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NORTHWESTERN LAW REPORTER

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Legal Education in a Changed World

Northwestern
PRITZKER SCHOOL OF LAW

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INTERIM DEAN AND ELIZABETH FROEHLING HORNER PROFESSOR OF LAW
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Noteworthy

Q&A with Interim Dean James Speta

On August 1, James Speta, Elizabeth Froehling Horner Professor of Law, stepped into the role of interim dean at Northwestern Pritzker School of Law. Speta has been a member of the faculty since 1999, and has held a number of key administrative positions at the Law School. Most recently, he served as vice dean under Kimberly Yuracko, who has transitioned into the role of associate provost for academic projects. Prior to his role as vice dean, he served as senior associate dean for academic affairs and international initiatives.

“Jim Speta will bring a wealth of legal knowledge and Northwestern Law experience to the job of interim dean of the Law School, and I am very pleased he has agreed to serve in this new role,” said Provost Kathleen Hagerty. “Jim understands the challenges facing our students, faculty and staff in these uncertain economic times and how the legal profession is undergoing transformative change at this moment in history.”

Speta’s research interests include telecommunications and internet policy, anti-trust, administrative law and market organization. He has

written most frequently about nondiscrimination rules as applied to internet companies, as well as the regulatory authority of the FCC over the internet and other issues affecting the competitiveness of internet markets. He is a co-author of a leading casebook on internet and telecommunication regulation. More recently, he has applied the lessons learned from deregulatory transitions to other markets, such as ridesharing and those affected as part of the Fourth Industrial Revolution.

As an administrator, he has been particularly active furthering the Law School’s

efforts internationally: developing partnerships, recruiting students and engaging with international alumni. He is also a member of the University’s Global Council and the Provost’s Advisory Council on Women Faculty.

In his first days as interim dean, Speta sat down with *The Reporter* to discuss his immediate priorities, how the Law School will navigate the educational challenges posed by a pandemic, and what distinguishes Northwestern Pritzker Law.

You are stepping into this role at an unprecedented time, for the United States and the world, but also for legal education. Given that, what are your urgent priorities as interim dean?

In the short run, the first priority is to maintain the health

The second priority is to maintain the Northwestern educational and community experience. We have spent an enormous amount of time this summer working on improving remote teaching capabilities, both from a technical perspective and from a pedagogical perspective. Our faculty, led by a faculty committee and our staff experts in IT and AV and course design, has worked hard to put together a great remote curriculum. And our Student Services, Office of Inclusion and Engagement, and administrative team in general have worked hard to find new ways to engage students.

And, finally, I am committed to doing real work on issues of diversity and inclusion and anti-racism. Dean Yuracko engaged an outside consultant to help us compose and admin-

“What I will bring most to this role is an appreciation for the strength of our community, and how people pull together to get really hard things done. And we have a lot of really hard things to do.”

and safety of our community in the midst of the global pandemic. What we have done, consistent with state, local and CDC guidance, is to substantially reduce the capacity of our building and the use of live classes. Our curriculum will primarily be taught remotely this semester, and our in-person experiences will require masks and social distancing and a relatively controlled population in the Law School.

ister a climate survey to the community in order to really understand the ways in which different populations experience Northwestern Pritzker Law, and that work has begun. Anti-racism trainings for the senior leadership team are underway, and, in partnership with the University, we will be rolling out additional trainings to the rest of the administration and staff, as well as to the faculty. And based on

inquiries from faculty, we've developed resources on racial and social justice issues for individual classes that have been made available through the library. We've also hosted conversations about how to pursue inclusive teaching and social justice issues inside the classroom.

engagement, it's also about support. These are incredibly difficult times for the students, some of whom are living alone, some of whom have childcare responsibilities or family-care responsibilities, some of whom have their own health challenges. At the same time, the job market is incred-

“We have spent an enormous amount of time working on improving remote teaching capabilities, both from a technical perspective and from a pedagogical perspective.”

You mentioned the necessity of maintaining the educational and community experience. What does a Law School class look like in a remote teaching model?

Remote teaching takes a variety of flavors. Compared to a classic online program, law school teaching includes a lot more synchronous instruction, since the core of legal education is the Socratic method in the classroom, the live clinical experience, and simulation experiences. We have done our best, and I think pretty successfully, to replicate those synchronous experiences. But many faculty, particularly those who teach doctrinal classes, are also introducing asynchronous elements such as the use of pre-recorded videos, discussion boards, online quizzes, and really the whole panoply of remote and online education.

I should note, maintaining the community experience isn't just about classroom

ably uncertain. So we are doing a lot to assist students with a variety of challenges.

Do you think the incorporation of new technologies in the classroom might change some aspects of legal education for the long haul?

This crisis has forced people, faculty included, to try new things and many have adopted and in fact quite liked the tools and the experience. Some of my torts students said aspects of the course were better once we went online in the spring, and I'm taking that to heart. And I think our faculty will take to heart the lessons they've learned as we emerge from the pandemic into, hopefully, a lot more in-person instruction. I definitely think we'll see the use of remote tools and asynchronous materials in the Law School curriculum going forward.

What are some of the biggest challenges facing

Northwestern Pritzker Law right now, specifically in the face of the COVID-19 pandemic?

Given the uncertainties created by the pandemic, budget issues will definitely be a challenge. Another important issue is the uncertainty that has been created for our international students. Combinations of restrictions on travel rising from the pandemic, as well as Administration actions directed at international students, have made it difficult, if not impossible, for many of these very important members of our educational community to be here. We've taken steps to make provisions for them, to enable them to participate in limited ways remotely, although that's not their preference — their interest is being in Chicago. We've created new starts for those students in January and May, but that's an important issue that we will have to continue to attend to.

You have served as vice dean for the past two academic years. What have you learned about the Law School community in that role, and how will those learnings inform your approach to this position?

In addition to being vice dean, I've been an associate dean of various portfolios over the previous eight years, and what I've learned and will bring most to

this role is an appreciation for the strength of our community and how people — from the faculty to the students to the staff and alumni — pull together to get really hard things done. And we have a lot of really hard things to do. To be sure, I've accumulated a lot of exposure to the operational environment and structure of the Law School and the University, particularly in the past five years. I've met alums as I've traveled, I've met people in Evanston at the central administration of the University. I will say, based on just a few days, that being dean is a very different role, but I've had the benefit of watching and working with three former deans, each of whom taught me a fair bit. So I'm excited to work with the community on all we have to tackle right now.



2020 Minow Debates Ask If the Electoral College Is Still Needed

On May 20, Northwestern Pritzker School of Law and Intelligence Squared hosted the third Newton and Jo Minow Debate, “The Electoral College Has Outlived Its Usefulness.” After the 95-minute debate, which streamed on the Intelligence Squared YouTube page, the team arguing for the motion was victorious.

Journalist John Donovan hosted the event from Washington, D.C., while the debaters were stationed across the country. Arguing for the motion were Jamelle Bouie, columnist for *The New York Times*, and Kate Shaw, co-director of the Floersheimer Center for Constitutional Democracy at Cordozo School of Law and Supreme Court contributor for *ABC News*. The panelists arguing against the motion were Tara Ross, author of *Why We Need the Electoral College*, and Bradley A. Smith, Josiah H. Blackmore II/Shirly M. Nault Professor of Law at Capital University Law School and former chairman of Federal Election Commission.

Donovan introduced the debate, which consisted of seven-minute opening arguments, audience Q&A, and two-minute closing arguments, by pointing out that there have been five instances in American history when the popular vote went to someone who lost the electoral vote. Bouie opened round one: “The electoral college that we have is not the one that was ratified in 1788,” he said. Prior to the 1800s, people were not

concerned with mob-mentality or the idea of party lines — those became concerns after the contested elections of 1796 and 1800, where political parties played a dominant role.

Shaw added that we don’t have to go far back in history to see the effects of this system, citing the 2000 and

election of the President.” Shaw also noted that “swing states,” also known as “purple states” — which skew more rural and whiter than the rest of the country — tend to wield all the power because of this system. Blue states like New York and California, and red states like Mississippi and Alabama, don’t get acknowledged, according to Shaw.

Ross, arguing against the motion, opened with an anecdote about civil rights leaders in the 1960s, who were adamant about keeping

system is different, but the principles are the same.” He countered Shaw’s point about purple states: yes, there are swing states, he said, but the other states aren’t irrelevant. “Try winning the electoral college as a Democrat without winning California.”

At the conclusion of the debate, the winner was determined by which team had swayed the most votes. At the start of the debate, 63 percent of the live audience supported the motion that the electoral college has outlived its usefulness.



Left: John Donovan; Top: Kate Shaw and Jamelle Bouie; Bottom: Bradley A. Smith and Tara Ross

2016 elections. In 2000, George W. Bush won the presidency with 271 electoral votes, compared to Al Gore’s 266. But Bush lost the popular vote by about half a million. In 2016, Donald Trump beat Hilary Clinton decisively in the electoral college, though he lost the popular vote by nearly three million. “Standing alone, no one single incident is a complete indictment of the electoral college, but this is an exceptionally high error rate... and rate of malfunction,” she said. “[Especially] for something as consequential as the

the electoral college. They argued that dismantling the electoral college would harm racial minorities, she said. Ross also pointed out that the system forces both Democrats and Republicans to build coalitions and interact with individuals outside of their “safe” states. Smith rounded out the opening statements. He argued that the U.S. is not the only country to have an electoral college system — Australia, India, and Canada have similar procedures. “Have all these countries got it wrong?” he asked. “Our

At the end, 70 percent of the audience supported the motion.

The Newton and Jo Minow Debate Series was established as part of a gift to honor Newton N. Minow’s (JD ’50) 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 Pritzker Law.

Watch the full debate at www.law.northwestern.edu/law-school-life/events/minow-debates/2020.

Law School Awards Inaugural Racial Justice Scholarships

In August, the Law School awarded the inaugural Racial Justice Scholarships to 10 students who demonstrated a commitment to advancing justice for underrepresented racial minorities. The Racial Justice Scholarships are one of many important diversity and inclusion initiatives announced in May by former dean Kimberly Yuracko. At that time, she committed to creating a community premised on and dedicated to anti-racism and fundamental principles of inclusion.

More than 70 students applied for these highly sought-after full-tuition scholarships. The selection committee evaluated how the applicants had promoted racial justice in their communities and considered their stated desire and plans to facilitate racial justice in the future, in their careers, community, and in society as a whole.

Interim Dean James Speta is equally committed to improving the Law School culture. "As I take on the role of dean, I want to reiterate

"The Law School is fully committed to the critical mission of racial equality, in our halls and in the world around us. These scholarships are designed to support our dedicated students who are similarly committed to the pursuit of justice."

— FORMER DEAN KIMBERLY A. YURACKO

"The Law School is fully committed to the critical mission of racial equality, in our halls and in the world around us. These scholarships are designed to support our dedicated students who are similarly committed to the pursuit of justice," Yuracko said at the time the scholarships were announced.

that I fully share in [Dean Yuracko's] commitment to building a culture where all members feel valued, welcomed, and respected," he says.

Virtual Activities Bring Community Together

Although the Law School community couldn't physically be together over the spring and summer, Northwestern Pritzker Law staff, students, and faculty came together for a number of virtual activities aimed at fostering dialogue, engaging the Law School's global network, and, of course, having a little fun.

While faculty hosted pop-up courses, alumni came together for career workshops, webinars, and wellness workshops curated by the department of Alumni Relations and Development (ARD). Plant-lovers got lessons in flower arranging and creating terrariums, comedy enthusiasts attended a virtual stand-up comedy hour, and folks looking to de-stress participated in mindfulness meditations led by faculty members Cliff Zimmerman and Len Riskin. In addition to the light-hearted activities, ARD offered webinars including "Prisons and Jails in the Pandemic," featuring Bluhm Legal Clinic faculty and alums who work in civil rights law, and "The Imposter Phenomenon & the Lawyer," with Shannon Bartlett, associate dean of inclusion and engagement. ARD also partnered with the Career Strategy Office to offer webinars on topics including "Exploring Career Alternatives While Functioning in an Alternate Universe," "Are You Ready to Serve on a Board?" and "Seize the Day: Time Management Tips and Tricks."

