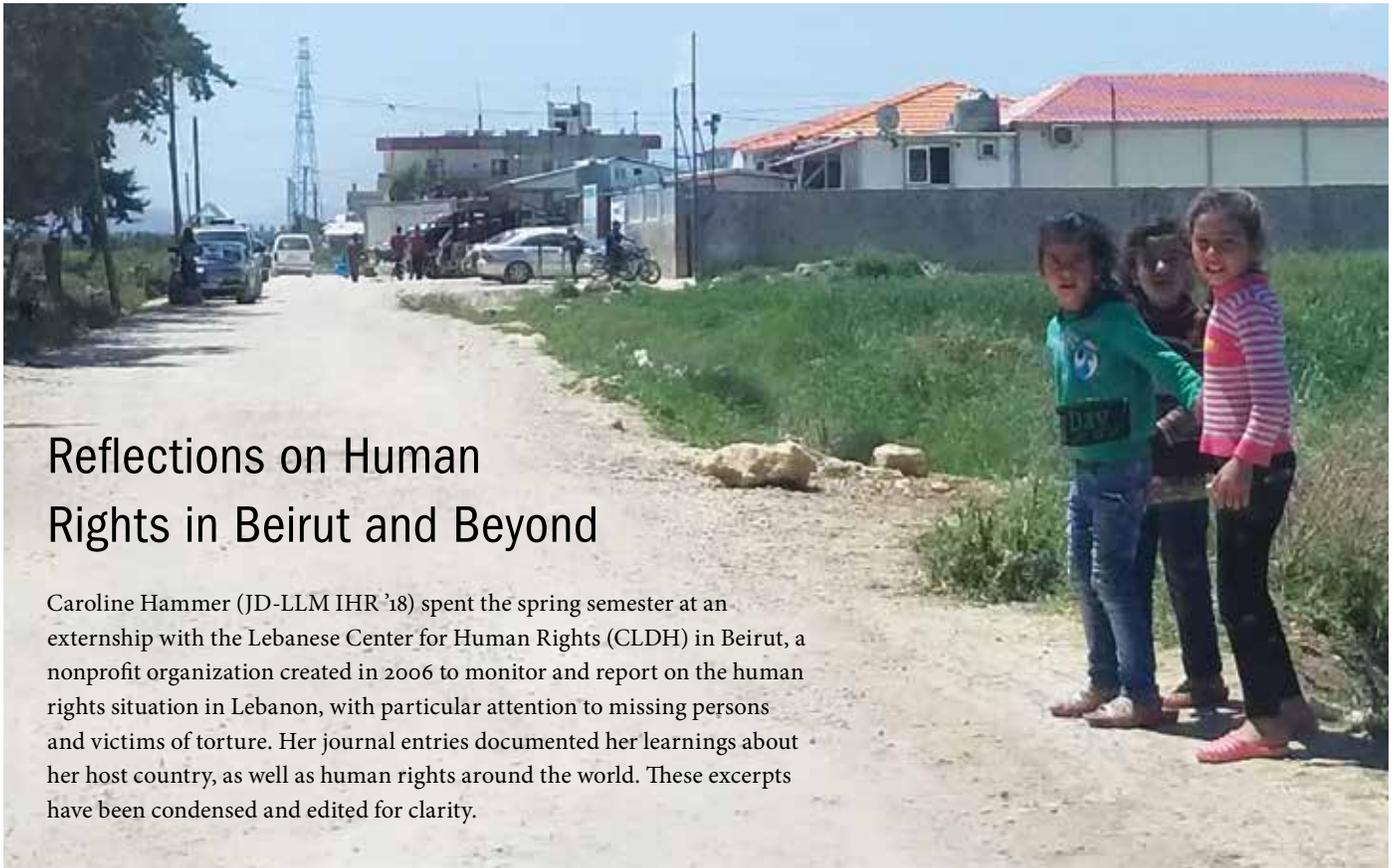
NUMBER OF DONORS



SCHOLARSHIPS CREATED



CLINIC NEWS



Reflections on Human Rights in Beirut and Beyond

Caroline Hammer (JD-LLM IHR '18) spent the spring semester at an externship with the Lebanese Center for Human Rights (CLDH) in Beirut, a nonprofit organization created in 2006 to monitor and report on the human rights situation in Lebanon, with particular attention to missing persons and victims of torture. Her journal entries documented her learnings about her host country, as well as human rights around the world. These excerpts have been condensed and edited for clarity.

Outside a Syrian refugee camp in the Bekaa Valley.

JANUARY 11

I'm enjoying the internship at CLDH so far. Almost every day, Faisal brings food cooked by his wife Jessica, so that we can all share a communal lunch at the table. This is helping me to get to know them better. And it doesn't hurt that the food is delicious.

The state of human rights in Lebanon reminds me how complicated the struggle for human rights can be. It's clear from conversations, and from witnessing the still-recovering infrastructure, that Lebanon feels the effects of its civil war every day, even though it ended almost 30 years ago. The Syrian occupation lasted until 2005, when, in the wake of Prime Minister Hariri's assassination, the Lebanese ousted the Syrian army through peaceful, but forceful, demonstrations. Now the Lebanese find themselves host to over a million Syrian refugees fleeing the conflict that is waged between rebels, insurgents, and the same regime that once exerted its ruthless influence here. It's easy to understand why this would give them pause, even as they recognize the common source of suffering they share with many of those fleeing.

The issue of the disappeared is similarly complicated. People were disappeared by Syrian, Israeli, Lebanese, and Palestinian forces. In Lebanon, the government exacerbates the pain of the families of

the disappeared by refusing to open known mass graves and collect DNA samples to attempt to identify the dead. They also refuse to take action to obtain the return of disappeared Lebanese civilians who are believed to be alive in Syrian custody. The government cites a hesitance to "reopen the wounds of the Civil War." The reality appears to be that the wounds fester and do not heal — especially for those families who may never know what happened to their loved ones. And yet, there is some truth to the idea that inaction breeds stability and peace.

For example, the government structure itself, which at first appeared to me hopelessly tangled and ineffective, now seems more like a wise choice among bad options. Much like our own American democracy, sometimes inefficiency in a government can be a virtue.

JANUARY 19

I attended a conference on investigating and prosecuting gender-based violence (GBV) this week, and it wasn't quite the progressive collaboration that I hoped it would be.

Until 1990, GBV was not criminalized. Just a few months ago, a law that allowed a rapist to escape criminal conviction if he

proposed to his victim was repealed. Many gaps in reaching equal treatment for women under the law remain, however.

For example, it's not a crime for a man to rape his wife, although mention was frequently made of a compromise law that forbids a man from sleeping with his wife after or during beating her. This, although seen as progress by some, seems a horrific compromise to me. The emphasis is not on consent at all. I'm not sure I heard the word "consent," or its equivalent, while I was there.

Wounds fester and do not heal, especially for those families who may never know what happened to their loved ones. And yet, there is some truth to the idea that inaction breeds stability and peace.

On a judiciary panel, two judges emphasized the importance of keeping the family together, even in cases where the man was physically abusive, because it might be better for the family and he might have his reasons for violence, such as financial stress.

If there is this much resistance to addressing GBV, you can imagine that the resistance is only greater when you talk about the plight of refugee women and girls facing GBV. Panelists who discussed the plight of Syrian women facing GBV, while sympathetic, treated them as an other, more violent culture — more ignorant and more prone to abuse. There is a general attitude that providing services and helping Syrians will encourage them to stay, and should thus be discouraged. One woman said the government should not address the problem because it simply didn't have enough resources, so it was better to ignore it.

FEBRUARY 2

This week I have felt more strongly the cognitive dissonance of working on human rights issues abroad when human rights issues abound in my own home country — a place where I have not only the birthright of having a say in our government, but I speak the language and have a comprehensive knowledge of the legal system. The irony feels especially acute in the wake of President Trump's pledge to keep Guantanamo Bay open, while I work on abolishing torture abroad.

I try to convey that I'm cognizant of my own country's problems, and I don't think Lebanon is either a hopeless case or incompetent at solving its problems, but that its torture problem is real and pressing. Some Lebanese dispute this. A lot of people in Lebanon seem to not care about the widespread torture. Some think that

the people who are tortured are only really bad cases (of crimes or threats to security) and so deserve it, an attitude not unheard of in the U.S. Others know that torture happens to the most vulnerable members of the population, but don't know how to address it, or don't care to.

FEBRUARY 15

I've been thinking a lot about attitudes toward the U.S. in Lebanon, and vice versa.

People here are acutely aware of human rights abuses committed by the U.S., and there is a resentment towards U.S. interference in international affairs. Someone said to me this week, "I think the U.S. and Saudi Arabia are really similar in how they act, and in terms of human rights abuses." When I protested that surely the U.S. treats their own citizens better, at the very least, she disagreed, citing our problems with poverty and the U.S. treatment of women and people of color. "Your government," she said, "treats poor people as if they're criminals, as if it's a moral failing to be poor." This was hard to argue with, especially in light of the Special Rapporteur on poverty's recent visit to the U.S., and his finding that "the U.S. poverty population is becoming a more deprived and destitute class, one that's disconnected from the economy and unable to meet basic needs."

And yet there are many features of U.S. government and society I have come to appreciate more, and to advocate for. A major one is



A conference on gender-based violence (GBV) in Beirut.

the relative lack of corruption in our governing system. Of course, there are lobbyists and individual lawmakers who are corrupt, but corruption is not endemic to our system to the point that it robs people of any faith in the possibility of elections to change things. Although gangs and mafias exist, they do not have a direct

influence on — or participate in — the government as they do in Lebanon, or in Italy (according to my Italian coworker), or any number of other countries. In the U.S., although we argue heatedly, even viciously, amongst ourselves, our lawmakers believe in free speech. Our comedians and political commentators may freely mock lawmakers without fear of torture, or imprisonment.

And when it comes to women’s rights, there is no contest between the U.S. and Saudi. As the #MeToo movement shows, there are still problems with sexual harassment and sexual assault to tackle. Still, in the U.S., rape is a crime, whereas in Saudi, there is no penal code that criminalizes rape. Under religious law, a rape victim who first entered the company of her rapist willingly may be considered to have committed a punishable offense. Marital rape does not exist. Women cannot go anywhere or do anything without a male guardian, including calling an ambulance. They cannot dine, even with their male guardians, in restaurants that don’t have separate, specified “family” sections. And of course, they cannot appear in public without wearing a full-length abaya.

Race is another matter. Mass incarceration and systematic, institutionalized racism, as well as police shootings, are major problems. I can see that from afar it looks like we are deeply, intractably racist. But I see another side of it, which is that we have a legacy of a robust and continuing civil rights movement. We have frank



The Corniche Beirut, a bustling walkway along the Mediterranean Sea.

conversations on race. We don’t have legal systems of de facto slavery like the kafala system. We’re not finished yet, but at least we’re talking about it, unlike in many places, where racism and silence alike reign.

I get a broader perspective on the U.S. here. The resentment over the abuse of human rights, over the U.S. swinging its weight

around, over support of Israel, over drone strikes and interference in Syria and Iraq and Afghanistan — it’s palpable. The anger is sometimes paired with anger toward Israel, which is also seen as a major human rights violator. The negativity toward Israel here, while unsurprising, has made an impression on me with its vigor. A Lebanese woman, discussing a conversation she had with an

One thing I do know: When the U.S. violates human rights, it damages not only its reputation, but the belief of people around the world that the powerful can or will act for the greater good.

Israeli girl abroad that chilled when the girl learned her nationality, said, “They really hate us.” Another woman in the room responded, “They would have to, to treat us as they do.” Lebanese people fear Israel, and they remember repeated invasions by Israel, and people who were disappeared by Israeli forces during the war.

Which brings me to Hizballah. For many Americans, myself included, Hizballah’s accepted status in Lebanon is puzzling. But I am starting to understand it more. Israel presents a perceived constant threat of invasion, and the Lebanese Army is perceived as incompetent. Homegrown Hizballah, meanwhile, is perceived as a strong defensive force that deters Israel. Although Hizballah is influenced by Iran and Syria, it is staunchly, virulently anti-Israel, which many Lebanese citizens consider a good thing. So, even though they view it as destabilizing and vigilante-like, and fear entering Hizballah territory, they respect Hizballah’s strength, and view it, much as Italians sometimes view the local mafia, as a source for justice where official avenues of justice fail.

So, from one angle, Hizballah looks less like a terrorist organization and more like a vigilante militia/gang. From the same angle, the home country I love looks like a human rights abuser and a bully. Neither of these perspectives is entirely accurate or entirely wrong.

One thing I do know: When the U.S. violates human rights, it damages not only its reputation, but the belief of people around the world that the powerful can or will act for the greater good. And to a degree I had not previously realized, when it fails its own citizens by allowing its police to gun down the innocent, or by massively discriminating against black and brown people in its criminal justice system, or by failing to pass reasonable gun regulations despite a history of school shootings, the world is watching and learning and judging. ■



(From left) Garrett Salzman, Gerry Hirschfeld, Cindy Gerges and Claire Hutar traveled to Sint Maarten in February as part of their Public Corruption in the Law Course.

Combating Corruption in Sint Maarten’s Hurricane Irma Recovery

In September 2017, Hurricane Irma became the strongest Atlantic hurricane ever recorded, leaving massive devastation across the Caribbean. One of the small island nations hit hardest was Sint Maarten, a constituent country of the Netherlands. About 70 percent of the country’s homes were damaged or destroyed.

In Spring 2018, a group from Bluhm Legal Clinic Director Juliet Sorensen’s Public Corruption and the Law course took up a semester-long clinical project advising a special anticorruption unit of the Dutch Caribbean on best practices during the recovery.