Law School Human Resources and the Law School Staff Advisory Council

"I'm proud to say that Northwestern has done great work in banding together and making the most of this time."

— INTERIM DEAN JAMES SPETA

(LSSAC) kept remote staff connected with events ranging from the serious to the silly. Pop culture phenomenons like *Tiger King* and *The Last Dance* made for Zoom "water cooler" conversation, while the entire community came together to call for change in the aftermath of the killings of George Floyd and Breonna Taylor. During Staff Appreciation Week, a virtual "employee of the year" lunch bestowed all employees with the honor, the Perspectives Book Club was relaunched with a discussion of *Little Fires Everywhere* by Celeste Ng, and staff were able to enjoy a guided "Paint and Sip" from the comfort of their homes by Chicago artist Angelica London.

"It's been a joy to see the resilience of our Law School community," says Interim Dean James Speta. "As we've been navigating this new norm, I'm proud to say that Northwestern Pritzker Law has done great work in banding together and making the most of this time."

On the Record

Northwestern Law faculty in the news



“Trump realizes he’s not a lawyer and that, unlike in some other areas, judges have gotten continually good press for him for his base. So it’s not surprising that he isn’t changing a successful strategy. He sees that it’s working.”

—**John McGinnis** in “Trump is about to land his 200th judge, a lasting legacy poised to reshape U.S. law” *NBC News*, 6/18/20

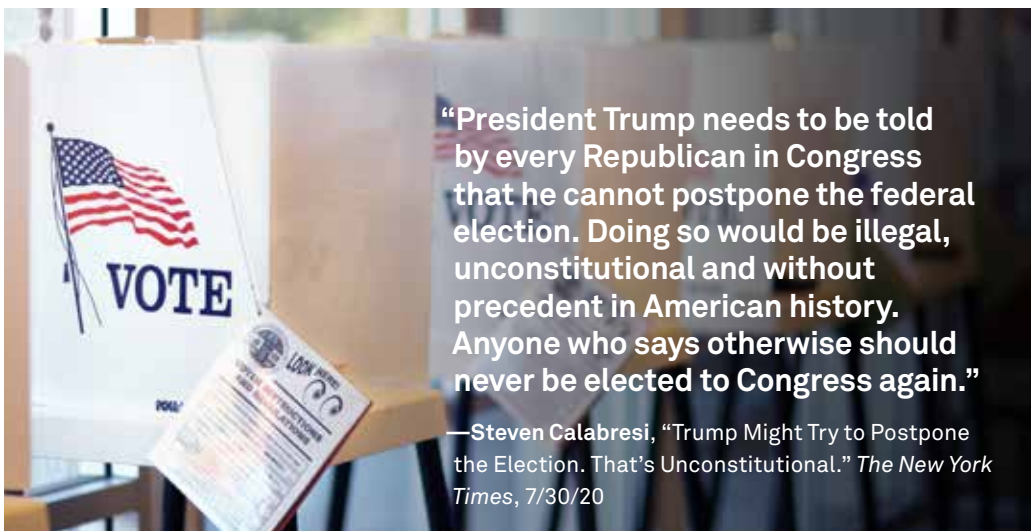
“Because civilian complaints are meaningful predictors of serious misconduct, they can be combined with other metrics — such as civil-rights lawsuits, supervisor complaints and serious off-duty misconduct — to get problematic officers off the streets or into retraining. Examples of avoidable tragedies abound. Jason van Dyke, the Chicago police officer who was recorded shooting the unarmed 17-year-old Laquan McDonald in 2014, was in the worst 3% of Chicago officers for civilian complaints before the shooting occurred. Derek Chauvin, the police officer filmed kneeling on [George] Floyd’s neck for nearly nine minutes, was among the worst 10% of Minneapolis officers for civilian complaints, according to our rough calculations.”

—**Max Schanzenbach** (with Kyle Rozema), “A Proactive Approach to Abusive Policing” *Wall Street Journal*, 6/3/20



“We have certain biases about how sexual-assault victims should and do behave, and Weinstein’s trial illustrated that women don’t always conform to that myth. We saw in the Weinstein case that victims don’t always fight back; they don’t always report immediately; they might maintain a relationship with their abuser. And for these women, for survivors everywhere, being believed is huge because it shows that the criminal-justice system is capable of change.”

—**Deborah Tuerkheimer** in “Can Harvey Weinstein’s Guilty Verdict Help End the Myth of the Perfect Victim?” *Vogue*, 2/26/20



“President Trump needs to be told by every Republican in Congress that he cannot postpone the federal election. Doing so would be illegal, unconstitutional and without precedent in American history. Anyone who says otherwise should never be elected to Congress again.”

—**Steven Calabresi**, “Trump Might Try to Postpone the Election. That’s Unconstitutional.” *The New York Times*, 7/30/20

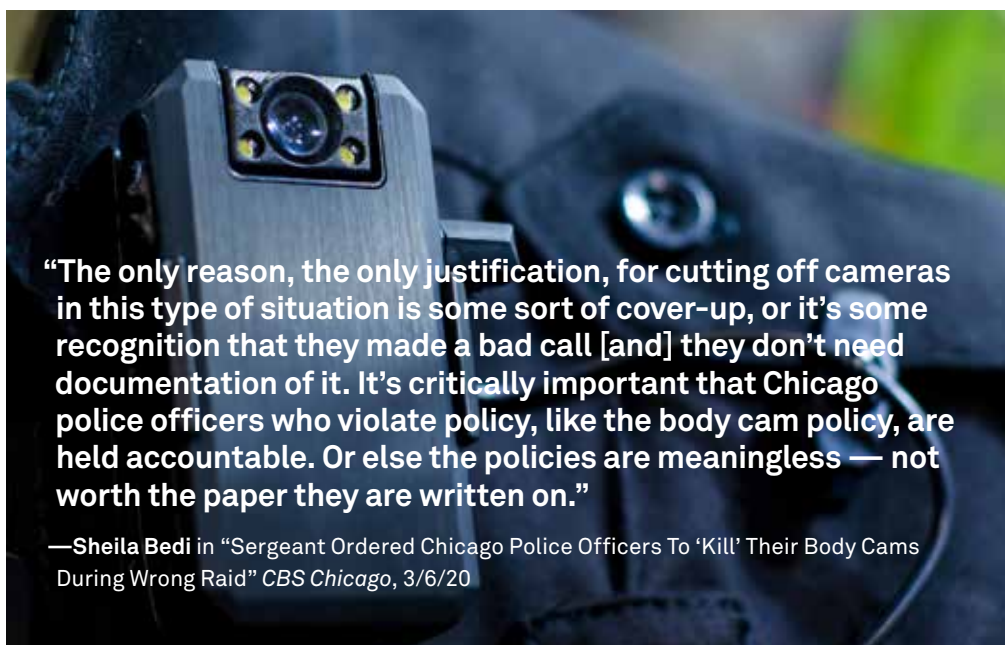
“Racial disparities are widespread in the nation’s adult and juvenile legal systems, and that, unfortunately, includes Illinois. White youth are the minority and Black youth are the majority in Illinois prisons today. Blacks are less than 15 percent of the state’s population but more than 70 percent of the youth prison population. This racial injustice is an emergency. Our goal must be an end to the imprisonment of all children. No children of any race should be in prison cells surrounded by barbed wire and unable to visit their families. Illinois has come a long way in the reform of juvenile justice, but more is left to be done.”

—Julie Biehl in “Illinois Plans A New Vision For Juvenile Justice System” *NPR Illinois*, 8/1/20



“American elections matter beyond U.S. borders. China and the United States are competing for influence in the world today. Prior phases of the competition were about economic productivity and military might. The present one is about which political system can deal more effectively with a pandemic. The world is watching, and the results could affect the future prospects of democracy itself.”

—Joshua Kleinfeld (with Rachel Kleinfeld), “How to Save the November Election,” *National Review*, 5/21/20



“The only reason, the only justification, for cutting off cameras in this type of situation is some sort of cover-up, or it’s some recognition that they made a bad call [and] they don’t need documentation of it. It’s critically important that Chicago police officers who violate policy, like the body cam policy, are held accountable. Or else the policies are meaningless — not worth the paper they are written on.”

—Sheila Bedi in “Sergeant Ordered Chicago Police Officers To ‘Kill’ Their Body Cams During Wrong Raid” *CBS Chicago*, 3/6/20



“Businesses don’t need blanket immunity from coronavirus lawsuits, and Congress shouldn’t give it to them. But a narrower liability carveout for businesses that engage in proactive contact-tracing efforts would make sense — both for the economy and for public health. The House and Senate can’t agree on much these days, but they should be able to agree on this.”

—Daniel B. Rodriguez (with Daniel Hemel), “We Can’t Stop the Pandemic Unless We Change Liability Law,” *The Washington Post*, 7/28/20

“Today, demands for change have persuaded many in Congress to support reform of the criminal justice system. As the White House contemplates ever more militarized federal responses to peaceful protests, Congress should provide the statutory framework that would secure the Bivens action and ensure constitutional accountability at the federal level.”

—James Pfander, “The Simple Way Congress Can Stop Federal Officials from Abusing Protesters” *Politico*, 6/10/20

Nine Graduates Secure Public Interest Fellowships

Nine recent graduates will launch their careers in public interest through both national and Northwestern Pritzker School of Law post-graduate fellowships. These graduates have dedicated their time and skills to causes ranging from environmental work to prison reform to public housing.

Northwestern Pritzker Law is a leader in preparing students for public interest careers and pro bono work, with an unparalleled focus on the advancement of social justice. “Each of the students selected for these competitive fellowships has worked hard to acquire the skills and knowledge they will need to be talented and dedicated public interest attorneys,” said Cindy Wilson, clinical professor and director of the Public Interest Center at Northwestern Pritzker Law. “I am proud of all that they have already done and I am excited to see their advocacy for their clients and for social justice in the next year and in the years to come.”

To help talented graduates launch public interest careers, the Law School awards fellowships in the amount of \$50,000, plus medical insurance coverage, to support one year of fulltime service as a lawyer at a nonprofit or government agency. The fellowships were secured through the McNamara Fund at the Law School, Equal Justice Works, and the Public Interest Center.

Equal Justice Works Fellows



Emma Clouse (JD '20) is a devoted environmental advocate

and has a unique EJW fellowship working with communities who have suffered under harmful environmental practices. With her fellowship, Clouse will continue to build relationships with community organizations to understand the needs of the people. “I am eager to work alongside communities to affirmatively reduce environmental injustice and encourage sustainable development,” she said on the Equal Justice Works website. Her host agency is Chicago Lawyers’ Committee for Civil Rights.



Allison Elder (JD '19, LLM '19) has dedicated her entire law

school career to public interest. She received an EJW fellowship to serve South Carolinians who face legal resistance to reuniting with family because of past involvement with the prison system. Before her fellowship, she served as a law clerk for a judge on the United States Court of Appeals for the Fourth Circuit during the 2019-2020 year. “As a mom myself, I cannot imagine anything worse than being separated from my son. Incarceration rips families apart — reentry should bring them back together,” Elder said on the Equal Justice

Works website. In addition to her work with families, she is also collaborating with community partners to advocate for systemic reform. Her host agency is Root & Rebound Reentry Advocates, at their satellite office in Greenville, South Carolina.



Charles Isaacs (JD '20) will assist tenants in Chicago’s

Uptown neighborhood through his EJW fellowship. His work includes protecting low-income tenant families from abusive landlords and discrimination. As a tenant of Uptown himself, Isaacs understands the growing problem of gentrification in the area and is working to protect those who are negatively affected by it. “Neighborhoods are comprised not of buildings, but of the people who live in them,” Isaacs said. His host agency is Uptown People’s Law Center.