In February, Sorensen and Elise Meyer, the Clinic’s Schuette Fellow in Health and Human Rights, and four students — Claire Hutar (JD ’18), Cindy Gerges (JD ’18), Gerry Hirschfeld (JD ’18), and Garrett Salzman (JD ’18) — spent a week in Sint Maarten, meeting with officials, interviewing relevant parties and gathering information for their report, which was published in May. The report made recommendations in four areas of the law where the government is especially insecure after an extreme weather event: criminal law, ethics and non-criminal anti-corruption law, environmental

law, and building, zoning, and public procurement.

“Going to Sint Maarten post-Hurricane Irma wasn’t something I ever expected to do in law school,” says Hutar, who focused on public procurement issues. “Before going, I hadn’t considered how much the small island culture would impact what kind of proposals we could generate. While



With Clinic Director Juliet Sorensen and Health and Human Rights Fellow Elise Meyer, the students interviewed local officials to inform their recommendations for a final report published in May.

we were there, we realized the difficulties that Sint Maarten has in terms of its size and culture in dealing with corruption.”

The connectedness of the small population presents unique challenges in fighting corruption, Meyer says. “It’s fascinating

— it’s hard to hide things, but it’s also hard to take action because everyone’s invested in the system.”

This project is a continuation of Sorensen’s work on the relationship between climate change and corruption. “In an era of climate change and increased frequency of natural disasters, the correlation between corruption and natural disaster leads to a shrinking vicious circle,” Sorensen says. “Subpar buildings are built; natural disaster strikes; the damage is greater than it otherwise would have been had there been no corruption; the city needs to be rebuilt, which presents new opportunities for corruption and the construction of subpar buildings. The cycle’s rate of frequency will increase over time in an era of climate change and extreme weather.”

Small island developing states like Sint Maarten are particularly susceptible to these patterns, but these events also offer countries a chance to reform. “The corruption resulting from natural disasters isn’t exclusive to natural disasters,” says Hutar. “But realizing where the true weaknesses are after a natural disaster presents



an opportunity to strengthen those areas that do need some reform. Where there is a natural disaster, these small countries may take into consideration what needs to be done to prevent the ongoing corruption as a whole.” ■



Amy Martin Joins CFJC as Immigration Law Fellow

Amy Martin joined the Bluhm Legal Clinic's Children and Family Justice Center (CFJC) as Immigration Law Fellow on May 1. The two-year fellowship was established last year by generous donations to the Clinic Annual Fund in recognition of today's pressing immigration issues and the CFJC's role at the vanguard of immigration advocacy.

Martin joins the CFJC from LAF's Immigrants and Workers' Rights Practice Group where she represented human trafficking victims in a range of legal matters, including applications for T Visas and U Visas, and petitioning under the Violence Against Women Act. While at LAF, she also spent time as a housing staff attorney representing tenants in eviction proceedings.

Martin is a graduate of the University of Wisconsin and UCLA School of Law. As Immigration Law Fellow, she will represent youth and parents in immigration court proceedings, work with partner organizations to best serve the needs of the immigrant community, and assist with teaching students enrolled in the immigration law clinic.

"Whether it's a headline about the mobilization of the National Guard to stop the 'caravan' from Central America or one about parents being separated from their children at the border, it is difficult to go a day

without reading a news story that illustrates just how challenging the legal landscape has become for immigrant youth and parents," says Uzoamaka Emeka Nzelibe, a clinical associate professor of law who leads the Center's Immigration Law Project.

"Now more than ever, there is a need for competent, zealous immigration advocates. Amy is that advocate, and her addition to the CFJC's immigration practice will increase our capacity to represent detained youth and parents and help us build and grow relationships with community and legal assistance organizations who are working to advance the interests of immigrant youth and parents in Illinois." ■

**BLUHM
LEGAL
CLINIC**

**CELEBRATING
50 YEARS**

SAVE THE DATE
Bluhm Legal Clinic
50th Anniversary
Lunch and Program

Friday, October 12, 2018
11:30 a.m. – 1:00 p.m.

Thorne Auditorium
Northwestern Pritzker School of Law
375 E. Chicago Avenue
Chicago, IL 60611

Join us for the kickoff of the Bluhm Legal Clinic's 50th anniversary year, featuring a panel moderated by Clinic Director Juliet Sorensen and including Director Emeritus Tom Geraghty and notable Clinic alumni. The event, which will include remarks by Dean Kimberly Yuracko and Neil Bluhm, will spotlight Northwestern's role at the cutting edge of social justice advocacy and hands-on clinical training.

Register at
law.alumni.northwestern.edu

Protecting Vulnerable Tenants

A Conversation with Outstanding Clinical Student Award Winner Joseph Becker

In May, Joseph Becker (JD '18) became the first Northwestern Pritzker School of Law student to win the Clinical Legal Education Association's Outstanding Student Award for his work in the Bluhm Legal Clinic's Civil Litigation Center (CLC).

"The quality of Joey's representation has been exceptional. He gets along extremely well and professionally with everybody, including his clients, his student partners, opposing counsel, and his supervisors. His work is thorough, thoughtful, and timely. He has developed unmatched poise and skill in the courtroom," says Laurie Mikva, a clinical assistant professor with the CLC who nominated Becker.

Becker, who will spend the next year clerking for Israeli Supreme Court Justice Hanan Melcer before joining Winston & Strawn, represented more than 20 low-income clients facing eviction proceedings over the course of four consecutive semesters with the CLC. He spoke with the *Reporter* about his experience.



important work, locally. We represent low-income tenants in landlord tenant disputes. Often our tenants are being evicted and there are very high consequences for that. They could lose their federal housing subsidy and they maybe wouldn't be able to find new housing. Many of them have young children and, obviously, it's very important that they have stable housing so the kids can get to school and have some stability. We are connecting to individuals in the Chicago community who need our help and also getting an incredible legal experience.

How do your clients come to the CLC?

The clients often get referred to us through legal aid foundations or legal aid committees in Chicago like LAF or the Lawyers' Committee for Better Housing. There's a huge number of clients, of tenants, going through eviction court every day and there's just not enough lawyers, so we help those organizations to serve everyone.

What are some of your most memorable experiences?

There have been so many different cases. One client needed her case sealed so

that she could apply for new housing, because once an eviction is on the record, it's very hard for our clients to find new housing. We were able to follow the initial case all the way up to the Illinois appellate court to try and argue the law on sealing. Though the appellate court didn't end up sealing our client's case, they did give us a ruling that basically says clients have jurisdiction to petition for a case to be sealed, even if it's outside of the 30-day window of a typical appeal. What that means for our clients is that if they get their case resolved and a year or two down the line they can't get new housing because this is on their record, they can try and get it sealed. That was a good thing.

I had two cases that almost went to trial, they settled about a week before trial, and I would have been doing direct examinations of two of the client's kids. So I worked with them to describe the layouts of their apartments, figuring out how to get them comfortable, and preparing them to testify.

Can you share something important or interesting you've learned through this work?

As you're representing the clients, you see that there are patterns. The landlords are evicting for similar reasons and there are specific rules that are frustrating when you see the repetition of these small-level lease violations that landlords are following up and evicting on. It's important that we help each client but at an institutional level, maybe the violation — let's say it's a marijuana violation — shouldn't be grounds for eviction. Maybe we should reconsider the lease itself rather than just dealing with the aftermath. ■

What made you interested in taking a clinic, specifically with the Civil Litigation Center?

I was interested in the Civil Litigation Clinic for two reasons. The first is that I was interested in getting substantive litigation practice as a law student, following the case from meeting the client all the way through settlement or any other resolution.

Also, [the CLC is] really connected with the Chicago community and is doing

FACULTY FOCUS

Low-Tech Law: Kadens Takes Students Back in Time for Lesson in Commercial Cheating

Ted Day (JD '19) spent his spring break reading tales of magicians and con artists, but this was no beach holiday. Day, along with Michael Gajewsky (JD '18), Annie Prossnitz (JD '20), Brian Trujillo



Brian Trujillo (JD '20) studies old court documents at the National Archives in London.

(JD '20), and Jacob Wentzel (JD '19) spent the week working in the National Archives in London. While Gajewsky researched the drafting of African constitutions for Professor Erin Delaney, the others sorted through 16th-century court documents for Professor Emily Kadens. Kadens, who teaches Contracts and Legal History at the Law School, is writing a book on the history of commercial cheating in England from 1560 to 1630 based on lawsuits brought in the English equity courts of the time. This is the second time she has taken students to London to work in the Archives.

As Day stood at a table in the Archives, puzzling over cryptic handwriting and using weights to keep the dusty parchment from curling, he mused about the modern relevance of a case he was reading. It involved a woman who had been swindled by a man promising to turn base metals into gold if she provided him with start-up

funds and a quiet house and garden in which to perform his alchemical magic.

“It sounds like the Nigerian prince email scam,” said Day, who wants to prosecute financial fraud. “You see reading these cases that fraud is not new.”

The students were examining pleadings from the Court of Star Chamber from the reign of Queen Elizabeth I (1558–1603). Star Chamber was a short-lived but powerful early modern equity court, so named for the star pattern painted on the ceiling of the room at Westminster Palace where it sat.

Because the court could grant remedies unavailable in the common law courts, the Star Chamber became a jurisdiction of choice for lawsuits concerning fraud. The students couldn't help but get swept up in the lawyers' creativity when they embellished the scams alleged in their complaints.

“The bills almost always tell pretty interesting, even scandalous, tales that are totally engrossing,” Wentzel noted.

The archives of the Court of Star Chamber for the time of Elizabeth include more than 10,000 cases for which no descriptive catalogue exists. The documents are stored in hundreds of large cardboard boxes and listed only by the parties' names. Kadens' charge to the students was to search the boxes for cases that might be relevant to her work on commercial fraud. It was something of a needle-in-a-haystack exercise. The students looked at more than 400 complaints, but turned up only about a dozen cases of interest. “I could never get through all this material working on my own,” Kadens said, “so the students are doing me a great service in helping find fantastic cases I would otherwise not have known about.”

Before leaving Chicago, the students had to spend a month learning to read Tudor handwriting. For the last week before the trip, Kadens emailed pictures of a new document each day and asked everyone to transcribe five lines. If that sounds easy, consider this: Brittany Adams, the Law School's special collections librarian who



Back row, left to right: Michael Gajewsky, Brian Trujillo
 Middle row: Emily Kadens, Jacob Wentzel,
 Front row: Brittany Adams, Ted Day, and Annie Prossnitz.



scamming business partner in the “Barbary” (Moroccan) trade and a sale of onion seeds involving forged quality seals, false allegations of breach of warranty, perjury, and jury tampering.

The group, in its matching blue TEAM STAC t-shirts (STAC is Archive code for Star Chamber), attracted much attention in the Archives — including mention on an archivist’s Twitter feed. This attention also garnered the Northwestern team a backstage tour of the Archives facilities, where they had the chance to observe the miles of storage areas and the inner workings of the document retrieval system.

While the spring break job was hardly a vacation, all the students acknowledged that working closely with a professor in her area of specialty was a benefit. The seven-day trip also gave the students three days to explore London when the Archives were closed. On one afternoon, Kadens took the students on a tour of 16th-century legal and commercial London.

Kadens hopes to take all interested students in her 2019 English Legal History course back to London during next spring break, if she can find the funds to subsidize the students’ expenses. “The students’ efforts certainly assist my research,” Kadens said,

joined the trip, described reading the handwriting as “codebreaking.” Letters that look like Greek thetas are actually the letters “es.” What looks like the word “no” actually is a letter “w.” A Tudor “c” looks like a modern “r,” while their “h” looks like a modern “l” and “z” joined together. To make matters worse, spelling was not standardized and was often done phonetically. In Day’s case about the alchemist, he read about “John Kellam, the better to Colour his falshood, Coosanadge, and decept, kept in the said howse a Contynuall fyer wth stills uppon ytt that burned Six weekes night and daie and sett upp Certaine Instrumentes as yf he were about some such strange worke.” Add in the widely variable scripts, random punctuation and capitalization, and frequent abbreviations, and you begin to understand the challenge.

The first time he tried to read the handwriting, Wentzel said it was impossible without being assisted by Kadens on

“every other word.” After a few of weeks of practice, five lines still took nearly an hour. By the time the group reached the archives, they could all read the script well enough to skim over 100 complaints each, which surpassed Kadens’ goal.

The students quickly learned that even finding the word fraud did not necessarily mean the case was promising — Trujillo

spotted the word in a bill, but it turned out to be a standard embellishment in a straightforward contract breach rather than an accusation of actual cheating. The students did, however, find some useful cases. Two of Kadens’ favorites include a

“It sounds like the Nigerian prince email scam. You see reading these cases that fraud is not new.”

—TED DAY (JD '19)

“but it is also a pleasure to see their excitement at holding a 16th-century document in their hands. Engaging with this material and investigating the roots of our law is something none of them will likely have a chance to do again.” ■ —Courtney Rubin

Reclaiming Fiduciary Law for the City



Max Schanzenbach is the Seigle Family Professor of Law. Nadav Shoked is a professor of law. This excerpt is adapted from an article that originally appeared in the Stanford Law Review.

Modern law sets “public” local government law apart from “private” business entities law. Although intuitive, this distinction ignores legal history, and, even more troublingly, the contemporary practices of local governments. Due to distressed finances and a political atmosphere favoring privatization, present-day cities routinely engage in sophisticated market transactions typical of private business entities. Current law fails to adequately address this reality. Because cities are deemed “public,” courts do not analyze their transactions for compliance with the fiduciary duties that private law imposes in such cases to ensure sound management. Major city transactions thus evade meaningful review.