Equal Justice America Fellow



Kristin Hendriksen (JD '20) received an Equal Justice America

Fellowship at Legal Aid Chicago. Hendriksen has spent her law school career focused on serving the needs of clients in the working class, especially those facing employment and labor issues. She spent her 1L summer at the National Labor Relations Board, and her second at the Equal Employment Opportunity Commission. As an EJA fellow, Hendriksen will

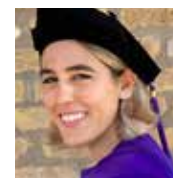
serve unhoused and recently housed Veterans and their unique legal needs.

Northwestern Law Post-Graduate Fellows



Danielle Berkowsky (JD '20) (McNamara fellowship) has been

dedicated to prison reform and civil rights work throughout her law school career. She spent her 1L summer at the Hague and her 2L summer with the People’s Law Office, working on police brutality cases. During her time at Northwestern Pritzker Law, Berkowsky spent multiple semesters in the MacArthur Justice Center’s clinic, and committed her last semester to externing with Uptown People’s Law Center in Chicago. Berkowsky’s project with UPLC is focused on prisoner’s rights, which includes fighting for the interests of incarcerated individuals with mental health diagnoses and other disabilities that are not being appropriately handled by the Department of Corrections.



Frances Harvey (JD '20) is a committed public interest

student, with a particular interest in appellate defense and death penalty work. She spent her first summer working on mitigation work for clients on death row in Mississippi, and her second summer at the Legal Aid Society in New York City representing incarcerated

individuals in prison conditions cases. She has interned during the school year at Uptown People's Law Center and the Illinois Office of the Appellate Defender. Harvey served as symposium editor for the *Journal of Criminal Law and Criminology*, and has done legal research for Professor Meredith Rountree and Professor David Shapiro on issues related to solitary confinement and prisoner homicide. Harvey has secured Reprieve US, located in New Orleans, as her host organization. Reprieve's work focuses on abolishing the death penalty and challenging international human rights abuses.



Shane Henson (JD '20) has been doing public

service work even prior to law school, working on behalf of political candidates as well as at the Illinois Attorney General's Office. During his time at Northwestern Pritzker Law, Henson worked for the U.S. Senate Committee on the Judiciary, and for the Civil Rights division of the DOJ. He has worked extensively in the Children and Family Justice Center and the MacArthur Justice Center and served as the articles editor for the *Journal of Criminal Law and Criminology*. His host organization is Legal Aid Chicago, where he will work in the Housing Practice Group, representing Chicago public housing residents in eviction cases, and defending tenants against nefarious actions by landlords.



Paul Jones (JD '20) has a passion for criminal justice reform and

has dedicated his time to this cause throughout law school. During summers he worked for the Cook County State's Attorney Office, Congresswoman Robin Kelly's District Office, and the Office of Lt. Governor Juliana Stratton, focusing on criminal justice reform efforts. Jones spent the past year working for the MacArthur Justice Center. He also served as the associate editor and article review board member of the *Journal of Criminal Law and Criminology*, and a Miner Moot Court semi-finalist. His fellowship position with the Illinois Justice Project will focus on criminal justice policy and how the justice system can be impacted and reformed.



Jamie O'Connor (JD '20) has worked in numerous public

interest positions during law school, including externing at the ACLU and the Civil Rights Bureau of the Illinois Attorney General's Office. In between externships, O'Connor worked with the National Coalition for Sexual Freedom and Legal Aid of North Carolina. She was the associate editor of the *Northwestern University Law Review*, and team captain of the Williams Moot Court of LGBT Law. O'Connor will spend her fellowship year as a staff attorney with Prairie State Legal Services in its McHenry Office, where she will do general legal services work.



J.D./Ph.D. Candidate Arielle Tolman Awarded Horowitz Foundation Grant

Arielle W. Tolman, a J.D./Ph.D. candidate in sociology and a doctoral fellow at the American Bar Foundation, was recently awarded a grant from the Horowitz Foundation for Social Policy for her project "Criminal Prosecution of Prisoners with Mental Illness."

She's also the recipient of the Foundation's Donald R. Cressey Award for the most outstanding policy-related project in criminal justice and penology practices.

The Foundation selected 25 scholars to receive grants for research in the social sciences for the 2019 award year. Projects must deal with contemporary issues in the social sciences, particularly issues of policy relevance.

"This year we received 965 applications, the largest number in our history," said Mary E. Curtis, chair of the Foundation. "The 25 applicants who are receiving awards this year represent less than 3 percent of those who applied. The Trustees consider their work on topics of social and political importance to be vibrant examples of how policy research can help us address the challenges of today's complex society."

Established in 1998, the Horowitz Foundation approves approximately 25 grants each year. Awards are for \$7,500; proposals in certain targeted areas receive additional amounts.



Dr. Sekile M. Nzinga

If/When/How Event Week Kicks Off with Discussion on Reproductive Justice

Student organization If/When/How kicked off its annual event week with a talk on reproductive justice on February 10. Dr. Sekile M. Nzinga, director of the Women’s Center and a lecturer in Gender & Women’s Studies at Northwestern University, spoke about the history of reproductive violence in the United States.

If/When/How is a national organization working to transform law and policy around reproduction justice, with chapters in law schools across the country. The kickoff event was part of a week of campaigns to raise awareness around sexual health and women’s issues. This included a presentation on

the decriminalization of sex work by Liz Velek, the education outreach coordinator for Sex Workers Outreach Project Chicago, and a panel co-hosted by organizers at American Civil Liberties Union, Planned Parenthood Illinois, Midwest Access Coalition, and Chicago Abortion Fund. It culminated with a screening of *The Naked Truth: Death by Delivery*, a short documentary on the rising rates of black maternal mortality.

“Our goal for this week was to highlight for law students that the reproductive justice movement is not just about abortion rights and access, which are hugely important, but also encompasses issues like black maternal mortality

and the criminalization of sex work and other problems that inhibit women and trans women from making important decisions about their bodies,” said Terah Tollner (JD ’21), one of the student organizers. “It is important as

“How has your family or community experienced reproduction oppression?” One student said that topics surrounding sex were off limits in her high school. “[Sex education] was taught by our baseball coach,” she joked. Nzinga seconded those sentiments, noting that “people are not getting the information that they need.”

Nzinga shared the history of reproductive violence in the United States, including the practice of eugenics (selecting certain genetics as an ideal) and sterilizing those who were not deemed “ideal” or “desirable.” Before the civil rights movement, poor white women and black women were being sterilized around the same rates, but as the ’60s approached, black women and men were being sterilized at alarming numbers. “This was a legal U.S. state-sponsored program,” said Nzinga.

The presentation stoked conversation around class and socioeconomic status. Even

“It is important as future lawyers that we recognize the limits of the law, and the ways that marginalized folks, particularly women of color, are often left behind in a rights-based approach.”

—TERAH TOLLNER (JD ’21)

future lawyers that we recognize the limits of the law, and the ways that marginalized folks, particularly women of color, are often left behind in a rights-based approach.”

Nzinga began her presentation by posing a question:

after *Roe v. Wade* allowed women the right to an abortion, that privilege lent itself to upper-middle class individuals, Nzinga explained. “If you have no access,” she said, “you have no choice.”

BLSA Week Highlights Entrepreneurial Spirit

The Black Law Students Association (BLSA) at Northwestern Pritzker School of Law held several events dedicated to Black entrepreneurship, advocacy, and com-

Legal Track.” The panel consisted of Bryan Parker, co-founder and CEO of Legal Innovators, which recruits and hires junior legal talent from top law schools; Jim

During the Q&A, Belcore answered questions about working for a purpose and dealing with the reality of paying bills, noting that the two aren’t always mutually exclusive, even if that’s the popular narrative. “They teach you to be slaves to current systems of law,” he said. “Make sure you’re willing to invest

week included talks on how to thrive in big law firms and how to work with non-legal community advocates to make change. In the Atrium, a slideshow highlighted the talent and legacy of several Black revolutionaries, entertainers, and influencers, from Barack and Michelle Obama to leaders of the civil rights movement to the week’s inspiration, Nipsey Hussle.

The celebration came to an end with a discussion on how non-Black people can be allies to Black law students, faculty and staff on a daily basis. McKayla Stokes (JD ’20), Shannon Bartlett, associate dean of inclusion & engagement, and Interim Dean Jim Speta, engaged in conversation and shared their personal experiences at the Law School. “The biggest takeaway for all students in the NLaw community is that there is still a ton of work to be done to help support and advocate for underrepresented communities,” said Cyerra McGowan (JD ’21),

“The biggest takeaway for all students in the NLaw Community is that there is still a ton of work to be done to help support and advocate for underrepresented communities. We as law students are in a position to use our skills and privilege to find innovative ways to advocate for these communities.”

—CYERRA MCGOWAN (JD ’21), PRESIDENT OF BLSA

munity the week of February 24. The week’s theme, “The Marathon Continues,” was a nod to the late rapper Nipsey Hussle, whose life’s work was dedicated to Black empowerment and self-reliance.

“BLSA Week 2020 focuses on how lawyers and law students can be entrepreneurial and innovative in our work by investing in communities that pour into us, pushing for necessary but hard change, and advocating for underrepresented populations,” said Shay Wilkerson (JD ’21), vice president of events for BLSA. “We hope these events allow [people] to see the work that needs to be done in this law school, the legal community, and our communities as a whole.”

The week kicked off with the panel discussion “Hustle & Motivate: Embodying the Entrepreneurial Spirit to Branch Out of the Traditional

Beckett, managing partner at Re:land Group, a minority-owned urban planning, design and development company; and Todd Belcore (JD ’10), co-founder and executive director of Social Change, a nonprofit that amplifies community voices through organizing, advocacy and storytelling.

“It’s still white people telling you how to best help brown people,” Belcore said when describing the majority of the non-profit sector. “That’s why we started our own thing.” You don’t often see an organization reflect the body of the people it serves, he said.

Parker credited his hustle, grind, and motivation for much of his success, while Beckett emphasized the importance of failure, especially as an entrepreneur. “Bounce back and deal with it,” he said.

the time...how long are you willing to fight that fight?”

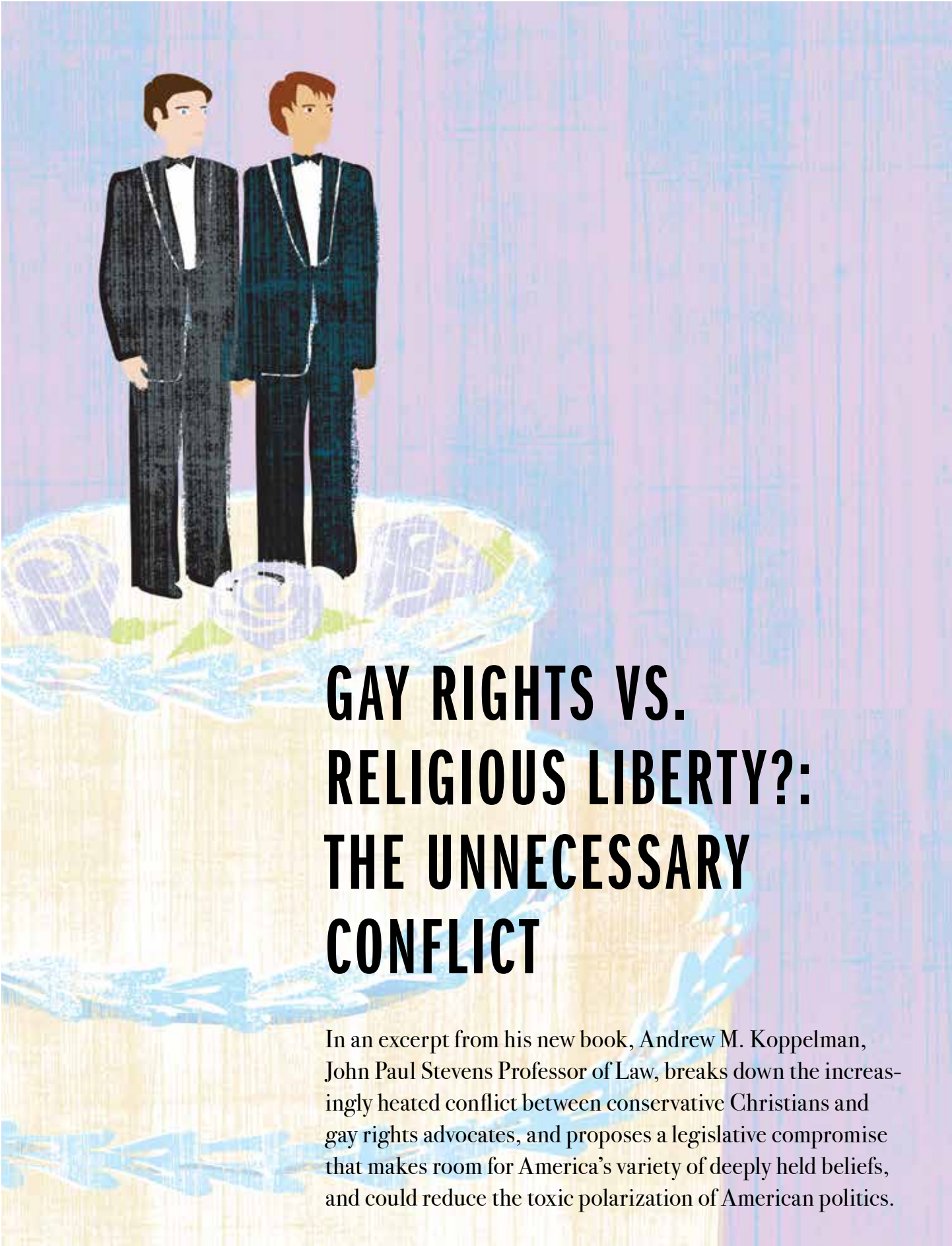
Beckett’s advice: Make sure that wherever you work is a



great fit. Embrace what you bring to the table. Be comfortable. Ask questions. Ask yourself: *Will this place embrace me for who I am?*