The case of Chicago’s parking meters sales — which launches our article’s investigation — is emblematic of this problem. In 2008, for a lump-sum payment of \$1.157 billion, Chicago transferred, for seventy-five years, all rights to the income derived from one of its major assets: the parking meters. Almost immediately after the contract was signed, facts emerged demonstrating that the city’s process in approving and negotiating the deal had been flawed. An independent assessment found that the asset had been undervalued by at least \$1 billion. Although the asset was one of the city’s only marketable properties, its finance committee dedicated only a single meeting to the discussion of the sale. The meeting was held the day after an offer was announced, and the offer was forwarded to committee members that same morning, with no details to aid in their deliberations. The finance committee heard only one person testify, the city’s chief financial officer, who simply asserted that the offered payment accurately reflected the asset’s true value. When asked, he refused to produce figures to substantiate this claim. Nonetheless, the committee approved the deal on the spot. The next day the full city council did the same. A “fairness opinion” was issued by an investment bank, but only a summary was

provided. Curiously enough, that opinion did not analyze the price the asset could fetch on the open market, the reasonableness of the long, seventy-five-year term, or the fact that the sale was being conducted during a major liquidity crisis that had temporarily depressed many assets’ values. A legal opinion respecting the deal was also requested from the city’s outside counsel, but it was submitted months after the decision makers had already approved the deal.

Most corporate lawyers, if informed of these slipshod procedures, would raise serious concerns about breaches of the duty of care, or even question whether the board approving such a deal was acting in good faith. Under the more exacting standards of trust law, trustees engaged in such behavior would almost certainly be liable

In 2008, for a lump-sum payment of \$1.157 billion, Chicago transferred, for seventy-five years, all rights to the income derived from one of its major assets: the parking meters.

for breach of fiduciary duty. But when challenged in court (through a taxpayer derivative suit), the only litigated question was whether the city had the power to execute the transaction—which it did. The court did not, and was not asked to, evaluate whether that power was exercised in a manner consistent with fiduciary obligation. The fiduciary questions that would have dominated the proceedings had this deal been entered by a corporation or trust was never even raised simply because the deal was executed by a city.

Our article addresses this worrisome anomaly by demonstrating that the city’s supposed public nature need not interfere with the application of fiduciary duties to its market transactions. To the contrary, the article shows that the fiduciary status of city officials is supported — indeed, necessitated — by American law’s own history, structure, and normative logic. The article also devises the appropriate fiduciary duty of care — or sound management — that courts should therefore apply to city officials. It advocates requiring local decision makers to abide by certain processes of informed decision making before selling major municipal assets. As primarily a procedural, nonsubstantive test, such a standard would not constrain the political discretion of local officials, and can readily be applied by courts. We detail how equitable remedies, commonly used in fiduciary law, will often provide the adequate judicial response. For example, we explain that Chicago’s deal should have — and could have — been blocked through a court injunction. ■

The Social Psychology of Property: Looking Beyond Market Exchange



Janice Nadler is the Nathaniel L. Nathanson Professor of Law. This is an excerpt of an article originally published in the Annual Review of Law and Social Science.

As economists see it, we live in a world of scarce resources, and everything must ultimately have a price. At the same time, property is not always subject to easy commensuration. This is easy to overlook, because in the abstract it seems natural to assume that things have prices.

Assigning a price to property requires quantifying relations between different things according to a common metric. When property consists of mass-produced, everyday commodities (like a Big Mac or an iPhone), this quantifying process is relatively straightforward. But when a piece of property is fundamentally different, either because it is located near the boundary of the property prototype (such as a

pair of corneas) or because it symbolizes social relationships (such as a wedding ring), pricing requires a process of commensuration that sometimes is so difficult that it breaks down completely. These taboo trade-offs are cognitively confusing and morally troubling attempts to treat as commensurable things that our social commitments tell us are not comparable. Examples include attaching a finite monetary value to things like friendships, children, or national loyalty.

Buying a meal at a restaurant and buying a dog from a kennel are routine market transactions because in the framework of Fiske's four relational models, both fall squarely within the market exchange domain. As such, they are easily understood within the traditional microeconomic perspective in which the value of each good being purchased can be measured on a single utility metric, and exchange is possible because the purchaser places a higher value on the goods than does the seller. Small changes to the manner of acquisition of, the emotional attachment to, or the prototypicality of the item qua property lead to very different beliefs about the propriety of market exchange. Acquiring a meal from friends who make it and serve it to you in their home makes the prospect of offering to pay for it bizarre. Bringing a dog home from the kennel and forming emotional attachments to it (or now more fittingly, him/her) over a period of time transforms the dog from a commodity to a quasi-family member, such that a stranger approaching you and offering to purchase the dog is now considered bizarre. To the extent that the law of property assumes that

commensuration is a mere matter of costs and benefits in all cases, it ignores the difficulties inherent in commensuration when property is located at the border of the category (e.g., pets or body parts), when property is endowed with symbolic meaning and emotional attachment (e.g., the home one was born in), or when the individual acquired the property outside of a market exchange domain (e.g., a family heirloom). Depending on how it was acquired, some property takes on special significance, symbolizing social relationships and attachments to others that are considered to be not fungible. Economists may be correct that in a world of scarce resources everything must ultimately have a price, but we should be careful to recognize that the process of assigning that price involves assumptions about the measurability of social relationships and emotions, and that the very thought of commensuration in some circumstances can be perceived as taboo.

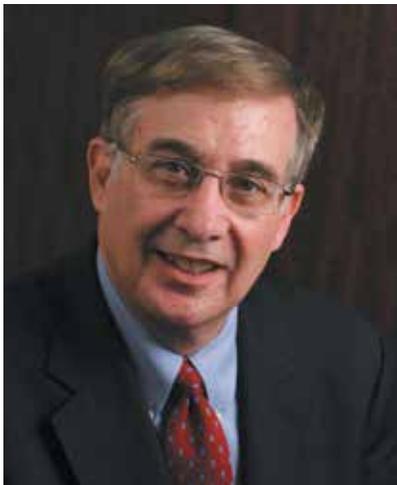
Much of the existing work on psychology and property focuses on individual cognition and behavior and has shed light in important ways on how individuals think about property. But most thinking about property occurs within a social and cultural context, and there is much remaining to explore in this regard. Future work could compare similarities and differences in notions of property across groups and cultures. For example, Rudmin found that the concept of property within an aboriginal group focused more on the extent to which an object is needed or wanted and less on the idea of exercising dominion over a thing. Metcalf showed that despite important differences in constitutional rights regarding government takings of property, Canadians and Americans have similar attitudes toward such

Economists may be correct that in a world of scarce resources everything must ultimately have a price, but we should recognize that the process of assigning that price involves assumptions about the measurability of social relationships and emotions.

takings, and that subjective attachment influences both groups similarly. Exploring psychological attachment to property across cultures could yield important knowledge regarding the role of law, especially in countries where legal reform is under way. Legal theorizing about property has been influenced heavily by work in philosophy and economics, but not much yet by work in psychology. By expanding the scope of investigation to include social and cultural influences on how people think about property, psychologists can explain phenomena that philosophers and economists might overlook. ■

Paradigm Shifters: Allen, Redish, and Tuerkheimer on Changing the Conversation

One of the jobs of a law professor is to look at long-held beliefs with a critical eye and offer insights that may change widespread understanding of pressing legal issues. Erin F. Delaney, associate dean of faculty and research, sat down with three professors who are in different stages of doing just that: Martin H. Redish, Louis and Harriet Ancel Professor of Law and Public Policy; Ronald J. Allen, John Henry Wigmore Professor of Law; and Deborah Tuerkheimer, Class of 1940 Research Professor of Law. Below is an excerpt of their conversation.



“The way I’ve attempted to shift paradigms is to begin with foundational principles that others readily accept and try to show that there are totally different perspectives that inexorably, as a matter of logical deduction, lead from where they’ve begun.”

— MARTIN H. REDISH, LOUIS AND HARRIET ANCEL PROFESSOR OF LAW AND PUBLIC POLICY

Erin Delaney: All three of you have contributed significantly — or are contributing — to paradigm shifts in how we think about certain areas of the law. Ron, to start, can you define “paradigm shift” for us?

Ronald Allen: The idea of paradigm shifting came out of an influential book by a philosopher of science, Thomas Kuhn, called *Structure of Scientific Revolutions*. His argument, at the time, seemed to be that there really wasn’t progress in science, but instead, the ways of understanding the world just sort of mysteriously shifted — kaboom! — so that the idea that Einsteinian physics was an improvement over Newtonian physics isn’t right, it’s just that people who subscribe to Einsteinian physics have a different world view, a different paradigm, than those who subscribe to Newtonian physics, as an example. In reality, it is almost always the case that there are rational connections between one set of ideas and a set of ideas that come in and replace them, and what really occurs is that the new thinking subsumes within it the prior thinking as a special case. So Newtonian physics, for example, works great on the surface of the planet. It doesn’t work so well if you’re trying to explain black holes, and so Einsteinian physics subsumes within a special case Newtonian physics. That’s the

basic background, but in the law, it just sounds pretty cool to say there’s a paradigm shift going on. It really refers to the idea that there’s a fundamental change occurring in your understanding of a phenomenon or your understanding of how to solve the problem that that phenomenon poses.

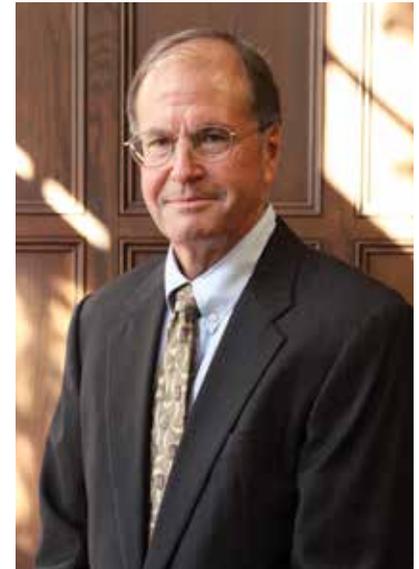
Martin Redish: Ron, when you talk about scientific norms and paradigm shifts, those are attempts to determine reality in some way, and we may have different perceptions of what’s right at different points in history of the world. But normative beliefs aren’t etched the way scientific realities are, and those are the shifts that I deal with. The way I’ve attempted to shift paradigms is to begin with foundational principles that others readily accept, and try to show that there are totally different perspectives that inexorably, as a matter of logical deduction, lead from where they’ve begun.

ED: Marty, what was the paradigm before your groundbreaking 1971 article, “The First Amendment in the Marketplace: Commercial Speech and the Values of Free Expression”?

MR: As a third-year law student, I knew I wanted to be an academic, and every

“It is almost always the case that there are rational connections between one set of ideas and a set of ideas that come in and replace them, and what really occurs is that the new thinking subsumes within it the prior thinking as a special case.”

— RONALD J. ALLEN, JOHN HENRY WIGMORE PROFESSOR OF LAW



third-year student at Harvard had to write a senior paper. I'd studied freedom of expression in college and law school, and one of the areas that was skipped over was commercial speech. The beauty of my eventual insight, I felt, was that I could use the principles of the scholars who had so summarily dismissed commercial speech — saying it was more associated with property rights than it was freedom of expression — and turn their theories around on them. It occurred to me that if you start with the premise that we have a democratic system and that freedom of expression, as philosopher Alexander Meiklejohn said, “springs from the necessities of self-government,” then when we make private choices we are also exercising a kind of governing power. It's a private governing power, but it's facilitating the kinds of normative premises behind the choice for democracy in the first place. I recognized that, first of all, who the speaker is and what the speaker's motive is didn't matter, that really it's the recipient in a democratic system that matters. And, second, the DNA of the process of self-government that was going on — that every free speech scholar wrapped his arms around — was really the same process that was going on when you made your private commercial decisions.

ED: But a paradigm shift doesn't just happen in a 3L law review article, and it doesn't happen in isolation. Other people have to buy into your ideas, which has happened for you in the four decades since your article was published. *Tailspin*, by Steven Brill, even credits you with changing the entire view of the First Amendment. And, of course, a majority of the Supreme Court has agreed with you.

MR: The only thing I will take credit for is that I was way ahead of the curve. Whether I had any real influence or not, I don't know how much proof there is of that.

ED: Of course, as paradigms shift, there are bound to be holdouts. Ron, in your article “Relative Plausability and its Critics,” you engage with the shifting paradigm about juridical proof. How are you dealing with the holdouts?

RA: For literally 400 years, people have thought that juridical proof is probabilistic. People use the concept of probability in life all the time — ‘what's the probability it's going to rain tomorrow?’ that

sort of thing. More formalized notions of probability exist though — the mathematics of probability — and for hundreds of years, it's been assumed that these more formal notions of probability explain what occurs at trial. If two elements are proven both to .6, the probability of them both being true if they're independent is .36, which means the probability of one being false is .64, but you're still returning plaintiff's verdict when there's a 64 percent chance of a wrongful outcome.

But over time, certain irritants made clear that the systematic ways of thinking about probability simply don't work. They don't explain anything at trial. So what does? When you look at the structure of the trial as a whole, what you see is it forces the parties to offer explanations. You have broad rules that let parties tell their stories on their own terms. This led to the insight that what's actually occurring in civil cases is not a probabilistic account. It's a comparative explanation account, what's now called explanationism. In criminal cases, the issue is whether the state has a plausible story of guilt, and if they don't, it's an acquittal. If they do, then the issue is whether the defendant has a plausible story, even if less plausible than the government's. If they do, then it's an acquittal. And this maps extremely well to what actually occurs at trials. It turns out not everybody has recognized the genius of these insights, but the shift is ongoing — we are nearing the end.

It's important to know, there are people whose careers are invested in probabilism, or whatever paradigm it is a person is trying to shift. So what happens is a couple of things — some people just reject your theory out of hand, but the more serious response is to try to make ad hoc adjustments. People change things in their theory to permit an outcome to be explained. The problem with that when there is an actual paradigm shift, is that you end up with a Rube Goldberg kind of structure that collapses of its own weight.



“In this #MeToo conversation, the law has been strangely left out and has escaped deep critique. I’m interested in disconnects between social norm shifts and the very static nature of law. It’s important to try to bridge those gaps.”

— DEBORAH TUERKHEIMER, CLASS OF 1940
RESEARCH PROFESSOR OF LAW

ED: This concept of a paradigm in transition is a way of explaining what you are doing, Deb. What is the dominant paradigm in how we think about sexual harassment, and how is it changing? Your article, “Incredible Women: Sexual Violence and the Credibility Discount” does a beautiful job identifying the law as it currently stands.

Deborah Tuerkheimer: The article starts with the substantive criminal law — the law of rape — and the deeply ingrained skepticism that, for most of our time, was baked into our law. This includes rules requiring extra corroboration, a prompt complaint, special cautionary jury instructions — the ways in which this particular crime has always been treated differently. Over time, these rules have softened, and across many jurisdictions they’ve been formally abolished, but I argue that this same skepticism has migrated from formal rules to informal practices. If we look at the ways in which police officers and prosecutors, down the line to jurors, tend to view allegations of sexual violence, we see the same default to doubt that used to be embedded in the law

explicitly. And we see the same outcome, which is that most of these cases never make their way through the system. There’s extraordinary case attrition. These allegations for the most part do not result in an arrest, much less a prosecution, much less a conviction, much less a prison sentence. Out of every thousand incidents of sexual assault, maybe six end up with some sort of prison sentence. What I try to do in the article is show that there’s a real misperception about the likelihood that an allegation is false, and I do that by comparing the best empirical research on false allegations in sexual assault cases to the research that’s been done on attitudes on the part of law enforcement officers about false allegations.

ED: Your article came out barely a month before *The New York Times* and *New Yorker* reports on Harvey Weinstein.

DT: It did. It’s been really interesting to watch the beginning of, perhaps, a correction across our society that is certainly at the early stages. I would never suggest that this is a problem that will resolve itself across the board, because there are certain more marginalized members of our society who will continue to have their credibility discounted in ways that more privileged members of our society may not. But we are seeing a change, and I think it’s an exciting time.

ED: What are you working on now?

DT: In my current project, I’m thinking about ways in which the law itself should be responding to these changes. It needs to incorporate in its processes new ways of fairly judging credibility. In particular what I’m thinking about is the ways in which people report abuse. Do our formal methods of reporting need to evolve in order to incorporate some of the insights we’re gaining in this #MeToo era? I happen to believe that if the law is left behind as we think about this shifted paradigm, that’s a real loss. Yet in this #MeToo conversation, the law has been strangely left out and has escaped deep critique. I’m interested in disconnects between social norm shifts and the very static nature of law. I think it’s important to try to bridge those gaps.

ED: To summarize this conversation: You need to be an irritant of some sort, right? Part of the role of the law professor is to challenge and test perceived wisdom about the law?

MR: I think it should be viewed sort of like what I call “turning into the skid.” When you’re skidding on ice, your instinct is immediately to turn away from it. But, as you learn in driver’s ed, that’s the worst thing you can do. Those who are going to engage in paradigm shifts are those who are going to want to turn into the skid and recognize that they’re going against everybody else’s intuition. ■

Term Limits Could Fix the Dysfunction Around Supreme Court Confirmations



James Lindgren is a professor of law at Northwestern Pritzker School of Law. His co-author, Ross M. Stolzenberg, is a professor of sociology at the University of Chicago. This op-ed originally appeared in the Los Angeles Times on July 18, 2018.

Before nominating 53-year-old Brett Kavanaugh to the Supreme Court, President Trump expressed a hope that his pick would serve for 40 to 45 years. That was wishful thinking: The longest-serving justice in history, William O. Douglas, lasted over 36 years but was so obviously incompetent toward the end that his colleagues conspired to decide no closely contested cases until he stepped down.

Still, Kavanaugh is likely to serve a long time by our standards, and a very long time by the standards prevailing when the Constitution was framed. For most of American history justices left the court at an average age of below 70. Today it's about 80. They used to serve about 15 years, but now average more than 28 years. (For scale, consider that 28 years ago, about 38 percent of the U.S. population had not yet been born.) As much as justices appear to enjoy these extended careers, their unlim-

ited terms are dysfunctional for the judicial system, the court itself, the presidency, and Congress. We need term limits for the court.

Right now, justices race against senility, physical decrepitude and death itself in order to hand the power to appoint their successor to a specific party. Justice Anthony M. Kennedy was appointed by a Republican, and to few people's genuine surprise, retired with a Republican in the White House. That's how it usually works. In a 2010 article, we calculated that the odds of a justice retiring rise 168 percent during the first two years of the term of a president of the same party. Justices also tend to avoid retirement when the sitting president is not of the same party — a delay that triples their odds of dying in office.

These distorting effects add up. While it might seem that things would average out over time, that doesn't happen. From Eisenhower's presidency through Obama's, six presidents were Republicans and five were Democrats, but that didn't lead to similar numbers of appointments for each party. Rather, Democrats appointed eight justices, while Republicans appointed 17. Much of

the imbalance comes from Eisenhower and Nixon, who appointed nine justices between them — more than the five Democratic presidents combined, in spite of Nixon's premature departure from office.

Long tenures on the court also provoke a fear, reasonable or not, that an ill-considered appointment could damage the nation for a long time. That fear worsens already acrimonious confirmation hearings, often marked more by exaggerated claims and character assassinations than with evidence of the quality of jurisprudence that a nominee would bring to the court.

Term limits of 18 or 24 years for Supreme Court justices would fix many of these problems. Under staggered 18-year term limits, for example, one of the nine seats could be filled every odd year. If any justice died or retired before the term was up, a replacement would fill only the remainder of that term. Thus, there would be no partisan advantage in retiring early because doing so would not change the schedule of regular appointments.

As much as justices appear to enjoy these extended careers, their unlimited terms are dysfunctional for the judicial system, the court itself, the presidency, and Congress. We need term limits for the court.

After completing an 18-year term, justices could still serve on lower courts, thus technically preserving their life tenure as a federal judge, though not all of it would be on the Supreme Court. Such a fundamental change in the meaning of life tenure would probably require a constitutional amendment, although not everyone thinks so.

Adding court term limits to the Constitution stands a better chance than some might think. A constitutional amendment requires ratification by three-quarters of the states, and judicial term limits are well established in the states. Term limits or maximum judicial ages are used by 49 of 50 state supreme courts, as well as the high courts of other highly developed countries.

If there is an impediment, it's Congress. Senators and representatives might, in the abstract, favor term limits for justices, but might not want to encourage anyone to start thinking about term limits for the legislative branch. ■

A Conversation with Michael Kang

Michael Kang joins the Northwestern Law faculty as the William G. and Virginia K. Karnes Research Professor. A nationally recognized expert on campaign finance, voting rights, redistricting, judicial elections, shareholder voting, and corporate governance, Kang's recent research focuses on partisan gerrymandering; the influence of party and campaign finance on elected judges; the de-regulation of campaign finance after *Citizens United*; and so-called "sore loser laws" that restrict losing primary candidates from running in the general election.

Kang is the outgoing Thomas Simmons Professor of Law at Emory University Law School, where he taught for 13 years. He has a BA and JD from the University of Chicago, an MA in political science from the University of Illinois, and a PhD in government from Harvard University. He previously clerked for Judge Michael S. Kanne of the Seventh Circuit Court of Appeals and worked in private practice at Ropes & Gray.

How did you become interested in election law?

At the University of Chicago, where I went to law school, there were opportunities to combine political science and law in ways that weren't stuck in methodology and statistics and were more applied and normative, and I was really interested in that. Then, at Harvard, I took an election law class with Heather Gerken, now the dean of Yale Law School, because it's a good area for someone who has a political science background, is interested in politics, and wants to apply that empirical knowledge in a normative direction. There was a growing group of academics who were interested in election law — there's been a lot more litigation around the political process after *Bush v. Gore* — so there were lots of opportunities when I was just starting out to get involved.

What are you currently working on?

I'm working on a paper that argues that today's hyper-partisanship is quite normal by American historical standards. The partisanship we see today, while upsetting and problematic in lots of ways, is also really normal in American history. Most of the history of the country has been super partisan. We react more negatively than we otherwise would because quite a lot of us grew up during the '50s, '60s, '70s, and '80s, when partisanship was at historical lows. We tend to think of bipartisanship as really normal and the right state of American politics. But it's actually quite abnormal, if you look at the rest of American history.

Election law was largely created during that period of bipartisanship. You'd think election law would be really attuned to the problems of partisanship given that parties are extremely prominent in American politics, but it isn't really oriented toward partisanship as



a problem. In my article, I lay out that historical argument but also make the case that election law ought to be directed more toward hyper-partisanship and be more interventionist than it has been designed to be.

You've received a lot of attention for your work on campaign contributions in judicial elections — including a citation from Justice Ginsburg in her Williams-Yulee v. Florida Bar opinion. What's new on that front?

I have a book project with my Emory colleague, Joanna Shepherd. We've done a ton of work together on judicial elections and judicial behavior. This is a really nice intersection with the Northwestern Law faculty because Tonja Jacobi and Emerson Tiller are obviously quite interested in judicial behavior and a lot of their work is on that.

What Joanna and I have found, looking at judicial campaign finance and judicial elections, is that judges' votes are pretty predictably associated with the money that they get. In our work, we've been fairly agnostic about why the votes follow the money. Part of it could be that they are in this really intuitive way just biased by the money. *I know I have to run for re-election, I know who gave me money last time, so I want to make those guys happy and I'm going to vote the way they want. If businesses gave me money last time, I'm going to keep voting in favor of business interests because I want to get their money to win re-election next time.* That probably happens, it's a kind of biasing effect.

But it's also fair to say that some of it might be just that the money came to these judges because they were already inclined to decide in favor of those interests in the first place. Maybe businesses go to certain candidates because those candidates are business-friendly, so it's no surprise that once on the bench, they vote in favor of business interest because that's what they were going to do all along. So that's a kind of selection effect.

We were interested in exploring that causal pathway. One thing we find consistently in our work is that retiring judges don't show this effect of money. The lame ducks vote differently in their last term than judges facing re-election. So, we think that means there is something to this biasing effect. It may not be the whole thing, but it's part of the thing. When they don't have to worry about re-election, the effect of money seems to disappear. ■

Faculty Publications

The Northwestern Law faculty produces world-class scholarship on a diverse range of contemporary legal issues. The following is a selection of scholarly works by residential faculty published in the last academic year.



Ronald J. Allen
JOHN HENRY WIGMORE
PROFESSOR OF LAW

“Fiddling While Rome Burns: The Story of the Federal Rules and Experts.” *Fordham Law Review*. 2018.

“Commentary: North Korea’s Madness: A Level-Headed Premier.” *Chicago Tribune*. 2017.



Karen J. Alter
PROFESSOR OF LAW
(COURTESY)

International Court Authority, edited with Laurence R. Helfer and Mikael Rask Madsen. Oxford University Press. 2018.

“The Contested Authority and Legitimacy of International Law: The State Strikes Back” in *Beyond Anarchy: Rule and Authority in the International System*, edited by Christopher Daase & Nicole Dietelhoff. 2018.

“The Future of International Law” in *A New Global Agenda: Priorities, Practices, and Pathways of the International Community*, edited by Diana Ayton-Shenker. 2018.

“The Rise of International Regime Complexity.” in *Annual Review of Law & Social Sciences* (with Kal Raustiala). 2018.

“Disentangling Ethics and the Law: What’s Legal Isn’t Necessarily Ethical.” *National Law Journal*. 2018.

“Law in Action: Human Rights, Conflict Resolution and National Identity.” *Perspective on Politics*. 2018.

“Trump’s tariffs aren’t the biggest trade problem. Will China step up to protect the WTO?” *Washington Post*. 2018.



Michael Barsa
PROFESSOR OF PRACTICE

“Rethinking the Dormant Commerce Clause?: Climate Change and Food Security.” *Northwestern Journal of Law and Social Policy*. 2018.



Sheila Bedi
CLINICAL ASSOCIATE
PROFESSOR OF LAW

“Chicago Incentivizes Abusive Policing Through Overtime Policy.” *The Chicago Reporter*. 2017.



Herbert N. Beller
SENIOR LECTURER

“Section 355 Re-visited: Time for a Major Overhaul?” *Tax Lawyer*. 2018.



Robert W. Bennett
NATHANIEL L. NATHANSON
PROFESSOR OF LAW
EMERITUS

“Regional Governance in the United States” in *Regional Governance and Development of the Rule-of-Law*. 2018.

“What Does It Mean to Support the Second Amendment?” *National Law Journal*. 2018.



Julie L. Biehl
CLINICAL ASSOCIATE
PROFESSOR OF LAW

“Guest Commentary: Locking Up Kids.” *The News-Gazette*. 2018.



Bernard Black
NICHOLAS D. CHABRAJA
PROFESSOR OF LAW AND
BUSINESS

“A Comparison of Care Delivered in Hospital-based and Freestanding Emergency Departments.” *Academic Emergency Medicine* (with Jesse Pines and Mark Zocchi). 2018.