Other events during the

president of BLSA. “We as law students are in a position to use our skills and privilege to find innovative ways to advocate for these communities.”



GAY RIGHTS VS. RELIGIOUS LIBERTY?: THE UNNECESSARY CONFLICT

In an excerpt from his new book, Andrew M. Koppelman, John Paul Stevens Professor of Law, breaks down the increasingly heated conflict between conservative Christians and gay rights advocates, and proposes a legislative compromise that makes room for America's variety of deeply held beliefs, and could reduce the toxic polarization of American politics.

Should religious people who conscientiously object to facilitating same-sex weddings, and who therefore decline to provide cakes, photography, or other services, be exempted from antidiscrimination laws? This issue has taken on an importance far beyond the tiny number who have made such claims. It helped make Donald Trump president.



THIS IS AN ISSUE THAT DIVIDES DECENT PEOPLE WHO HONESTLY HOLD RADICALLY DIFFERING VIEWS ABOUT WHAT A GOOD LIFE REQUIRES. IF THE TWO SIDES HAVE NO SYMPATHY WITH ONE ANOTHER, THIS IS LARGELY BECAUSE THEY DO NOT UNDERSTAND ONE ANOTHER.”

Each side’s position has become more unyielding. Many of the most sophisticated scholars are as rigid as the politicians and partisan commentators.

The dominant view, on both sides, is that this disagreement concerns a matter of deep principle. Religious liberty and nondiscrimination are each understood as moral absolutes. Compromise is perceived as an existential threat. Both sides feel victimized. Gay rights advocates fear that exempting even a few religious dissenters would unleash a devastating wave of discrimination. Conservative Christians fear that the law will treat them like racists and drive them to the margins of American society.

The issue is one example of the polarization of American politics. A 2016 survey found Americans evenly divided on whether religious business owners should be permitted to refuse services to same-sex couples: 48% supported a right to refuse, 49% opposed it. Among churchgoing white evangelicals, 88% supported a right to refuse; among those who self-identified as having no religion, it was 34%. Among Democrats and those who lean Democratic, it was 30%; the corresponding number among Republicans is 71%. The Republicans were somewhat divided by age: exemption was supported by 76% of those 65 and older, but only 58% of those

18–29. Few Americans – 18% – expressed sympathy for both points of view.

Both sides are mistaken. Each invokes interests of a kind that can and should be balanced against others. Principles are a distraction, which make each side’s claims seem more uncompromisable than they are.

Many on each side think that their counterparts are evil and motivated by irratio-

nal hatred – either hatred of gay people or hatred of conservative Christians. That is not only dangerous and false. It is profoundly illiberal in a free society where radical disagreement about moral fundamentals is inevitable. There are indeed extremists on each side with repressive aspirations, and each side is reasonably frightened by the worst and sometimes most visible representatives of the other. Most Americans, however, would like to live in peace with their fellow citizens, and are willing to consider and, if possible, accommodate other people’s perspectives and fears. This is an issue that divides decent people who honestly hold radically differing views about what a good life requires. If the two sides have no sympathy with one another, this is largely because they do not understand one another.

Conservative Christians and defenders of gay rights can despise one another’s views while respecting one another and sometimes joining as political allies. They can recognize one another’s rights to live according to their principles. Religious toleration means, precisely, that we tolerate theological views that we regard as wrong and repugnant. The Establishment Clause of the First Amendment dictates that the state must remain neutral among such views.

Those theological disagreements should

not be allowed to obscure the areas of agreement.

Secular liberalism and conservative Christianity alike condemn lying, cruelty, poverty, oppression, and prejudice. They need to unite against their common enemies. But before they can do that, they need to end this war.

“Freedom of religion and religion has been used to justify all kinds of discrimination throughout history, whether it be slavery, whether it be the holocaust . . . to me it is one of the most despicable pieces of rhetoric that people can use to – to use their religion to hurt others.”

So declared a member of the Colorado Civil Rights Commission, in denying the claim of a baker who claimed that the First Amendment protected his right to refuse to make a cake for a same-sex wedding. The Supreme Court overturned that decision on grounds of religious bias in *Masterpiece Cakeshop v. Colorado*. The statement, Justice Kennedy wrote, disparaged the baker’s religion “in at least two distinct ways: by describing it as despicable, and also by characterizing it as merely rhetorical – something insubstantial and even insincere.”

Alas, the Commissioner is not unique. There’s quite a lot of this kind of talk. The baker’s desire to be left alone is widely understood to be a demand to inflict harm.



RELIGIOUS TOLERATION MEANS, PRECISELY, THAT WE TOLERATE THEOLOGICAL VIEWS THAT WE REGARD AS WRONG AND REPUGNANT.”

Some think the harm would be massive. “Gays would be perennial outcasts whose equality and dignity would always be subservient to the desires of religionists to brand them as abominable,” Shannon Gilreath and Arley Ward write, “with the state giving religionists that license under the law.”

Prominent conservatives, too, perceive a malicious desire to harm — directed at *them*. Steven D. Smith, for instance, understands the application of antidiscrimination law thus: “people are using the law to crack down on a religion or a way of life that they disapprove of but that doesn’t seem to be realistically harming them or interfering with their own lives in any obvious way. Why would they do that?” He concludes that “the gravamen of litigation demanding redress for ‘dignitary harm’

thing to do is not to follow a principle, but to accurately discern the interests at stake and cobble together an approach that gives some weight to each of those interests. Ethics is not only about principles. There is a tradition in moral philosophy, going back to Aristotle, that holds that a good person does not necessarily rely on any abstract ideal, but rather makes sound judgments about the right thing to do in particular situations. Sometimes principles are overbroad generalizations from experience,

themselves. I argue that, even if they are absolutely wrong — and I do believe that — they still ought to be accommodated.

Both gay people and religious conservatives seek space in society to live out their beliefs, values, and identities. Each side’s most basic commitments entail that the other is in error about moral fundamentals, that the other’s entire way of life is predicated on that error and ought not to exist. That was also true of the religious differences that begot the Establishment Clause of the First Amendment. Religious coexistence has nonetheless been achieved. The United States is a longstanding counterexample to Rousseau’s dictum that “[i]t is impossible to live in peace with people whom one believes are damned.”

Religious accommodation is a part of the reason for the success of the American regime. Quakers who resisted military service, Catholic priests who wouldn’t reveal in court what they had learned in confession, Native Americans who use peyote in their services, Muslim prisoners who seek to grow beards, have all been granted dispensations from the law.

Our question, then, is whether accommodation is appropriate for a few businesses that hold themselves open to the public, or whether its costs are too high. In order to determine that, we must examine the purposes of antidiscrimination laws, and decide whether these would be frustrated by religious exemptions.

Antidiscrimination law has multiple purposes: amelioration of economic inequality, stigmatization of discrimination, and prevention of dignitary harm. Consider them in turn.

Because antidiscrimination law’s economic purpose is a response to pervasive discrimination, it is not thwarted by discrimination that is unusual. If gay people are generally protected, a few outliers won’t make much difference.

The reshaping of culture to marginalize antigay prejudice won’t be stopped by a few exemptions.

Discrimination is also insulting. However, the dignitary harm of knowing that some of your fellow citizens condemn your way of life is not one from which the law can or should protect you in a regime of free speech. Even if they are wrong, free speech allows people to say things that no one should ever say to anyone. The dignitary harm that hurts the most is the wounding experience of personal rejection



LAWYERS ARE TRAINED TO THINK ABOUT CONFLICT RESOLUTION BY DEVISING ABSTRACT PRINCIPLES THAT SHOULD COVER ALL FUTURE CASES, AND WHICH INCIDENTALLY ENTAIL THAT THEIR SIDE WINS. BUT THIS IS NOT THE ONLY WAY TO THINK ABOUT CONFLICT.”

is that same-sex couples are offended and hurt by the tacit or open communication of other citizens’ beliefs regarding marriage. And the purpose of such lawsuits is effectively to censor or punish an objecting merchant for that communication.”

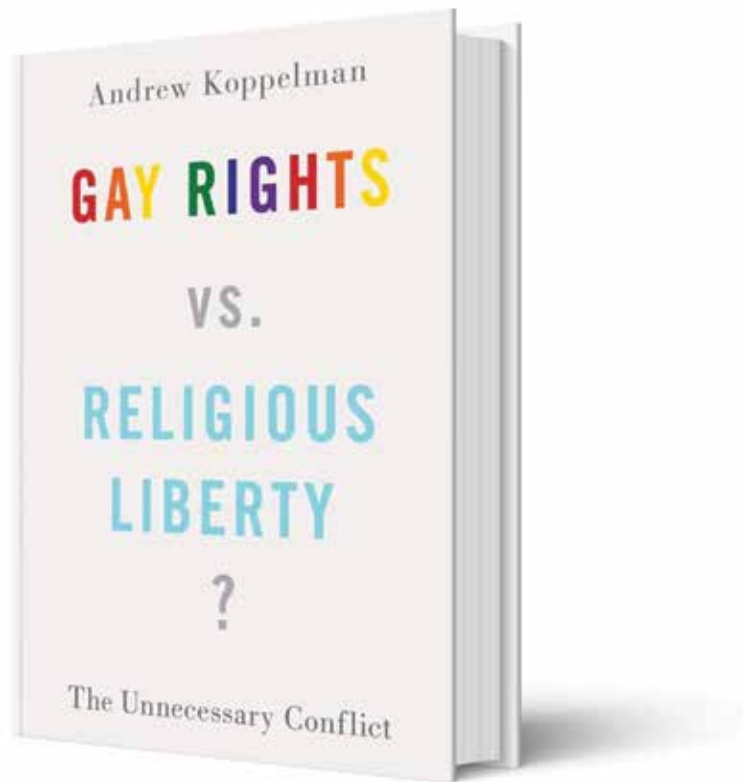
Both sides are confused. Gay rights advocates have misconceived the tort of discrimination as a particularized injury to the person rather than the artifact of social engineering that it really is. Religious conservatives have failed to grasp the purposes of antidiscrimination law, and so have demanded accommodations that would be massively overbroad. They have also tried to enlist the Supreme Court to protect wedding vendors with some constitutional principle, but every principle that has been proposed would likewise be massively overbroad. That problem became clear in *Masterpiece Cakeshop*, in which lawyers, amici, and members of the Court proposed a bewildering array of possible rules, not one of which was workable.