“Association of Medical Liability Reform With Clinician Approach to Coronary Artery Disease Management.” *JAMA Cardiology* (with Steven A. Farmer, et. al). 2018.

“Introductory Overview of the Natural Experiments for Translation in Diabetes 2.0 (NEXT-D2) Network: Examining the Impact of U.S. Health Policies and Practices to Prevent Diabetes and its Complications.” *Current Diabetes Reports* (with OK Duru, et al.). 2018.

“The Nonprime Mortgage Crisis and Positive Feedback Lending.” *Journal of Law, Finance, and Accounting* (with Charles K. Whitehead and Jennifer Mitchell Coupland). 2018.

“Screening Plaintiffs and Selecting Defendants in Medical Malpractice Litigation: Evidence from Illinois and Indiana.” *Journal of Empirical Legal Studies* (with Mohammad Rahmati, David Hyman, Jing Liu, and Charles Silver). 2018.

“The Long-term Effect of Health Insurance on Near-Elderly Health and Mortality.” *American Journal of Health Economics* (with Kate Litvak, Jose Espin-Sanchez, and Eric French). 2017.

“Corporate Governance Indices and Construct Validity.” *Corporate Governance: An International Review* (with Antonio Gledson de Carvalho, Vikramaditya Khanna, Woonchan Kim, and B. Burcin Yurtoglu). 2017.

“The Association between Patient Safety Indicators and Medical Malpractice Risk: Evidence from Florida and Texas.” *American Journal of Health Economics* (with Amy Wagner and Zenon Zabinski). 2017.

“Protecting Unauthorized Immigrant Parents Improves the Mental Health of their Children.” *Science* (with Jens Hainmueller, Duncan Lawrence, Linna Martén, Lucila Figueroa, Michael Hotard, Tomás R. Jiménez, David D. Laitin, Fernando Mendoza, Maria I. Rodriguez, and Jonas J. Swartz). 2017.



Robert P. Burns
WILLIAM W. GURLEY
PROFESSOR OF LAW

“The Rule of Law in the Trial Court” in *Trials*, edited by Martha Merrill Umphrey. Routledge. 2018.

“White Paper of Democratic Criminal Justice.” *Northwestern University Law Review* (with Janice Nadler, et. al). 2017.



Steven G. Calabresi
CLAYTON J. AND HENRY R.
BARBER PROFESSOR OF LAW

“Individual Rights Under State Constitutions in 2018: What Rights Are Deeply Rooted in a Modern-Day Consensus of the States.” *Northwestern Law and Economics Research Paper*. 2018.

“US Law Is Not on the Side of Mueller’s Appointment as Special Counsel.” *The Hill*. 2018.

“The Abraham Lincoln Lecture on Constitutional Law.” *Northwestern University Law Review*. 2017.

FACULTY FOCUS

"An Originalist Defense of *Plyler v. Doe*." *Brigham Young University Law Review* (with Lena M. Barsky). 2017.

"President Trump Is Constitutionally Right on the CFPB Even if We Oppose Him Otherwise." *USA Today* (with Akhil Reed Amar). 2017.

"Opinion: Trump, There Is No Better AG Than Jeff Sessions – Don't Lose Him." *The Hill*. 2017.



Alyson Carrel
CLINICAL ASSISTANT
PROFESSOR OF LAW

"Regulating Mediator Practice: Highlights from Europe and the United States." *Dispute Resolution Magazine* (with Lin

Adrian). 2017.



Brian Citro
CLINICAL ASSISTANT
PROFESSOR OF LAW

"A Human Rights Framework for Climate Engineering: A Response to the Limits of Cost-Benefit Analysis" in *Climate*

Geoengineering: Law and Governance. 2017.

"Measuring TB-Related Stigma." *International Journal of Tuberculosis and Lung Disease* (with Allan Maleche, Phumeza Tisile, and Timur Abdullaev). 2017.



Lynn P. Cohn
CLINICAL PROFESSOR OF LAW

"Looking at Justice Through a Lens of Healing and Reconnection." *Northwestern Journal of Law and Social Policy* (with Annalise Butth). 2017.



David Dana
KIRKLAND & ELLIS
PROFESSOR OF LAW

"Soda Taxes as a Legal and Social Movement." *Northwestern Journal of Law and Social Policy* (with Janice Nadler). 2017.

"Escaping the Abdication Trap When Cooperative Federalism Fails: Legal Reform After Flint." *Fordham Urban Law Journal*. 2017.

"Secret Court Settlements Are a Scourge on Society." *Washington Post*. 2017.



Erin F. Delaney
PROFESSOR OF LAW

"Fantasy Island." *Yale Journal of International Law Forum* (with Christina D. Ponsa-Kraus). 2018.



Shari Seidman Diamond
HOWARD J. TRIENENS
PROFESSOR OF LAW

"Jury Research." *The Roots of Modern Psychology and Law: A Narrative History*, edited by Thomas Grisso & Stanley

Brodsky. 2018.

"The Contemporary American Jury." *Annual Review of Law and Social Science* (with Mary Rose). 2018.



Steven Drizin
CLINICAL PROFESSOR OF LAW

"Gerald Gault, Meet Brendan Dassey: Preventing Juvenile False and Coerced Confessions in the 21st Century" in *Race, Rights, and Reform: 50 Years of*

Child Advocacy in the Juvenile Justice System, edited by Kristin Henning, Laura Cohen, and Ellen Marrus (with Laura Nirider and Megan Crane). 2018.



Michelle S. Falkoff
HARRY B. REESE TEACHING
CLINICAL ASSOCIATE
PROFESSOR OF LAW

"Maybe Lawyers Are What's Missing from Our Government." *The Hill*. 2018.

"Looking to Fiction for Insights on Suicide." *Pacific Standard*. 2018.

"Writing Affirmative Consent into YA Novels: Teens Need Healthy Models in Fiction, Too." *Salon*. 2018.

"Why We Must Stop Relying on Student Ratings of Teaching." *Chronicle of Higher Education*. 2018.



Alison R. Flaum
CLINICAL ASSOCIATE
PROFESSOR OF LAW

"Transfer of Jurisdiction." *Juvenile Law: Predelinquency and Delinquency*. 2018.



Daniel Gandert
CLINICAL ASSISTANT
PROFESSOR OF LAW

"The Court of Arbitration for Sport: The Insurer of Fairness in Doping Cases" in *Sports Law – Present and Future*, edited by

Kee-Young Yuen. 2018.

"The WADA Code: Optimal on Paper." *Maryland Journal of International Law*. 2017.



Thomas F. Geraghty
CLASS OF 1967 JAMES B.
HADDAD PROFESSOR OF LAW

"White Paper of Democratic Criminal Justice." *Northwestern University Law Review* (with Janice Nadler, et. al). 2017.



Dana Hill
CLINICAL ASSOCIATE
PROFESSOR OF LAW

"Four Reasons Norwegians Won't Go Near Trump's Welcome Mat." *Chicago Tribune*. 2018.



Allan Horwich
PROFESSOR OF PRACTICE

"The Unresolved Quandary of Disclosure of Executive Illness." *Harvard Law School Forum on Corporate Governance and Financial Regulation*. 2018.

"A Call for the SEC to Adopt More Safe Harbors that Limit the Reach of Rule 10b-5." *Northwestern Law and Economics Research Paper*. 2018.

"The Securities Law Disclosure Rules of the Road Regarding Executive Illness." *Securities Regulation Law Journal*. 2018.



Tonja Jacobi
PROFESSOR OF LAW

"Judicial Conflicts and Voting Agreement: Evidence from Interruptions at Oral Argument." *Boston College Law Review* (with Kyle

Rozema). 2018.

"Supreme Court justices are speaking up more because they're not afraid to be partisan." *Washington Post* (with Matthew Sag). 2018.

"Supreme Irrelevance: The Court's Abdication in Criminal Procedure Jurisprudence." *University of California, Davis Law Review* (with Ross Berlin). 2018.

"If Gorsuch is like his colleagues, he'll constantly interrupt the female justices." *Washington Post* (with Dylan Schweers). 2017.

"Female Supreme Court Justices Are Interrupted More by Male Justices and Advocates." *Harvard Business Review* (with Dylan Schweers). 2017.

"Justice, interrupted – Gender, ideology, and seniority at the Supreme Court." *SCOTUSBlog* (with Dylan Schweers). 2017.

"How men continue to interrupt even the most powerful women." *Aeon* (with Dylan Schweers). 2017.

"The Future of Terry in the Car Context." *Ohio State Journal of Criminal Law*. 2017.



Joshua Seth Kleinfeld
PROFESSOR OF LAW

“White Paper of Democratic Criminal Justice.” *Northwestern University Law Review* (with Janice Nadler, et. al). 2017.



Jonathan Koehler
BEATRICE KUHN PROFESSOR OF LAW

“How Trial Judges Should Think About Forensic Science Evidence.” *Judicature*. 2018.

“Forensics or Fauxrensic? Ascertain Accuracy in the Forensic Sciences.” *Arizona State Law Journal*. 2017.



Andrew Koppelman
JOHN PAUL STEVENS PROFESSOR OF LAW

“Neutrality and the Religion Analogy” in *Religious Exemptions*, edited by Kevin Vallier and Michael Weber. 2018.

“Tebbe and Reflective Equilibrium.” *Journal of Civil Rights and Economic Development*. 2018.

“Why the Mueller Investigation Is Constitutional.” *The American Prospect* (with Steven Lubet). 2018.

“The Press Is Wrong on Masterpiece Cakeshop. The Baker Lost.” *The American Prospect*. 2018.

“Masterpiece Cakeshop: What Did The Baker Win?” *Law360*. 2018.

“Corrupting the National Book Award?” *Balkanization*. 2017.

“Why the Trump Administration Will Lose Its Case Against Gay Rights.” *Fortune*. 2017.

“American Evil: A Response to Kleinfeld on Punishment.” *Arizona State Law Journal*. 2017.

“Unparadoxical Liberalism.” *San Diego Law Review*. 2017.

“Review of Geoffrey Stone, *Sex and the Constitution*.” *The New Rambler*. 2017.

“Entertaining Satan: Why We Tolerate Terrorist Incitement.” *Fordham Law Review*. 2017.

“A Rawlsian Defence of Special Treatment for Religion” in *Religion in Liberal Political Philosophy*, edited by Cécile Laborde and Aurelia Bardon. 2017.

“Why Rawls Can’t Support Liberal Neutrality: The Case of Special Treatment for Religion.” *Review of Politics*. 2017.

“Does Jason Chaffetz understand his job?” *CNN* (with Steven Lubet). 2017.

“Trump’s ‘libertarianism’ endangers the public.” *CNN*. 2017.

“Masterpiece Cakeshop and how ‘religious liberty’ became so toxic.” *Vox*. 2017.



Annelise Riles To Lead Buffett Institute, Join Law Faculty

Annelise Riles, a leading global anthropologist and legal scholar, has been named executive director of the Roberta Buffett Institute for Global Studies at Northwestern University. She will also rejoin the Law School faculty, where she previously taught from 1997 to 2002, as a professor of law.

In addition, Riles will become associate provost for global affairs at Northwestern — reporting directly to Provost Jonathan Holloway — and she will hold a courtesy appointment in the Department of Anthropology in the Weinberg College of Arts and Sciences.

Riles comes to Northwestern from Cornell University, where she was a professor of anthropology and the Jack G. Clarke ’52 Professor of Far East Legal Studies, as well as a founder and director of the Clarke Program in East Asian Law and Culture at the Cornell Law School, and the founder and director of Meridian 180, a multilingual forum for transformative leadership.

Riles has an undergraduate degree from Yale University, a master’s degree from the London School of Economics, a JD from Harvard Law School, and a PhD in social anthropology from the University of Cambridge. ■

"The Gay Wedding-Cake Case Isn't About Free Speech: The inconvenient facts of *Masterpiece Cakeshop*." *The American Prospect*. 2017.

"Baking Chaos: Masterpiece Cakeshop Argument Misses the Mark." *The American Prospect*. 2017.



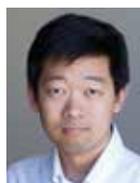
Matthew B. Kugler
ASSISTANT PROFESSOR OF LAW

"Your phone knows where you've been, and the government wants to know too." *Los Angeles Times* (with Sarah Schrup). 2017.



Sarah Lawsky
BENJAMIN MAZUR SUMMER RESEARCH PROFESSOR OF LAW

"A Logic for Statutes." *Florida Tax Review*. 2018.



Alex Lee
PROFESSOR OF LAW

"Non-Prosecution of Corporations: Toward a Model of Cooperation and Leniency." *North Carolina Law Review* (with Cindy Alexander). 2018.

"Litigation and Selection with Correlated Two-Sided Incomplete Information." *American Law and Economics Review* (with Daniel Klerman and Lawrence Liu). 2018.

"Maybe There's No Bias in the Selection of Disputes for Litigation." *Journal of Institutional and Theoretical Economics* (with Eric Helland and Dan Klerman). 2018.



Katherine Litvak
PROFESSOR OF LAW

"The Long-term Effect of Health Insurance on Near-Elderly Health and Mortality." *American Journal of Health Economics* (with Bernard Black, José Espín-Sánchez, and Eric French). 2017.



Nancy C. Loeb
CLINICAL ASSOCIATE PROFESSOR OF LAW

"Trump's EPA is not following through on promises to protect our air and water." *The Hill*. 2017.



Steven Lubet
EDNA B. AND EDNYFED H. WILLIAMS MEMORIAL PROFESSOR OF LAW

"My Disarming Jewish Encounter with the Deep South." *The Forward*. 2018.

"How a Turf War at Fresno State Turned Into an Anti-Zionist Witch Hunt." *The Forward*. 2018.