Lawyers are trained to think about conflict resolution by devising abstract principles that should cover all future cases, and which incidentally entail that their side wins. But this is not the only way to think about conflict. Sometimes, the right

and distract us from the moral imperatives of the situation at hand.

The gay rights/religious liberty issue is not a question for courts. It is an appropriate occasion for legislative negotiation. Both sides ought to be looking for legislative relief. Discrimination against gays in public accommodations is prohibited in 21 states and the District of Columbia, with no religious exemption. Gay rights advocates sometimes forget that in most of the US, there is no protection at all. Twenty-nine states have no such laws, and no new ones have been enacted since 2008. “The near and intermediate future,” Douglas Laycock writes, “appears to be religious dissenters getting crushed in blue states and gays and lesbians still discriminated against and denied protection in federal law and in red states.” In the present standoff, compromise is unthinkable, but how could protection-plus-exemptions be worse than nothing? The present paralysis is good for no one.

I’ve been a gay rights advocate for more than thirty years. This book is primarily addressed to those who share my views. It will however be of interest to religious conservatives as well, since it makes a case on their behalf that they can’t make for



— or its anticipation, which is often a source of chronic stress — during what one reasonably expects to be the happy occasion of planning one’s wedding. That can be avoided if the vendors are required, as a precondition for exemption, to make their objections to same-sex marriages clear to the public in advance.

The stakes of this dispute go beyond the gay rights issue. Resistance to religious accommodation has its source in the political left, much of which, largely as a consequence of disputes over sexual ethics, increasingly regards religion as a malign force in the world. Yet the American left has never accomplished anything without religious allies. For those who are most concerned to ameliorate the growing inequality in America, hostility toward religion is a catastrophic error. (It also foolishly neglects the continuing activities of the very substantial religious left.) Accommodation would be a step in the right direction.

Many compromises are possible: an exemption for very small businesses, or for religiously oriented businesses, or expressive enterprises such as photographers. The specifics would have to be negotiated, and the negotiation would be different in

different places.

The response I develop here is to exempt only those who post warnings about their religious objections, so that no customer would have the personal experience of



“THE PARTIES CONCERNED HAVE TO TALK TO EACH OTHER AND WORK SOMETHING OUT, SOMETHING THAT CAN’T BE PREDICTED IN ADVANCE. WHAT THE PROFESSOR CAN DO IS DISPEL THE CONFUSION THAT PREVENTS NEGOTIATION FROM HAPPENING.”

being turned away. There is a cost to such an announcement: it will repel, not only gay customers, but also that very large number of people who find discrimination repellent. For that reason, it’s likely to be seldom used, and only by those with the most intense religious compunctions. A few dissenters, whom one can easily avoid

ever meeting, won’t undermine the equality of gay people.

Even this solution is not a panacea. This is not the kind of problem that can be solved by a professor sitting alone at his keyboard. The parties concerned have to talk to each other and work something out, something that can’t be predicted in advance. What the professor can do is dispel the confusion that prevents negotiation from happening.

Arguments about the gay rights/religious liberty conflict often talk past each other, because they often focus on one of the interests in question and ignore the other. The principles are in unresolvable tension. The interests are not. There are ways to ensure that all the relevant interests are accommodated. This may require some modification of the principles. But what ultimately matters is not the principles but the people. We only care about the principles because we care about the people.

The root of the problem is a philosophical confusion. No negotiation is thinkable, on any of these issues, if each side regards any deal as a betrayal of its deepest commitments. They think that because some of the best minds on their side have encouraged them to think that. They misunderstand their own ideals. Philosophy got us into this mess. Philosophy must get us out of it.

Content adapted from Andrew Koppelman, Gay Rights vs. Religious Liberty? The Unnecessary Conflict, Oxford University Press, 2020.



Teaching a Pandemic

Pop-up course grapples with coronavirus legal issues in real time

By Shanice Harris

In March 2020, as law schools around the country began responding to the global pandemic crisis, classes at Northwestern Pritzker School of Law moved to a remote model. Zoom became the classroom, and professors quickly adjusted their course plans. For Daniel B. Rodriguez, Harold Washington Professor of Law and former dean of the Law School, the moment offered an opportunity to create a new type of law school course: an online pop-up that delved into the COVID-related legal issues that were unfolding across the globe in real time.

Rodriguez launched his online pop-up class, “Law in the Time of Corona,” the week of March 23. The course, which ran through April 24, highlighted several legal topics revolving around the coronavirus crisis. “With all the rapidly emerging issues growing out of the coronavirus situation, I thought it would be valuable for students to have an opportunity to learn about many of these issues, and to do so in the form of a (hopefully) well-organized online course,” Rodriguez says.

The course included topical readings, video interviews with legal experts, discussions on the online learning management site Canvas, and weekly live Zoom sessions — the latter drawing nearly 100 participants in its first week. Students were challenged to grapple with questions like *what is or is not essential?* and *what should be the states’ approach to cooperation around fighting COVID-19?* “I was pleasantly surprised by how engaged students were, in the synchronous sessions and in their study of the assigned materials,” Rodriguez says. “It is a true credit to the students in all of our programs (JD, LLM, and MSL) who are eager to learn and to engage, even during this awful, stressful time.”

Readings included pieces from consumer magazines like *The New Yorker*, academic articles from *New England Journal of Medicine* and *Harvard Law Review*, and case files highlighting citizens’ rights, like *Wong Wai v. Williamson* and *Siegel v. Shinnick*.

“I really enjoyed the pace [of the class] — and it sure was quick,” says Hillary Tolson (MSL ’22). “The course updated and modified alongside current events, and I appreciated that Professor Rodriguez provided us with provocative content, not just headlines. He dove into the deep end, digging up the nitty gritty buried beneath the

statistics and asked us to think about the current landscape.”

In addition to the readings, forum discussions on Canvas furthered the conversation. Topics included how law fits into decision-making, the role of police power during health-related quarantines, and presidential power under the Defense Production Act. Rodriguez also recorded interviews with legal experts across the country, including J.P. Schnapper-Casteras, a Washington D.C. lawyer that specializes in constitutional law; Lindsay Wiley, professor of law and director of the Health Law and Policy Program at American University; and Andrea Lee, a partner at Honigman Law Firm.

The course was unique not only because it dealt with such of-the-moment issues, but because of its pop-up model. Tolson says she hopes the class will inspire other professors to follow suit. “I could certainly see Northwestern Pritzker Law and its professors creating more pop-up classes as we head toward major events, such as the upcoming election. I can only imagine how acute Constitutional challenges will affect us all in the long-term,” she says.

Rodriguez echoes the sentiment. “I hope it inspires my colleagues to think of other ideas for online courses, whether in one or more areas covered by this broad course on the law and the coronavirus, or in other aspects,” he said. “Furthermore, I hope that the idea of ‘pop-up’ courses — that is, courses that emerge fairly suddenly, in order to deal with topics of immediate importance in law — will catch on.”

The course has been making waves. The free online learning platform Coursera, founded in 2012 by two Stanford profes-

“I hope that the idea of ‘pop-up’ courses — that is, courses that emerge fairly suddenly, in order to deal with topics of immediate importance in law — will catch on.”

sors, picked up “Law in the Time of Corona” for its site soon after its March launch. “This will be a [Massive Open Online Course], with content I am currently revising from the Law School course, and made available to anyone in the world who registers through Coursera,” Rodriguez said during the launch announcement. The Coursera course was deemed a success. According to their site, the course accumulated over 3,000 learners and the reviews were overwhelmingly positive. Rodriguez is now adapting the course again, since new legal issues continue to emerge.

“[The issues we are currently facing] are by and large difficult, as a matter of law and of public policy,” Rodriguez says. “And I hope the students will appreciate how tough it will be for courts, legislatures, and all other institutions of government to resolve them in the coming weeks, months, and years.”

Faculty Prepare for Fall Hybrid Learning

Over the summer, Law School faculty, led by a Remote Teaching Committee, participated in a number of remote teaching and course-design trainings to prepare for a largely remote fall semester. Learning Engineers worked with professors to adopt courses for online and provided deep-dives into tools like Zoom, Panopto and Canvas; University-sponsored practicums engaged faculty in online teaching practicums; and Law School faculty led workshops providing “tours” of their online courses and reflecting on remote-teaching best practices. “The remote teaching trainings have been engaged by nearly 200 faculty and staff,” says Emerson Tiller, J. Landis Martin Professor of Law & Business and chair of the Remote Teaching Committee. “Our faculty see themselves training not only for the current challenges but for the future of legal education, which will ultimately benefit from the structural changes taking place in higher education.”

For a number of faculty, the workshops have provided new approaches to teaching that they plan to incorporate even when classes go back to a more traditional model. Emily Kadens, professor of law, says the University-sponsored online teaching practicum was invaluable. “I went into the practicum apprehensive about moving my Contracts course online. But through conversations with other Northwestern faculty, meetings with a terrific online course designer, and information provided

by the practicum, I now feel much more confident that I, and all faculty, can develop high-quality online courses that will engage our students,” Kadens says. “Diving into these new technologies allows us to rethink how we present material and use class time in ways that will still be applicable when our teaching goes back to normal.”

Faculty-led workshops have encouraged professors to share best practices and exchange remote and hybrid teaching tips. Workshops have included sessions like “How We Created Community in an Online Class,” “How I Made a Remote Class an Engaged Class,” “How I Let Go of the Socratic Method But Held on to Cases and Legal Thinking,” and “How We Continue to Work Toward Inclusive Teaching in a Remote Setting.”



CORONAVIRUS BEHIND BARS

Clinic attorneys accelerate COVID-19
mass prison release efforts



By: Shanice Harris



At the onset of the COVID-19 pandemic, prison reform activists jumped into action, flagging the unique dangers of the coronavirus behind bars. But as activists have gained ground in states like Illinois, the threat of a potential rise in case numbers this fall (including jumps in states like Florida, Oklahoma, and Texas) leave many on the frontlines worried for what's next. While mask-wearing and social distancing has become commonplace to stop the spread of COVID-19 in much of society, it's virtually impossible to maintain distance in prison, and attorneys at Northwestern Pritzker School of Law's Bluhm Legal Clinic have been focused on that problem in their efforts to release detainees from Illinois prisons, Cook County Jail, young adult prison, and detention centers.

In April, Cook County Jail in Chicago's South Lawndale neighborhood was home to the fifth-largest known cluster of COVID-19 cases in the United States, growing to 940 confirmed cases by April 30, according to *The New York Times*. The Cook County Sheriff's office reported that those numbers included 148 correctional officers. (As of August 18, those numbers had decreased to 15 detainees in custody and 20 correctional officers, according to the Cook County Sheriff's office.) But even before those statistics made headlines, Vanessa Del Valle, clinical assistant professor of law, and Sheila Bedi, clinical professor of law, were working closely with students and other Clinic faculty to get individuals released from Illinois prisons in the wake of the pandemic. Collectively, they have filed three lawsuits against the Illinois Department of Corrections (IDOC) — two in federal court and one in state. "All three lawsuits [were] essentially asking the same thing. They [were] on behalf of the same 10 named plaintiffs and in each of them we [sought] to represent a class of everyone in IDOC custody right now [who has a case to be released] or who will in the future," Del Valle says. "The first group of people are medically vulnerable because they have underlying medical conditions, which have been listed by the Centers for Disease Control as making someone more prone to severe illness or death if they catch COVID-19. The next class is people who are medically vulnerable due to their age."

Governor J.B. Pritzker issued an executive order significantly expanding medical furlough and two of Del Valle and Bedi's named plaintiffs received commutations in April, while another was released soon after. James Money, 28, and Carl Reed, 59, each went home to their families. "[Money] had already served five years for a residential burglary and he was sentenced to be released in June of 2020," Del Valle says. He was diagnosed with stage three thyroid cancer,

making him extremely vulnerable should he contract COVID-19. “Also because of COVID-19, IDOC canceled his chemotherapy appointments because they have been limiting movement and limiting the amount of activities...which obviously puts him at great risk.” Reed suffers from severe kidney disease, which requires dialysis



three times a week. “He had eight years left on his sentence,” says Del Valle. “He had a petition for executive clemency pending, and he was granted his clemency petition.” In addition to Money and Reed, Carl “Tay Tay” Tate was also released — her clemency petition was also granted by the Governor.

As of August 20, Bedi and Del Valle were in settlement negotiations with the IDOC — working on one of the lawsuits they filed in federal court (Section 1983). A Section 1983 lawsuit provides individuals the right to sue state government employees for civil rights violations. This particular class action lawsuit was originally *Money, et al. v. Pritzker, et al.*, but is now *Richard, et al. v. Pritzker, et al.* after Money was released. Since its original filing, Bedi and Del Valle have filed an amended complaint. “We dismissed some plaintiffs and added in new ones,” Del Valle says. The class-action currently has a total of 22 plaintiffs.

Elsewhere in the Clinic, back in April, Locke Bowman, executive director at the Roderick and Solange MacArthur Justice Center and clinical professor of law, and Alexa Van Brunt, clinical associate professor of law, with co-counsel Loevy & Loevy and Civil Rights Corps, and in cooperation with the Chicago Community

Bond Fund, filed a lawsuit against Cook County Sheriff Thomas Dart. The emergency class action lawsuit asked not only for the immediate release of medically vulnerable individuals, but also challenged lack of sanitation, testing and face masks at the Cook County Jail. On April 27, a federal court entered a preliminary injunction and ordered Sheriff Dart to implement social distancing in housing units at the Jail and to provide continued protections for incarcerated people during the pandemic.

In July, a new CDC review claimed that Cook County Jail was able to curb new COVID-19 cases, crediting Sheriff Dart. But Van Brunt notes that the prison didn’t expand testing and social distancing voluntarily, but because of the Clinic’s lawsuit. “Sheriff Dart’s argument [that he is responsible for flattening the curve at Cook County Jail] rests on a desire for credit,” says Van Brunt. “He is ignoring how we got here — through court intervention — and losing sight of the fact that the pandemic is still an ongoing threat. In fact, the Jail population is increasing and many believe COVID-19 will get worse in the fall. If we ignore how we got here we risk repeating the same mistakes.”

The Sheriff appealed the preliminary injunction to the Seventh Circuit, which recently upheld much of the district court’s order — one of the only COVID-19 orders to survive at the appellate level throughout the country.

Though many Clinic attorneys have been busier than ever during this unprecedented time, they haven’t been working alone, instead partnering with local organizations and Law School students. “Students [have] worked incredibly hard on this effort — putting in many, many hours and functioning as junior attorneys,” Bedi says. Emily Grant (JD ’21), Paul Jones (JD ’20), Terah Tollner (JD ’20), Luke Fernbach (JD ’21), and Lucien Ferguson (JD-PhD ’22) all contributed to the effort. They also collaborated on a summary of recommendations to the United Nations Universal Periodic Review which was presented over Zoom to over 55 diplomats from 44 Permanent Missions to the United Nations in Geneva earlier this year. Del Valle says the support of other community groups has been amazing. “We wouldn’t be where we are if it weren’t for organizations like the Chicago Community Bond Fund, because we are getting a lot of information from local community groups and advocates who are really pushing [against the system].”

“WE’VE BEEN TRYING TO CLOSE PRISONS AND GET KIDS OUT OF PRISON FOR THE LAST DECADE... WE’VE JUST ACCELERATED.”

—JULIE BIEHL, CLINICAL PROFESSOR OF LAW AND DIRECTOR OF THE CHILDREN AND FAMILY JUSTICE CENTER

At the Clinic's Children and Family Justice Center (CFJC), attorneys have been working to release children from the Cook County Juvenile Temporary Detention Center (JTDC) and Illinois Department of Juvenile Justice (IDJJ). "We've been trying to close prisons and get kids out of prison for the last decade," Julie Biehl, clinical professor of law and director of the CFJC, says. The center has long advocated that adult-style prisons are the wrong approach for rehabilitating juveniles, and that work has continued during this global pandemic. "We've just accelerated," Biehl says.

In March, the CFJC created a website showcasing their public advocacy to get children out of the JTDC and IDJJ and home to their families. The website highlights the letters the team has sent to officials — including Governor Pritzker, State's Attorney Kim Foxx, and Chief Judge Timothy C. Evans — demanding the release of detained children to their homes. They've been successful, but obstacles have arisen since July. "When the coronavirus hit in Illinois, there were approximately 225 children inside our state system," Biehl says. By late spring, the IDJJ population went as low as 103, but IDJJ began accepting intake from the detention centers around the state in July. "On August 4th, formerly incarcerated youth and other youth impacted by the juvenile legal system launched The Final 5 Campaign which seeks closure of the remaining five Illinois youth prisons and investment in Illinois' communities most deprived of resources," Biehl says. "In addition, the CFJC has taken on the representation of nine youth who are serving time in IDJJ due to being tried and convicted in criminal not juvenile court." These youth are not eligible for release and are scheduled to be transferred to the Illinois Department of Corrections to serve the remainder of their sentence, which the CFJC is trying desperately to avoid. "Currently, CFJC attorneys and students are working on clemency petitions seeking their release," she says.

At the end of July, Governor Pritzker, Lt. Gov. Juliana Stratton and IDJJ Director Heidi Mueller announced plans to overhaul the state's juvenile justice system and shift to smaller, "community-based" regional facilities, a transition that will take place over the next four years. "Our goal must be an end to the imprisonment of all children," said Biehl in a press release soon after the Governor's announcement. "No children of any race should be in prison cells surrounded by barbed wire and unable to visit their families. Illinois has come a long way in the reform of the juvenile justice, but more is left to be done."

Del Valle stresses that every Chicagoan should pay attention to the infection rates in prisons, even if they don't personally visit. "One person

"IT'S NOT JUST A PROBLEM FOR JAILS AND PRISONS, IT'S A PROBLEM FOR THE SURROUNDING COMMUNITY."

—VANESSA DEL VALLE, CLINICAL ASSISTANT PROFESSOR OF LAW

catches it and it spreads like wildfire," she says. "[Jails] are not closed environments — people are still coming in and out. There are a number of staff, guards, mental health counselors, and other people that work in the jails and prisons who enter and leave on a daily basis. It's not just a problem for jails and prisons, it's a problem for the surrounding community."



Attorneys at the Clinic say they will continue to fight for their clients and do everything they can to bring them back home to their families during this unprecedented time. "Our fight continues," says Bedi. "We are filing commutation petitions, working up the federal litigation, and we hope we can work collaboratively with the Governor's office to save lives."

Clinic News

Robin Walker Sterling Joins Bluhm Legal Clinic as Director and Associate Dean of Clinical Education



Robin Walker Sterling joins the Northwestern Pritzker Law faculty this year as a clinical professor of law, director of the Bluhm Legal Clinic, and associate dean for clinical education. Her research and teaching interests include clinical advocacy, criminal law, and juvenile justice. Her current work explores extending the right to a jury trial to juveniles facing delinquency proceedings.

Walker Sterling is the outgoing associate professor and Ronald V. Yegge Clinical Director at the University of Denver Sturm College of Law, where she was a part of the faculty for 10 years. She received her BA from Yale College and a JD from New York University School of Law. She attended Georgetown University Law Center for her LLM in Clinical Advocacy.

Walker Sterling spoke with *The Reporter* to discuss her new role, her vision for the Bluhm Legal Clinic, and the importance of clinical education.

You are joining the Clinic at an unprecedented time, when the work of the Clinic attorneys seems more urgent than ever. What are some of your immediate priorities as director?

I want to devise ways for clinical faculty members to talk, as a Clinic community, about incorporating anti-racist practices, so that the Clinic continues to be a place in which all students feel welcome. I also want to create a sense of community, so that individual clinics and centers are not so siloed, and I hope to help promote Clinic achievements on a broad scale both inside and outside the Law School. The Clinic's work

students, but it should also be thrilling for professors. One of my favorite things about being a clinical professor is being able to help students start to come into their own.

What are you most excited about in this new role?

Northwestern Pritzker Law's clinical program is ranked sixth in the country for good reason. I am very excited to work with the exceedingly dedicated, talented, and creative lawyers, teachers and scholars in the Bluhm Legal Clinic. It has been a real treat to be able to peek behind the scenes and see that, not only is their stellar national repu-

“Lawyers have a chance to affect real, lasting changes that recalibrate our collective consciousness, even infinitesimally, toward hope.”

—ROBIN WALKER STERLING

spans so many critical areas, I would like to make sure that Northwestern's outstanding clinical faculty has what it needs to continue to do such outstanding work.

Why is a clinical education such an important part of a holistic legal education?

For so many students, studying in the Clinic is transformative. It's the first time in their legal careers that they have the chance to tap into many different capabilities — substantive matter expertise, psychomotor lawyering skills, and affective aspirations — all at once. It's exciting for

tation richly deserved, but also that, for all their accomplishments, they continue to strive to do as much good as they can, for as many people as they can, with as much compassion as they can. It's inspiring every day.

What do you see as your biggest challenge as you step into this role?

Because of the unique times we're in, there is a lot of work to do, and so all of our resources — mainly time and person-power — are stretched thin. There are many, many projects that we at the Clinic would like to take on, but we just cannot

take on all of them. Especially knowing how extraordinarily capable our students and clinical professors are, it is difficult to turn people away.

How have you managed to adapt to these new roles during such an unprecedented time?

I'm still in Denver, and so working remotely in a different time zone — that one hour makes a big difference — has been a bit disorienting. There are immediate questions that need to be answered urgently, about technological and other logistics, plus long-term goals that we will set as a clinical legal community, once we're on the other side of this period of crisis. Sometimes those are in tension, and that's a challenge. But even in these unprecedented times, I'm very, very excited about these new roles.

Any words of advice for this year's students as they navigate this ever-changing world and unorthodox academic year?

Even with all of the unprecedented strain and uncertainty of the current national moment, I envy the students at this time in their career. I love being a lawyer. I count going to law school as one of the best decisions I've made in my life. Lawyers so often have a chance to affect real, lasting changes — for both individual clients and for our entire society — that recalibrate our collective consciousness, even infinitesimally, toward hope. So I would say: Do what you can to be grounded in the current moment, to find ways to connect yourself and your vision of justice to the law that you are learning, and to, even now while you're in law school, start thinking about ways to make your vision of justice a reality.

Professor's New Website Offers Picture of the Criminal Justice System



Using a small subset of death-eligible murder cases, a new database launched by Leigh Bienen, senior lecturer, offers a glimpse into the criminal justice system — more specifically the Circuit Court of Cook County pretrial detention system in the first six months of 2003 — and the bureaucracy surrounding them.

Bienen recently launched “2003 Chicago Murders,” a compendium of numbers, system identifiers, dates and other information about 140 death-eligible murders in Cook County, all cases where an indictment for murder was returned during the period of Jan. 1, 2003, to June 30, 2003.

The cases are divided into three subgroups based on the length of the sentence imposed. All of the data on the website, which comes from public records, includes names of the defendants and victims, defendants’

zip code and age at offense, method of killing, and many more details. The data can be downloaded and analyzed by the user.

The new database is a companion website to Bienen’s “Illinois Murder Indictments 2000-2010.” She said she hopes the database will provide a reliable, accurate and original set of data about an important part of the criminal justice system for anyone interested in murders, murder rates, cities, capital punishment, jails, and mass incarcerations.

Bienen said the purpose of the site is to spur additional research by making the raw data available.

What surprised Bienen most during the research process was that even those who had all charges against them dropped, or were acquitted, still spent about two years having their cases disposed of.

For example, she writes, “Persons awaiting trial in Cook County Jail had dozens, as many as 60 or 70, routine in-court appearances before a trial court judge, with attorneys for both prosecution and defense present, between their first appearance in court and the final disposition of their case in court by a trial court judge,” adding that there are state and federal constitutional guarantees of the right to a speedy trial.