"Commentary: What Liberals Miss About the Second Amendment." *Chicago Tribune*. 2018.

"Commentary: How Do We Curb Racism and Anti-Semitism — and Protect Free Speech?" *Chicago Tribune*. 2018.

"Can Trump Commit Treason and Get Away with It?" *The Daily Beast*. 2018.

"On Juneteenth, Let's Commit to Ending Separation of Parents and Children at the Border." *CNN*. 2018.

"If Michael Cohen Is Telling the Truth About His Stormy Daniels Payment, He Could Be Disbarred." *Slate*. 2018.

"Why the Mueller Investigation Is Constitutional." *The American Prospect* (with Andrew Koppelman). 2018.

"The Gawker Case Has Become More Interesting." *The American Prospect*. 2018.

"The Plight of University Presses." *Academe Magazine*. 2018.

"Interrogating Ethnography Conference, Panel Discussion: Author Meets Critic." *Northwestern Journal of Law and Social Policy* (with Gary Alan Fine, Philip Cohen, Colin Jerolmack, Shamus Khan, and Mary Pattillo). 2018.

"MESA's Fresno State Conspiracy Theory." *Jewish Currents*. 2018.

"Anti-Semitic Faculty: What Is to Be Done?" *Jewish Currents*. 2017.

"Commentary: Can Meghan Markle Ace England's Arcane Citizenship Test?" *Chicago Tribune*. 2017.

"The First Thing We Do, Let's Blame All the Lawyers." *Chicago Tribune*. 2017.

"Why Trump Is Wrong to Equate George Washington with Robert E. Lee." *Chicago Tribune*. 2017.

"Commentary: Steven Salaita's Exile from Academia: 'I Refuse to Tolerate the Indignities of a Blacklist.'" *Chicago Tribune*. 2017.

"Why Neo-Confederate Claims about Black Slaveholders Are So Misleading." *Tropics of Meta*. 2017.

"Law Review vs. Peer Review: A Qualified Defense of Student Editors." *University of Illinois Law Review Online*. 2017.

"Is a Dubious 'Brain Health' Quiz Stoking Alzheimer's Anxiety to Lure Patients?" *Undark Magazine*. 2017.

"Burning with Suspense." *The New Rambler Review*. 2017.



Bruce A. Markell
PROFESSOR OF BANKRUPTCY LAW AND PRACTICE

Cases and Materials on Contracts: Making and Doing Deals, 5th edition (with David G. Epstein and Lawrence Ponoroff). 2018.

"Thinking Outside the Boundaries: Extraterritoriality and Avoiding Powers." *Bankruptcy Law Letter*. 2018.

"Comments on Selfishly-Settled Trusts: Fulminations Over Fraud and Asset Protection Trusts." *Bankruptcy Law Letter*. 2017.

"Fair Equivalents and Market Prices: Bankruptcy Cramdown Interest Rates." *Harvard Law School Bankruptcy Roundtable*. 2017.

"Reining in the Rich: Using Equity to Thwart Offshore Asset Protection Trusts." *Annual Review of Insolvency Law*. 2017.

"Substantive Consolidation in United States Bankruptcy Cases." *Insol World — Fourth Quarter* (with Mark D. Bloom). 2017.



John O. McGinnis
GEORGE C. DIX PROFESSOR IN CONSTITUTIONAL LAW

"Bridging C.P. Snow's Two Cultures." *City Journal*. 2018.
"A Philosophy of Expidence." *City Journal*. 2018.

"The Troubling Apotheosis of the Notorious RBG." *Law and Liberty*. 2017.

"Choking Choke Point: A Return to the Rule of Law." *Law and Liberty*. 2017.

"The Constitution Permits People to Exercise Two Rights at the Same Time." *Law and Liberty*. 2017.

"Why Attorney General Sessions Should Change Litigating Positions." *Law and Liberty*. 2017.

"The Constitution and the Language of the Law." *William and Mary Law Review* (with Michael B. Rappoport). 2017.



Ajay Mehrotra
PROFESSOR OF LAW

"Why Atlas Hasn't Shrugged." *Florida Tax Review*. 2018.

"Corporate Taxation and the Regulation of Early Twentieth-Century American

Business" in *The Corporation and American Democracy*, edited by Naomi Lamoreaux and William Novak (with Steven A. Bank). 2017.

"Fiscal Forearms: Taxation as the Lifeblood of the Modern Liberal State" in *The Many Hands of the State: The Complexities of Political Authority and*

Social Control, edited by Kimberly Morgan and Ann Orloff. 2017.

"Asian-Americans Facing Challenges in the Legal Industry." *Law360* (with Justice Goodwin Liu). 2017.



Janice Nadler
NATHANIEL L. NATHANSON
PROFESSOR OF LAW

"The Social Psychology of Property: Looking Beyond Market Exchange." *Annual Review of Law and Social Science*. 2018.

"Soda Taxes as a Legal and Social Movement." *Northwestern Journal of Law and Social Policy* (with David Dana). 2017.

"White Paper of Democratic Criminal Justice." *Northwestern University Law Review* (with Robert Burns, et. al). 2017.



Kathleen Dillon Narko
CLINICAL PROFESSOR OF LAW

"Plain Language Master Focuses on Drafting: Seeing Through Legalese." *CBA Record*. 2018.



Laura Nirider
CLINICAL ASSISTANT
PROFESSOR OF LAW

"Gerald Gault, Meet Brendan Dassey: Preventing Juvenile False and Coerced Confessions in the 21st Century" in *Race,*

Rights, and Reform: 50 Years of Child Advocacy in the Juvenile Justice System, edited by Kristin Henning, Laura Cohen, and Ellen Marrus (with Steven Drizin and Megan Crane). 2018.



Jide Nzelibe
PROFESSOR OF LAW

"The Breakdown of International Treaties." *Notre Dame Law Review*. 2018.



Leslie A. Oster
CLINICAL ASSOCIATE
PROFESSOR OF LAW

"Bridges II: The Law-STEM Alliance & Next Generation Innovation – Introduction and Combined Responses." *Northwestern Law*

Review Online (with Pierre Larouche et al.). 2018.

Visiting Faculty 2018-19

Shawn Bayern

VISITING PROFESSOR OF LAW

Bayern is the Larry and Joyce Beltz Professor of Torts at Florida State University College of Law, where he focuses on common-law issues, primarily in contracts, torts, and organizational law. He has recently written articles criticizing formalism and economic simplifications of the law. Prior to his teaching career, he served as a law clerk for the Honorable Harris Hartz of the United States Court of Appeals for the Tenth Circuit, for the Office of the Solicitor General, and at the appellate staff of the Civil Division of the United States Department of Justice. He earned his undergraduate degree from Yale University and his JD from the University of California, Berkeley.

Daniel Linna

VISITING PROFESSOR OF LAW

Linna is an adjunct professor at the University of Michigan Law School and an affiliated faculty member at CodeX, The Stanford Center for Legal Informatics. He was director of LegalRnD — The Center for Legal Services Innovation at Michigan State University College of Law from 2015 to 2018. Previously, Linna was an equity partner in the litigation department at Honigman Miller Schwartz and Cohn and clerked for U.S. Court of Appeals Judge James L. Ryan. Linna has an undergraduate degree and a JD from the University of Michigan, and a master's in public policy and administration from Michigan State University.

New CLR Faculty

Sarah Brown

CLINICAL ASSISTANT
PROFESSOR OF LAW

Brown joins the Law School from Northwestern University's Office of Equity, where she was senior director of equity and deputy Title IX coordinator for staff and faculty. Prior to joining Northwestern, Brown practiced employment law in Chicago, and represented both employees and employers in all aspects of employment law, including preventative counseling, litigating discrimination and harassment cases, and investigating internal complaints. She has an undergraduate degree from Michigan State University, and a JD from the University of Michigan.

Laura Rankin

CLINICAL ASSISTANT
PROFESSOR OF LAW

Rankin previously taught CLR II at Northwestern Law as a visiting professor. Her practice specialized in intellectual property law, and for the last 10 years, she has worked at Sidley Austin as an assignment advisor, assisting summer associates on their writing. In addition, Rankin has co-taught an advanced legal writing course as an adjunct professor at John Marshall School of Law. She has an undergraduate degree from Northwestern and graduated *cum laude* from the Law School.

FACULTY FOCUS



Laura Pedraza-Fariña
ASSOCIATE PROFESSOR OF LAW

“Anti-Innovation Norms.” *Northwestern University Law Review* (with Stephanie Plamondon Bair). 2018.

“Bridges II: The Law-STEM Alliance & Next Generation Innovation – Introduction and Combined Responses.” *Northwestern Law Review Online* (with Leslie Oster et al.). 2018.



Destiny Peery
ASSOCIATE PROFESSOR OF LAW

“Equal Protection and the Social Sciences Thirty Years After *McCleskey v. Kemp*.” *Northwestern University Law Review* (with Osagie K. Obasogie). 2018.

Review (with Osagie K. Obasogie). 2018.



James E. Pfander
OWEN L. COON PROFESSOR OF LAW

“Suits Against Officeholders” in *Cambridge Companion to the United States Constitution*, edited by Karen Orren and John

Compton. 2018.

Civil Procedure: A Modern Approach, 7th edition (with Richard Marcus, Martin Redish, and Edward Sherman). 2018.

Federal Courts: Cases, Comments and Questions, 8th edition (with Martin Redish and Suzanna Sherry). 2018.

Principles of Federal Jurisdiction, 3rd edition. West Academic. 2018.

“Statutory Interpretation for Courts and Lawyers.” *Jotwell*. 2018.

“Standing, Litigable Interests, and Article III’s Case-or-Controversy Requirement.” *UCLA Law Review*. 2018.

“Non-Contentious Jurisdiction in the Courts of the United States” in *Voluntary (Non-Contentious) Jurisdiction Around The World*, edited by V.V. Argounov (with Daniel Birk). 2017.

“The Habeas Privilege and Enemy Combatants.” *Lawfare*. 2017.



Candice Player
ASSOCIATE PROFESSOR OF LAW

“Death with Dignity and Mental Disorder.” *Arizona Law Review*. 2018.



Stephen B. Presser
RAOUL BERGER PROFESSOR OF LAW EMERITUS

Piercing the Corporate Veil. Thompson Reuters. 2017.
“What Should We Do with Legal Education? A Response to John McGinnis.” *Law and Liberty*. 2017.

“The Principled Scalia: A Liberal Friend on Scalia’s Liberal Opinions.” *The Federalist Society Review*. 2017.

“Liberty & Union: The Civil War Era and American Constitutionalism.” *Law and Politics Book Review*. 2017.

“Charging Treason and Ruining a Republic.” *Washington Times*. 2017.

“Evaluating President Obama’s Appointments of Judges from a Conservative Perspective: What Did the Election of Donald Trump Mean for Popular Sovereignty?” *Howard Law Journal*. 2017.



Martin H. Redish
LOUIS AND HARRIET ANCEL PROFESSOR OF LAW AND PUBLIC POLICY

“Discovery Cost Allocation, Due Process, and the Constitution’s Role in Civil Litigation.”

Vanderbilt Law Review. 2018.

“Why Trump Can’t Pardon Arpaio.” *The New York Times*. 2018.



Daniel B. Rodriguez
HAROLD WASHINGTON PROFESSOR

“First Mile-Last Mile Problems Create Bumpy Road in Legal Tech Innovation.” *Law.com*. 2018.

“Foreword.” *Northwestern University Law Review*. 2018.

“Changing the Classic Mission of Law Schools.” *LegalBusinessWorld*. 2017.

“Commentary: Trump’s Affirmative Action Attack Could Halt Educational Experimentation.” *Chicago Tribune*. 2017.



Meredith Martin Rountree
SENIOR LECTURER

“Execution ‘Volunteers’: Psychological and Legal Issues” in *Living on Death Row: The Psychology of Waiting to Die*,

edited by Hans Toch, James R. Acker, and Vincent Martin Bonventre. 2018.



Sarath Sanga
ASSISTANT PROFESSOR OF LAW

“Incomplete Contracts: An Empirical Approach.” *Journal of Law, Economics, and Organization*. 2018.

“A Theory of Corporate Joint Ventures.” *California Law Review*. 2018.



Max M. Schanzenbach
SIEGLE FAMILY PROFESSOR OF LAW

“Reclaiming Fiduciary Law for the City.” *Stanford Law Review* (with Nadav Shoked). 2018.



David Scheffer
MAYER BROWN/ROBERT A. HELMAN PROFESSOR OF LAW

“Twenty-First Century Paradigms on Military Force for Human Purposes” in *Seeking Accountability for the Unlawful*

Use of Force, edited by Leila Nadya Sadat (with Angela Walker). 2018.

“Create a Select Committee of ICC State Party Representatives.” *ICC Forum*. 2018.

“Closing Perspectives” in *The Founders: Four Pioneering Individuals Who Launched the First Modern-Era International Criminal Tribunals*, edited by David Crane, Leila Sadat, and Michael Scharf. 2018.

“Is the Presumption of Corporate Impunity Dead?” *Case Western Reserve Journal of International Law*. 2018.

“Book Review of *East West Street: On the Origins of ‘Genocide’ and ‘Crimes Against Humanity’*.” *American Journal of International Law*. 2017.



Sarah O. Schrup
CLINICAL ASSOCIATE PROFESSOR OF LAW

“Your phone knows where you’ve been, and the government wants to know too.” *Los Angeles Times* (with Matthew Kugler). 2017.