“There was no reason for most of these defendants to be locked up as long

as they were, or to have so many routine call backs, or court appearances, every one of which required a dozen salaried employees to be in the court room,” Bienen said. “And that doesn’t count the numbers of employees outside the courtroom in the courthouse, or the many people employed in the county jail itself, not to mention in the prison system after a defendant is convicted.”

Bienen said the database is “a snapshot of a bureaucracy.”

“It is a bureaucracy which rolls ahead with its own momentum, and the momentum does not have as its primary goal providing a speedy trial, or a just result for those accused, or for providing a quick and just result for victims of murder and their families.

“This bureaucracy, like all bureaucracies, remains in place because it is in the interest of those who are members of it to keep it going. If you want to understand how we ended up with more than a million people in jails and prisons nationwide, this snapshot will give you a picture of the criminal justice system and its operation.”

This research grew out of Bienen’s earlier work on homicide in Chicago and capital punishment, some of which focused on patterns of prosecutorial discretion in the selection of murders for capital prosecution in the 102 autonomous Illinois counties prior to the abolition of the death penalty in Illinois in 2011. There were no death sentences imposed and there were no capital trials in any of the 2003 cases included in the database, although all cases were identified as death eligible murders by the State’s Attorney in Cook County.

Respect for Human Rights Protects Public Health During a Pandemic

On July 21, the Director-General of the World Health Organization (WHO) launched a policy report, “Activating a Human Rights-Based Tuberculosis Response,” authored by Brian Citro, assistant clinical professor of law.



Citro developed and wrote the brief, which lays out the component parts of this lesson in the tuberculosis context, with guidance from Blessina Kumar, CEO of the Global Coalition of TB Activists. The brief highlights the roles played by the rights to health, nondiscrimination, privacy, information and liberty in preventing the spread of disease and finding and treating sick people.

Citro says the key lesson he’s learned through years of research and advocacy in the global HIV and tuberculosis responses is that “respect for human rights protects public health during a pandemic.” Now, more than ever, “policymakers and public health programs must hardwire respect for human rights into

the policies and interventions meant to keep us safe and healthy,” he says.

“Despite the recent attacks on the World Health Organization, it really is an indispensable institution for global health. For this reason, I was honored to share the

virtual stage with the WHO Director-General, Dr. Tedros,” Citro says. “I was struck by his earnest attention to both the human rights brief we were launching and the cause of

promoting a rights-based approach to health, more broadly.”

Many ideas for the brief were developed in Citro’s International Human Rights Law and Practice Clinic. Research, writing and editing help was provided by former clinical fellow Elise Rose Meyer, and students including Megan Richardson (JD ’19), Amy Peştenariu (MSL ’19), and Meredith Heim (JD ’21). The virtual global launch event included a panel of distinguished speakers, including Dr. Tedros Adhanom Ghebreyesus, Director-General, WHO; Dainius Puras, United Nations Special Rapporteur on Right to Health; Citro, Kumar, and others.

Laurie Mikva Receives 2020 Leonard Jay Schragger Award of Excellence

Laurie Mikva, clinical assistant professor of law and director of the Civil Litigation Center, was named the recipient of the 2020 Leonard Jay Schragger Award of Excellence by the Chicago Bar Foundation. The award was established to recognize exemplary attorneys in academia who have made significant and lasting contributions to improving access to justice for the less fortunate.

“I was so pleased to see the eviction defense work of the Civil Litigation Clinic recognized,” Mikva says. “The award is really a testament to the dozens of law students, now alumni, who enrolled in the Clinic and worked so hard to keep their clients housed. The award is especially meaningful to me coming from the Chicago Bar Foundation and named for such an illustrious and public-spirited graduate of Northwestern Pritzker School of Law as Leonard Jay Schragger. I am deeply thankful to Cynthia Wilson, my colleague at Northwestern, and Legal Aid Chicago for supporting my nomination for the award.”

“Professor Mikva is so deserving of this honor,” says Wilson, director of Northwestern Pritzker Law’s

Public Interest Center. “Her lifelong dedication to public interest work is a model for all of us.”

At the Civil Litigation Center, Mikva represents tenants facing eviction from federally subsidized housing. “Laurie works diligently with each student to build their litigation skills and confidence from their first court appearances, and she also helps them understand the devastating effects of poverty and the enormous impact that their advocacy can have on reducing its harm,” the Chicago Bar Federation said in the announcement of



Mikva’s honor. “She is a strong advocate for her students to include pro bono in their legal careers, no matter what career path they may take.”

The award, which is endowed by the law firm of Reed Smith LLP and its partners, allows the recipient to designate a special Chicago Bar Foundation grant to the Law School clinic or legal aid program of his or her choice.

Independent Panel of National Legal Experts to Review Conviction of Myon Burrell

A panel of national legal experts will conduct an independent review of the case of Myon Burrell. The panel was organized by two national legal organizations, the Center on Wrongful Convictions (CWC) at Northwestern Pritzker School of Law and the Innocence Project, which is affiliated with the Benjamin N. Cardozo School of Law at Yeshiva University.

Burrell is a Minnesota man now serving a life sentence in prison after having been convicted of the 2002 murder of 11-year-old Minneapolis resident Tyesha Edwards. At the time of Tyesha Edwards' death, Burrell was 16 years old.

Burrell's conviction has received a great deal of local and national scrutiny in recent months, after the Associated Press published an investigative report about his case on February 1, 2020. Among other things, the AP report questioned the validity of the evidence used to convict Burrell and identified the existence of possible new evidence.

Following the AP report's release, U.S. Senator Amy Klobuchar of Minnesota publicly announced her support for an independent review of the case. Calls for a thorough review of Burrell's case have increased following the death of George Floyd.

Because no Minnesota prosecuting authority currently has a Conviction Integrity Unit in place, the CWC and the

Innocence Project have asked a panel of legal experts to conduct an independent review that addresses the reliability of Burrell's conviction, as well as the continuing appropriateness of his life sentence.



This panel will conduct an unbiased, independent, and thorough evaluation consistent with national best practices for Conviction Integrity review and will release a written report at the conclusion of its review.

The panelists are donating their time pro bono and will be assisted in their efforts by the Greene Espel law firm in Minneapolis, which is also

providing support pro bono.

Laura Nirider, clinical professor of law and co-director of the Center on Wrongful Convictions at Northwestern Law, and Barry Scheck, professor of law at Cardozo Law and co-founder of the Innocence Project, will serve as advisors who will provide consultation on Conviction Integrity best practices. The panel will include the following individuals:

Keith Findley, former president of the national

Jim Petro, former Attorney General of the State of Ohio
David Singleton, executive director of the Ohio Justice & Policy Center and professor of law at the Salmon P. Chase College of Law

Mike Ware, former chief of the Conviction Integrity Unit at the Dallas District Attorney's Office and executive director of the Innocence Project of Texas.

This effort is undertaken with support from several Minnesota organizations,

Innocence Network, co-founder of the Wisconsin Innocence Project, and professor of law at the University of Wisconsin-Madison

Maria Hawilo, Distinguished Professor of Law at Loyola University Chicago

Mark Osler, professor of law at the University of St. Thomas and former Assistant U.S. Attorney

including the Minneapolis NAACP, the Innocence Project of Minnesota, and the ACLU of Minnesota. Consistent with its neutrality and independence, this panel will welcome cooperation from attorneys representing Burrell, as well as attorneys from the Hennepin County District Attorney's Office.

Giving

Howard and Betsy Chapman Law Scholarship Continues to Give Students Opportunity



Over his lifetime of giving, Howard Chapman (BA '56, JD '58), together with his late wife Betsy Chapman (BA '57), has gifted \$4.37 million in scholarships to students at Northwestern and additional sums to support education in Betsy's hometown of Fort Wayne, Indiana. Mr. Chapman

has been a generous advocate of education for years — he and Ms. Chapman established the Howard and Elizabeth Chapman Professorship, which is currently held by Matthew Spitzer, in 2013, and the Howard and Betsy Chapman Law Scholarship Fund in 1999. "My father was

a lawyer. My mother was a high school teacher. I grew up with the idea that education was important," Mr. Chapman says. "It never occurred to me that education was something you could neglect or not think much about, because it permeated everything."

In fact, Mr. Chapman says that scholarship opportunities are what allowed him to attend Northwestern as an undergraduate. "For me to go to a school like Northwestern, I couldn't do it without financial aid," he says. He was fortunate enough to get the same opportunity when applying for Northwestern Law. "The time I spent at Northwestern Law

really was a formative part of my life, more than anything else, I think."

As his career progressed, Mr. Chapman thought it was important to give back to the institution that he credits for making him the man and lawyer he is today. "I wanted other young people to have the

opportunities that I had," he says. "We started out with a scholarship and we were able to implement or add to it from time to time. And then a little bit later we decided to chair a professorship and I have been really pleased with that."

Today, Mr. Chapman continues his philanthropy efforts to honor his wife, who died in August 2019. The couple met during their undergraduate years at Northwestern University in the 1950s and married soon after. "Over the years, the scholarship built up to the point where we were within reach of being able to pay a full-tuition scholarship for a student," Mr. Chapman says. "After my wife died, I got to thinking — because I know she would have supported it — that this was the time to add to that. I decided to build it up so that now it's a full-fledged, full-ride scholarship."

After Mr. Chapman finished Law School and was elected into the Order of the Coif in 1958, he and his wife started their life together in Ms. Chapman's hometown of Fort Wayne, Indiana. Mr. Chapman had offers from law firms in Arizona, San Francisco, and Chicago — but he thought the familiarity of Fort Wayne would be ideal for their future family, which grew to include their sons Stephen and John.

Mr. Chapman began his career with the firm of Shoaff, Keegan & Baird, becoming a partner in 1963. In 1970, he was one of the founding partners of the firm of Bonahoom, Chapman & McNellis, later to become Bonahoom, Chapman, McNellis & Michaels, which specialized in corporate, real estate, and labor law. In 1986, his firm merged with the Fort Wayne law firm of Barrett, Barrett and McNagyn,

becoming Barrett & McNagny. Chapman served as a member of the firm's executive committee in 1986 and 1987, and continues as of counsel to the firm. He also serves as

Pritzker Law, the couple established the Chapman Scholars program and the Chapman Distinguished Professorship in the Department of English and Linguistics at Indiana

“It never occurred to me that education was something you could neglect or not think much about, because it permeated everything.”

—HOWARD CHAPMAN (BS '56, JD '58)

President of the Waterfield Foundation, Inc. and as a trustee of the Chapman Charitable Trust.

Over the years, the Chapmans showed similar generosity to institutions in their home town. In addition to their gifts to Northwestern

University-Purdue University Fort Wayne.

As law students and young lawyers move through their careers, Howard says he has one piece of advice: “It's all about the client. As long as you keep that foremost in your mind, you're going to do fine.”

Toni Cook Bush (JD '81), executive vice president and global head of government affairs at News Corporation and one of the founding donors of the African American History and Culture Endowed Scholarship, addresses a crowd of scholarship donors and recipients, as well as faculty and staff, at the annual Scholarship Luncheon on February 13. The event celebrates donors and students alike, and gives scholarship recipients the opportunity to meet and thank their benefactors.



Major Gifts Between February 2020 and July 2020

George R. Dougherty (JD '87), Victor M. Casini (JD '87) and LKQ Corporation

Mr. Dougherty and Mr. Casini facilitated a generous gift of nearly \$130,000 from LKQ Corporation to support the Law School's Law and Technology Initiative. The Initiative will help expand learning opportunities at the intersection of law and technology, including legal-services delivery technologies and laws and regulations governing technologies. Mr. Dougherty was formerly an equity partner at Shook, Hardy & Bacon LLP in Chicago and is now pursuing a professional acting career. Mr. Casini is senior vice president and general counsel of LKQ Corporation.

The Jay Pritzker Foundation

The Jay Pritzker Foundation made a gift of \$200,000 to support Law School students in securing summer employment and internships in the wake of the COVID-19 pandemic. The gift helped place students in legal positions on a temporary basis to hone their legal skills and build a network of attorneys and professionals.