David L. Schwartz
STANFORD CLINTON, SR. AND ZYLPHA KILBRIDE CLINTON RESEARCH PROFESSOR OF LAW

“Heterogeneity Among Patent Plaintiffs: An Empirical Analysis

of Patent Case Progression, Settlement, and Adjudication.” *Journal of Empirical Legal Studies*. 2018.

"How Often Do Non-Practicing Entities Win Patent Suits?" *Berkeley Technology Law Journal* (with John R. Allison and Mark A. Lemley). 2017.



David M. Shapiro
CLINICAL ASSOCIATE
PROFESSOR OF LAW

"Can the President Dismantle Immigration Hearings?" *The National Law Journal*. 2018.

"No, Trump Can't Punish NBC and the NFL for Their Speech." *The Hill*. 2017.

"How the First Amendment Could Save Don Jr." *The Hill*. 2017.

"Is Michelle Carter's Punishment for Death-by-Text a Slap on the Wrist or Cruel and Unusual?" *The Hill*. 2017.

"Commentary: Guns, Speech, Charlottesville: The Semiotics of Semiautomatics ." *Georgetown Law Journal Online*. 2017.

"The Cutting Edge of Prison Litigation." *UCLA Criminal Justice Law Review*. 2017.



Helene S. Shapo
PROFESSOR OF LAW EMERITA
Writing and Analysis in the Law, 7th edition (with Marilyn Walter, and Elizabeth Fajans). Foundation Press. 2018.



Marshall S. Shapo
FREDERIC P. VOSE
PROFESSOR OF LAW
Understanding the Law for Physicians, Healthcare Professionals, and Scientists. Productivity Press. 2018.



Nadav Shoked
PROFESSOR OF LAW
"Reclaiming Fiduciary Law for the City." *Stanford Law Review* (with Max Schanzenbach). 2018.



Carole Silver
PROFESSOR OF GLOBAL LAW
AND PRACTICE

"Sticky Floors, Springboards, Stairways & Slow Escalators: Mobility Pathways and Preferences of International Students in U.S. Law Schools." *University of California, Irvine Journal of International, Transnational, and Comparative Law* (with Swethaa Ballakrishnen). 2018.

"Introduction: Law & Society in the Context of East Asia." *University of Pennsylvania Asian Law Review*. 2017.

"Russia's Lawyers: Russia and the US Through the Lens of the Legal Profession." *Jotwell*. 2017.



Juliet Sorensen
CLINICAL PROFESSOR OF LAW

"Interrogating Ethnography Conference, Panel Discussion: Ethnography, Ethics & Law." *Northwestern Journal of Law and Social Policy* (with Gary Alan Fine, Colin Jerolmack, Peter Moskos, and Robert L. Nelson). 2018.

Colin Jerolmack, Peter Moskos, and Robert L. Nelson). 2018.

"How corruption slows disaster recovery." *The Conversation* (with Elise Meyer). 2018.

"Courts Will Prove a Vital Backstop in Opioid Epidemic." *Crain's Chicago Business*. 2017.

"Why Robert Mueller's Grand Jury Isn't Really a Big Deal." *Fortune*. 2017.

"It Is Incumbent on the US to Remember the Last Remaining Yukos Employee in Prison." *The Hill* (with Anna Maitland). 2017.



James B. Speta
HARRY R. HORROW
PROFESSOR IN
INTERNATIONAL LAW

"Southwest Airlines, MCI, and Now Uber: Lessons for Managing Competitive Entry Into Taxi Markets." *Transportation Law Journal*. 2017.



Matthew L. Spitzer
HOWARD AND ELIZABETH
CHAPMAN PROFESSOR

"In Memoriam: Michael E. Levine." *New York University Journal of Law & Liberty*. 2017.



Daniel F. Spulber
PROFESSOR OF LAW
(COURTESY)

"Standard Setting Organizations and Standard Essential Patents: Voting and Markets." *Economic Journal*. 2018.

"Intellectual Contract." *Northwestern Public Law Research Paper*. 2018.

"Antitrust Policy and Standard Setting Organizations." *Public Domain*. 2018.



Deborah Tuerkheimer
CLASS OF 1940 RESEARCH
PROFESSOR OF LAW

"Criminal Justice and the Mattering of Lives." *Michigan Law Review*. 2018.

"Let's Ease Statutes of Limitations in Rape Cases." *Washington Post*. 2018.

"The Cosby Jury Finally Believes the Women." *The New York Times*. 2018.

"#MeToo Comes to the Cosby Courtroom." *The New York Times*. 2018.

Feminist Jurisprudence: Cases and Materials, 5th edition (with Cynthia Grant Bowman, Laura A. Rosenbury, and Kimberly A. Yuracko). West Academic. 2018.

"Shaken Baby Syndrome Is Not Definitive Proof of Child Abuse." *New Scientist*. 2017.

"What If Only One Woman Had Accused Harvey Weinstein?" *The Guardian*. 2017.



Alexa Van Brunt
CLINICAL ASSOCIATE
PROFESSOR OF LAW

"Commentary: Dart's misguided approach to jail reform." *Chicago Tribune* (with Alan Mills). 2018.



Doreen Weisenhaus
SENIOR LECTURER

Media Law and Policy in the Internet Age (with Simon N.M. Young). Hart Publishing. 2017.



Barry Wimpfheimer
ASSOCIATE PROFESSOR OF
LAW (COURTESY)

The Talmud: A Biography. Princeton University Press. 2018.



Kimberly A. Yuracko
DEAN AND JUDD AND
MARY MORRIS LEIGHTON
PROFESSOR OF LAW

"Valuing Black Lives: A Constitutional Challenge to the Use of Race-Based Tables in Calculating Tort Damages." *California Law Review* (with Ronen Avraham). 2018.

"Torts and Discrimination." *Ohio State Law Journal*. 2017.

ALUMNI NOTES

Convocation Honors Northwestern Law Class of 2018

On May 11, more than 500 graduates were joined by faculty, family, and friends for the Northwestern Pritzker School of Law 2018 convocation ceremony at the Chicago Theatre.

Sharon Y. Bowen (JD-MBA '82), director of the Intercontinental Exchange, delivered the keynote address. She was the first African-American appointed as commissioner of the U.S. Commodity Futures Trading Commission, a role she held from 2014 to 2017.

“When I entered law school, female faces were fewer, black women faces even rarer, but I grew to know my power,” she told the graduates. “Once you recognize your power, you get to decide how to use it and chart your own path.”

Prior to her role in the CFTC, Bowen was confirmed by the U.S. Senate and appointed by President Obama to serve as vice chair and acting chair of the Securities Investor Protection Corporation. Previous to her work in the Obama administration, Bowen had a renowned three-decade career in corporate and transactional law as an associate at Davis, Polk & Wardwell and later as an associate and then partner at Latham & Watkins. She received the 2011 Diversity Trailblazer Award of the New York State Bar Association and was selected as the New York City Bar Association 2007 Diversity Champion and the Metropolitan Black Bar Association 2006 Lawyer of the Year. She is also a former executive member and chair of the Law School Board.



In addition to Bowen, then-Dean Daniel B. Rodriguez, Northwestern University President Morton Schapiro, and student speakers Steven Kobby Aye Lartey (JD '18), Constantin Wischnath (LLM '18), and Lauryn Robinson (MSL '18) addressed the crowd.

During the ceremony, faculty and student awards were presented. Former Student Bar Association President Eric X. Ding (JD '18) presented the teaching awards, including the Robert Childres Memorial Award for Teaching Excellence to Professor Susan Provenzano. “I feel gratitude, not just for the opportunity to have taught you but to

learn from you [...] You, my students, have been my best teachers. [...] I saw the law through your eyes,” Professor Provenzano said, before presenting the student awards.

Northwestern Law’s 2018 graduating class included 194 candidates for JD degrees and 24 candidates for joint JD-MBA degrees, 149 candidates for LLM degrees, 48 candidates for LLM degrees in taxation, 17 candidates for LLM degrees in international human rights, and 75 candidates for MSL degrees. Other degrees presented included those in the Executive LLM Programs in Seoul (8), Madrid (15), and Tel Aviv (26), and two candidates for Master of Studies in Law. ■





2018 CONVOCATION

Student-Voted Faculty Awards

Outstanding Adjunct Professor
Kendrick Washington II

Outstanding First-Year Course Professor
Nadav Shoked

Outstanding Professor of a Small Class
Jason DeSanto

Outstanding LLM Tax Professor
Herbert Beller

Robert Childres Memorial Award
for Teaching Excellence
Susan Provenzano

Student Awards

Wigmore Key
Steven Kobby Aye Lartey

Courage Award
Karen Villagomez
and Cem Uyar

Legal Profession Award
Jordan Blain
and Garrett Fields

Service Award
Eleanor Kittilstad

Leadership Award
Arielle Tolman

Educating Lawyers Beyond the Classroom

In January 2018, more than 400 lawyers gathered in a San Diego conference room to hear from the Honorable Jay Clayton, Chairman of the U.S. Securities and Exchange Commission. Clayton was to deliver the keynote address at the 45th Annual Securities and Regulation Institute (SRI), hosted by Northwestern Pritzker School of Law, but there was one hiccup: the government



The Honorable Leo E. Strine Jr., Chief Justice of the Delaware Supreme Court, in conversation with Janet Langford Carrig, Senior Vice President, General Counsel and Corporate Secretary at ConocoPhillips, Houston

shutdown made travel from Washington D.C. to California impossible. Clayton addressed the room via Skype.

It was a minor and unusual complication, but it served to highlight one of the greatest attractions of three of the Law School's continuing legal education programs: lawyers hear directly from the foremost leaders in their fields, who are dealing with some of the most pressing legal and business issues of the day.

In addition to SRI, Northwestern Law's Department of Professional and Continuing Legal Education offers the Ray Garrett Jr. Corporate and Securities Law Institute, which also focuses on corporate and securities law for practitioners, and the Corporate Counsel Institute (CCI), designed exclusively by general counsel for other in-house counsel. "The Law School's mission is to educate lawyers, and that certainly includes practicing attorneys," says Juliann Cecchi, assistant dean of external partnerships. "Our institutes provide a wonderful resource for the legal community and for our students once they graduate."

While the Law School presents these conferences, much of the substantive work is done by the lawyers who are most tapped into the conference topics. The planning committees, who usually start their work about nine months in advance of the programs, are

primarily made up of practitioners. "A lot of the committee's work revolves around identifying those topics that keep lawyers up at night and then determining the experts that can best address them."

With more than 300 lawyers at each institute, the majority of whom are senior members of their firm or legal team, the in-person aspect of these programs — SRI is in Coronado, California; Garrett and CCI are both held at the Law School — is their greatest asset. "We offer the opportunity to hear the most current information from regulators who write the regulations, judges who interpret the laws, and prominent practitioners who guide their clients," Cecchi says. "And, attendees have the opportunity to interact with these individuals, as well as with their peers, in a casual business setting."

Atul Porwal (JD-MBA '10), associate general counsel at Snap Inc., says that the networking opportunities combined with the high-profile speakers, which included the Honorable Leo E. Strine Jr., Chief Justice of the Delaware Supreme Court, are what drew him to his first SRI this year. "This is probably one of the best conferences in terms of capturing what a securities lawyer does," he says. "That Northwestern brings the SEC out goes a long way to show that if you are going to make only one conference, this is the one you should focus your energy on." Porwal cited the "candid responses" of speakers and panelists as one of the best takeaways from the program, as well as the opportunity to "connect with colleagues that I work opposite from on many deals, and leverage the experts for what they know. You meet the leading people on a number of topics so when you have a question you know who to call."

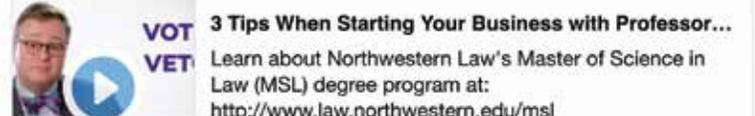
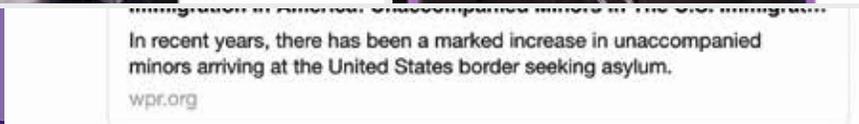
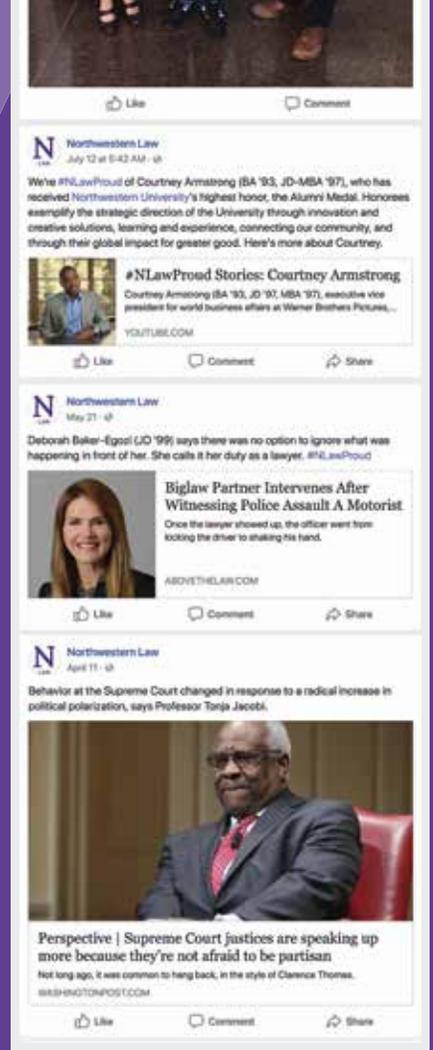
Of course, there are takeaways on both sides. While attendees benefit by connecting with and learning from leading lawyers, Northwestern Law builds strong relationships with firms and in-house lawyers from around the country. The school is also afforded a unique window into what practicing attorneys in the

"Northwestern brings the SEC out, which goes a long way to show that if you're going to make only one conference, this is where you should focus your energy."

—ATUL PORWAL (JD-MBA '10)

corporate bar are thinking about and talking about. This, in turn, helps to inform decisions made throughout the school. "Especially now, as the role of in-house counsel is impacting many aspects of the practice of law, we are uniquely positioned to learn from this group about what is important to them, the client," Cecchi says. "The learning goes two ways. We provide a forum for lawyers to learn from each other, and the Law School learns much in the process." ■

Stay connected with the Northwestern Law community and be #NLawProud



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Class Notes

1950s

Shelby Yastrow (JD '59) published the fiction legal thriller *Bad Lies*.

1960s

David R. Bryant (JD '64), of counsel to Bryant Legal Group of Chicago, was appointed as a member of the Environmental Quality Commission of the Village of LaGrange on June 11th by Village Board President Tom Livingston.

William P. Kreml (JD '65) published "Campaign Finance - Another Layer" in FreeSpeech.org on March 26, 2018. This is an original argument for overturning *Citizens United*, based on cognitive forms within the original seven articles of the Constitution and the Bill of Rights.

Richard A. Devine (JD '68) published a column in *Crain's Chicago Business* in response to a proposal by the Grassroots Alliance for Public Accountability to shake up the organizational structure of the Chicago Police Department.

1970s

G. Flint Taylor (JD '71) was recognized at the American Constitution Society's Legal Legends Luncheon with the Abner J. Mikva Award.

Anne Fredd (JD '73) received the Heman Sweatt award from the National Bar Association, in recognition of her distinguished legal career.

Peggy Hallum Slater (JD '75) received the Rabbi Robert J. Marx Social Justice Award from the JCUA in honor of her immigration work and lifelong dedication to social justice.

Gary M. Ropski (JD '76) recently helped Team USA to a second-place finish at the 2018 Patent Cup Regatta — a three-day sailing race for patent professionals.

William K. McVick (JD '77) joined Tressler LLP as a partner.

1980s

Carol L. Gloor (JD '81) had a full length collection of poetry, *Falling Back*, published by WordTech LLC.

Peter Humphreys (JD '81) joined Greenberg Traurig as a shareholder in the firm's New York and New Jersey offices.

Steven M. Elrod (JD '82) was named

the 142nd President of the Chicago Bar Association.

Kirsten H. Engel (JD '86) is running for re-election to the Arizona House of Representatives.

Mark J. Anson (JD '89) was appointed president and CEO of Commonfund.

Michael B. Brennan (JD '89) was confirmed for an appointment on the United States Court of Appeals

for the Seventh Circuit.

Jonathan Rosenbloom (JD '89) was appointed to a judgeship in the Los Angeles County Superior Court.

1990s

John M. Grogan (JD '90) was promoted to executive vice president at Northwestern Mutual.

Alumni Spotlight on: Candace Smith

Candace Smith (JD '02) is a life and love coach, actor, former Miss Ohio USA, and was an adviser on the TV show *The Millionaire Matchmaker*. But before heading to Hollywood, Smith was a student at Northwestern Law, where she led a research group to Cuba and was involved in StreetLaw, a student organization that educates youth about their constitutional rights.



This year you launched your podcast *Love by Candace*. What is most rewarding about podcasting?

I created *Love by Candace* because I want to share my own journey, whether I talk about pageants or mental health or how to be more positive. People have reached out to thank me because an episode helped them with their own struggles, whether that's relationships or anxiety or depression.

In your current line of work, how do you apply the skills you learned as a lawyer?

It's a gift and a curse to be a true analytical thinker. That's a great skillset that Northwestern taught me and I have definitely applied it in my career. It gives me a greater sense of confidence, strength, and knowledge. I also mediate a lot of couples. I'm the voice of reason and I can see each side's perspective. I can create empathy and get to a conclusion, which is difficult in Hollywood.

What are some dating challenges lawyers face and what can they do to overcome them?

Number one is the hours lawyers work. Also, you often end up in the same environments, the same social circles, and meeting the same people.

A lot of lawyers approach their love lives from an analytical perspective. They look at the typical compatibility factors like education, family, race, and so on. That's not true compatibility. Lawyers need to be thinking: What gives me the most joy when I'm not working? What inspires me? What are the top three qualities that I'd really love to have in a partner? ■

To find out more about Candace, go to candace-smith.com. Her podcast, "Love by Candace," can be found on iTunes.

How did you go from Northwestern Law student to being a life and love coach?

Growing up in Dayton, Ohio, and being one of the first in my family to go to college, there was a lot of pressure placed on me to be a doctor or lawyer. But I knew that connecting with others filled my heart — I was always the friend people came to for advice. I ended up taking on some life coaching clients while I was in law school.

While I was practicing law, I won the title of Miss Ohio USA. After winning, I did some guest appearances on NBC's *Joey* and *Entourage* and I did Diddy's first Ciroc commercial. The creator of *The Millionaire Matchmaker* knew that I had been a life coach and I had done some matchmaking, which is how I ended up on that show.

Leslie M. Jordon (JD '90) joined Cooley Shrair, P.C.

Susan D. Snyder (JD '90) was elected to the board of regents and executive committee of the American College of Trust & Estate Counsel.

Stephanie Thornton-Harris (JD '90) was appointed to a judgeship in the San Bernardino County Superior Court.

Richard M. Trobman (JD '91) was elected chair and managing partner of Latham & Watkins LLP.

Mitchell D. Weinstein (JD '92) was promoted to president of Chuhak & Tecson, P.C.

Randall Kaplan (JD '93) was appointed to the advisory committee of the Nexus Embassy, a nonprofit organization created to steward technological development.

J.B. Pritzker (JD '93) won the Democratic nomination for Governor of Illinois.

Christina L. Martini (JD '94) joined McDermott Will & Emory as a partner.

Mark C. Winings (JD '94) was elected as a Fellow in the American College of Mortgage Attorneys.

Courtney D. Armstrong (JD '96) will receive the Northwestern Alumni Association's 2018 Northwestern Alumni Medal on October 12, 2018.

Jeffrey N. Neuman (JD '96) was named Senior Vice President, Secretary and General Counsel of Tronox.

Sherrese M. Smith (JD '96) was elected to the board of trustees of America's Public Television Stations (APTS), a nonprofit membership organization ensuring a financially sound public television system.

Marcelino Garcia (JD '97) won a Democratic nomination to the Metropolitan Water Reclamation District of Greater Chicago Board.

Ava A. Harter (JD '97) was appointed to the Bowling Green State University board of trustees.

Ali M. Wing (JD '97) was appointed to the Casey's General Stores board of directors.

Michael Y. Scudder (JD '98) was confirmed for an appointment on the United States Court of Appeals for the Seventh Circuit.

Jonathan T. Swain (JD '99) was appointed the next president and CEO of LINK Unlimited Scholars.

2000s

Daphne G. Frydman (JD '01) was hired as partner at Renovo Capital, LLC.

Alan Daniel Miller (JD '01) received the 2018 Jerry S. Cohen Award for Antitrust Scholarship.

Kathryn A. Watts (JD '01) published a new book, *The Limits of Presidential Power: A Citizen's Guide to the Law* (Manheim & Watts, LLC 2018).

Julia C. Acken (JD '02) joined Jennings, Strouss & Salmon, P.L.C. as a member of the labor and employment department.

Andrew S. Kang (JD '02) was appointed executive director of Asian Americans Advancing Justice.

Dorothy R. McLaughlin (JD '02) was appointed to the Superior Court of Riverside County, California.

Michael J. Waters (JD '03) joined Polsinelli as a shareholder and co-chair of the firm's Privacy & Cybersecurity group, based in Chicago.

Sara Andrews (JD '04) received the Excellence in Pro Bono award from *Massachusetts Lawyers Weekly*.

Robert Hand (LLM '04) joined Waller Lansden Dortch & Davis, LLP in Chattanooga.

David E. Johanson (JD '04) joined the law firm of Goodwin as a partner in its private equity and tech companies practices.

Carrie Rief (JD '04) was named partner at Morgan Lewis.

Josh Romero (JD '04) was named to Thomson Reuters 2018 Super Lawyers - Rising Stars list.

Courtney VanLonkhuyzen (JD '04) was named one of Crain's Tech 50 of 2018.

Benjamin Feuer (JD '06) was named to the inaugural list of "Elite Boutique Trailblazers" by the *National Law Journal*, and a "Top 40 Under 40" by the *Daily Journal*.

Mugambi Jouet-Nkinyangi (JD '06) joins the McGill University faculty of law as a fellow in 2018 and assistant professor in 2019.

Mohamed Dobashi (LLM '07) was

hired as CEO of the Washington farm labor association, WAFLA.

Caleb Durling (JD '07) joined Fox Rothschild LLP as partner.

Ferillia Roberson (JD '08) was named partner at DLA Piper.

Jennifer Gong-Gershowitz (LLM '09) won the Democratic nomination for 17th District State Representative of Illinois.

2010s

Jesse Abrams-Morley (JD '10) joined Cedrone & Mancano, LLC as associate.

Ori Blum (JD '10), along with wife Laura Oliveira Blum, recently launched The Chatterdale Group, a real estate investment firm focused on acquiring and operating underperforming multi-family properties.

Matthew Caldwell (JD '10) was appointed to the Broward College District board of trustees.

Christine Kim Fetcher (JD '10) married Adam Fetcher on June 23, 2018, in St. Paul.

Vipul Kumar (JD '10) was appointed vice president of the transaction advisory practice of JLT Specialty, a U.S. subsidiary of Jardine Lloyd Thompson Group plc.

Karl Riley (JD '10) was awarded the

American Bar Association's On the Rise - Top 40 Young Lawyers Award.

Andrew Strong (JD '10) joined OLA of Eastern Long Island, an advocacy group for the Latino community, as general counsel.

Kendrick Washington II (JD '10) was voted the Northwestern Pritzker School of Law 2018 Outstanding Adjunct Professor.

Chuki Obiyo (JD '11) was hired as midwest director and executive advisor at Morae Global.

Raphael Oliveira Zono (LLM '11) was promoted to partner at Machado, Meyer, Sendacz e Opice Advogados.

Justin Morgan (JD '14) and Abigail (Bunce) Morgan (JD '14) were married on May 19, 2018.

Joanna Morrison (LLM '14) joined Schiff Hardin LLP as an associate.

Guangjun Tang (LLM '14) joined the Chinese law firm of JunHe as a partner in Hong Kong.

Ashley Kirkwood (JD '16) was named one of the "20 in their 20s" by *Crain's Chicago Business*.

Evan Schanerberger (LLM '17) received the Board of Governors Award from the Illinois State Bar Association.

This list reflects information received by the Office of Alumni Relations and Development as of July 16, 2018.

In Memoriam

Northwestern Pritzker School of Law extends its heartfelt condolences to the loved ones of recently deceased alumni, faculty, and friends.

1940s

Angelyn A. Jones (JD '48)

1950s

Russell P. Gremel (BA '49, JD '51)

1960s

Thomas W. Dempsey (JD '60)
Charles E. Brant (LLM '60)
Robert W. Stieve (JD '64)
Alfred J. Olsen (JD '66)

1970s

Col. John F. Naughton (LLM '71)
David S. Acker (JD '74)
Nancy Forbes (JD '76)

1980s

Sam Zolondek Haviland (JD '84)
Sanford B. Kaynor (JD '87)

2010s

Christopher Nofal (JD '12)

Faculty

Anthony A. D'Amato
Judd and Mary Morris Leighton
Professor of Law Emeritus



OFFICE SPACE James Speta, Vice Dean and Harry R. Horrow Professor in International Law

How Northwestern Law professors personalize the rooms of their own.

1 “I’ve been in this office since 2011. It’s **quite a view**. In the winter you can see more of the lake because there are no leaves on the trees, and you get the sun off the building across the street in the afternoon so I actually get warmth on my face. It’s pretty nice.”

2 “I have got all sorts of **books hidden** between the legal ones. My kids were born in '95 and '97, exactly the right age for us all to eagerly await the *Harry Potter* books. *Deathly Hallows* came out just before one of my trips to Seoul, so I took it with me on the plane. I came right to the office from the airport, so that’s where it stayed.”

3 “The informal group of lawyers that I worked in at Sidley Austin called itself ‘**the Spam group.**’ The reasons are privileged. Hence the pigs and cans.”

4 “My son and I like building Legos. We’ve been doing it a long time. I do telecom law, which is related to transportation law — in fact the statute that regulated the railroads, they simply copied it and replaced ‘railroad’ with ‘telephone’ back in the 1900s — so we do **planes, ships, even science fiction transportation like this Sandcrawler.**”

5 “This **Tower Bridge** was just too cool not to have. It’s more than 4,000 pieces and it probably took us about 40 hours total. My son is in college now, but we still build when he’s home for the summer or Christmas. Right now we’re working on the Saturn V rocket.”

Alumni Weekend
and
REUNION 2018

SAVE THE DATE: OCTOBER 12-13, 2018

REGISTRATION IS OPEN!

Celebratory Events • CLE Panel Discussions
Welcome Reception

Town hall meeting hosted by Dean Kimberly A. Yuracko

Special Reunion celebrations will be held
for this year's reunion classes:

1968, 1973, 1978, 1983, 1988,
1993, 1998, 2003, 2008, 2013

law.alumni.northwestern.edu/reunion

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