Faculty Focus

Jide Okechuku Nzelibe Elected to the American Law Institute

Jide Okechuku Nzelibe, Benjamin Mazur Summer Research Professor of Law, has been elected as a new member of the American Law Institute (ALI), the leading independent U.S. organization producing scholarly work to clarify, modernize and otherwise improve the law. The newly elected membership of ALI consists of 38 highly respected law professionals — including distinguished judges, lawyers and law professors from around the globe.

“It has been a challenging and unsettling few months for all of us,” said ALI President David F. Levi in a statement welcoming the Institute’s new members. “Despite all of the uncertainty, the work of the Institute continues, and is perhaps needed now more than ever. It is with great pride that I welcome this newest group of superbly qualified members who are sure to provide unique insight to our Restatement, Principles, and Model Code projects.”

“Jide’s work in foreign relations and international law is beyond impressive and shows his dedication

to better understanding the world around us,” said former Law School Dean Kimberly A. Yuracko. “His work reflects the American Law Institute’s mis-



sion to influence the development of the law in both existing and emerging areas, to give back to a profession to which they are deeply dedicated, and to contribute to the public good.”

Nzelibe joined the Law School faculty in 2004 as an assistant professor before becoming a full professor in 2008. He specializes in international trade, foreign relations law, public and private international law and contracts. His article on the breakdown of international treaties was published in the *Notre Dame Law Review* in 2018. His latest article, “Can the Fourth Restatement of Foreign Relations Law Foster Legal Stability?,” is to be published later this year in the book, *The Restatement and Beyond: The Past, Present, and Future of U.S. Foreign Relations Law*. Nzelibe has been a visiting professor at Harvard Law School and NYU School of Law. Prior to his time at Northwestern, he was

“I am honored to be elected a member of the American Law Institute, one of the country’s most influential organizations working to shape legal reform,” said Nzelibe. “I look forward to working with my Northwestern colleagues who are also ALI members to think creatively about ways to improve our laws.” Nzelibe said his expertise in foreign relations is a subject he hopes to become more involved in at the Institute. “I was a participant in some of the discussions and debates that led to the recent amendments to the Restatement of Foreign Relations Law of the United States.”

Nzelibe joins a long list of current Northwestern Law faculty who are a part of the American Law Institute. Other members include: Ronald J. Allen, Emily

a law clerk for the Honorable Stephen F. Williams in the U.S. Court of Appeals for the D.C. Circuit. He currently teaches contracts and international investment.

Kadens, Bruce A. Markell, James E. Pfander, Martin H. Redish, Daniel B. Rodriguez, Marshall Shapo, Matthew Spitzer, Deborah Tuerkheimer, and Kimberly A. Yuracko.

Northwestern's Senior Research Program Gives Rare Opportunity for Student-Faculty Partnership

The James A. Rahl/Owen L. Coon Senior Research Program, which gives third-year law students the opportunity to partner with faculty on research and scholarship, has been part of the fabric of Northwestern Pritzker Law since the late 1960s. “[The program] has produced numerous books and scholarly articles co-authored by professors and students,” says Martin H. Redish, Louis and Harriet

“The program is a truly amazing intellectual and pedagogical experience for both students and professors.”

—MARTIN H. REDISH

Ancel Professor of Law and Public Policy, who has been a part of the program's supervising faculty for 48 years. “Many of these publications have become among the most important scholarly works in their field, and many of the student authors have become Supreme Court clerks as well as prominent law professors or appellate litigators.”

The program, which is

unique among law schools, allows 3Ls to explore answers to challenging questions of doctrine and policy. After being accepted into the program, students are placed with supervising professors to conduct research on current and historical legal issues.

In the past five years alone, the program has produced nearly 200 projects, with research into issues ranging from cultural appropriation to intellectual property to police misconduct in Chicago. Other projects have researched state bail variation and reform across the U.S., how legal jurisprudence influences judicial decision-making, and artificial intelligence and the creation of visual artwork.

Students in the program earn course credit, but the most meaningful takeaway for both parties is the opportunity for collaboration that they don't get elsewhere in law school. “It is a truly amazing intellectual and pedagogical experience for both students and professors,” Redish says. “No other law school in the nation has anything approaching it. It is a treasure. It is the Northwestern difference.”

The Senior Research Program is made possible by the generosity of the Owen L. Coon Foundation and other donors. The fund supports the research expenses of the projects.

Zachary Clopton Named Clifford Scholar-in-Residence



Zachary Clopton, professor of law, has been named the inaugural Clifford Scholar-in-Residence at DePaul University College of Law. The program is intended to host a “rising star in civil justice,” and it complements DePaul's Clifford Symposium on Tort Law and Social Policy, which has brought together leading civil justice scholars to share ideas for the past 25 years.

As the Clifford Scholar-in-Residence, Clopton will spend a few days participating in DePaul classes and faculty activities. His visitorship will culminate in a presentation to the DePaul community, which will feature a response from a visiting senior commentator. “It is such an honor to be the inaugural Clifford Scholar-in-Residence,” Clopton says. “The Clifford program is dedicated to connecting legal scholars with the practice of law, and I am

excited for the opportunity to carry on that tradition.”

Clopton joined the Northwestern Pritzker Law faculty in 2019. His research and teaching interests include civil procedure, complex litigation, international litigation, and national security law.

Clopton's recent scholarship has appeared in the *Stanford Law Review*, *NYU Law Review*, *University of Chicago Law Review*, *Michigan Law Review*, and *Cornell Law Review*, among others. Clopton's public writing has appeared in *Slate*, *Politico*, *The Hill*, and others.

Clopton previously taught at Cornell Law School, and he was a public law fellow at University of Chicago. Prior to teaching, Clopton worked in the national security group at Wilmer Hale in Washington, D.C., clerked for the Honorable Diane P. Wood of the United States Court of Appeals for the Seventh Circuit, and served as an Assistant United States Attorney in the Northern District of Illinois.

Clopton earned a BA from Yale University, an MPhil in International Relations from Cambridge University, where he was a Gates Foundation Scholar, and a JD from Harvard Law School.

A Conversation with Paul Gowder

Paul Gowder joins the Northwestern Pritzker Law faculty as a professor of law. His expertise in political theory, constitutional law, and social science has made him a go-to analyst of critical race theory and economic equality. Gowder's recent scholarship focuses on his expansion of his theory of the "rule of law" for the United States — a study of what it means for government to be under law, and what is the distinctively American, as opposed to global, conception of the rule of law.

Gowder was previously a professor of law and the O.K. Patton Fellow in Law at the University of Iowa, where he taught for eight years. He earned a BA from California State University, a JD from Harvard Law School, and a PhD in political science from Stanford University. Before his time at the University of Iowa, he was a visiting professor of law at Boston University. Gowder is the author of *The Rule of Law in the Real World*, which was published by Cambridge University Press in 2016.



What drew you to your interest in political theory and social science?

I've always had one foot in political science, one foot in law. I knew that I was going to go to law school when I was about 10 or 12, something like that. And I have always been a person who's been a lot more drawn to what we can think of, sort of pretentiously, as the really big, heavy questions rather than the really light questions.

What are you working on now?

My last book was about the rule of law, this idea of what it means for government to be under law. And so my next book is going to be, how do we apply that abstract theorizing to the history of the United States and its present? What is the distinctively American, as opposed to global, conception of the rule of law? How has it developed through American history? And how well is America actually living

up to those ideals? Preview: not very well.

The other book I'm working on is a little more off of my usual track. It's about governance of internet platforms. Right now, a lot of people have started to recognize that big internet platforms like Facebook, Amazon and so forth are behaving like governments. And so my idea is, 'Hey, maybe we can think about all of the things that we've learned about how to govern governments, and apply some of those to these platforms.'

Can you expand on your theory of the rule of law?

The rule of law is a classic

of Law in the Real World, and a series of related articles, I argue that actually, the rule of law is about a kind of public culture of commitment to collectively holding the government to account for its compliance with the law, that the formal structures of government only matter, for rule of law purposes, primarily to the extent they facilitate that commitment, and that the moral point of the ideal is actually equality. In a lawful state, people stand as legal equals, both to one another and to important public officials.

One of my current book projects now turns to the specific case of the rule of law

“What is the distinctively American, as opposed to global, conception of the rule of law?”

requirement of justified government power, that requires that power only be used pursuant to law, as opposed to the whims of officials or the wealthy and high-status. Conventionally, scholars and practitioners have thought that the rule of law is primarily a feature of the organized political institutions of a country — whether its judges are independent, for example, and whether its laws respect private property rights. And they have thought that the key moral point of the requirement is individual liberty — that when power is controlled by law, people can plan their lives and achieve more of their private goals without government interference.

In my 2016 book, *The Rule*

in the United States, trying to discern what conception or conceptions of the rule of law lie underneath our constitutional system in particular, how it has developed, and the extent to which we comply with it.

What are you most looking forward to in your new position at Northwestern?

Honestly, right now what I'm most looking forward to is getting back in the classroom. Being a law professor is the best job in the world, but a lot of what that comes from is being able to interact with the students, and [serve] as a mentor to students who are looking to do really good things in the world... that's always so exciting to me.

EXCERPT

How to Build a More Open Justice System

BY ADAM R. PAH, DAVID L. SCHWARTZ, SARATH SANGA, ZACHARY D. CLOPTON, PETER DICOLA, RACHEL DAVIS MERSEY, CHARLOTTE S. ALEXANDER, KRISTIAN J. HAMMOND, LUÍS A. NUNES AMARAL

Modern governments gather information across an extraordinary range of activities and use this information to direct policy. Whether a central bank monitoring inflation or a health agency monitoring disease, these entities typically publicly disclose the information gathered so that their actions can be reviewed and evaluated by others. But in many respects, the justice system is a glaring exception. In the United States, a range of technical and financial obstacles blocks large-scale access to public court records — all but foreclosing their use to direct policy. Yet a growing body of empirical legal research demonstrates that systematic analyses of court records could improve legal practice and the administration of justice. And although much of the legal community resists quantitative approaches to law, we believe that even the skeptics will be receptive to quantitative feedback — so long as it is straightforward, apolitical, and incontrovertible. We offer an example of this kind of feedback as well as a collaborative research agenda to dismantle access barriers to court records and enable the public to analyze them.

Although court records in the United States sit in the public domain, federal courts charge \$0.10 per printed page to view any record online. Accessing a single case might

cost \$10 or more. Accessing all cases from a given year would cost millions of dollars. To be sure, the federal judiciary releases inhouse studies that use federal court records, as well as a database of basic information about each case, such as the subject matter (e.g., tort, contract, civil rights) and disposition (e.g., settled, transferred, jury verdict). The federal judiciary has steadfastly refused, however, to make the underlying public court records freely accessible.

Selective access is not the approach taken by the rest of the U.S. federal government: Congressional records are freely available at congress.gov. Executive agencies' records are freely available at regulations.gov. It's hard to conceive of a compelling argument for selective access to judicial records that does not apply equally to selective access to congressional records or federal agencies. More to the point, it's hard to conceive of a reason why public records should not generally be accessible to the public.

There are some alternative sources for court records, but barriers to systematic analysis remain. Commercial legal services have directly purchased many court records, but they impose their own fees, prohibit bulk downloads, and thus foreclose systematic analysis even for subscribers. Individual judges

“It’s hard to conceive of a reason why public records should not generally be accessible to the public.”

and commercial services occasionally grant ad hoc fee reductions for research purposes, but these grants are rare, cumbersome to acquire, limited to subsets of the data, and always come with the condition that the underlying records are not disclosed to the public. An open alternative, Free Law Project, maintains a crowdsourced repository of free court records, but coverage remains too low to support systematic research.

Data and Openness

The lack of access to court records seemingly undercuts any claim that the courts are truly “open.” It surely conflicts with researchers’ conception of openness. Scientific practice is grounded on a commitment to sharing data and enabling others to replicate findings. But the law’s conception of openness is different, a commitment to carrying out public acts in a public space. A scientist might restrict access to a lab and still claim that the research she conducts there is “open.” Closed proceedings in a legal setting, on the other hand, are only tolerated in extraordinary circumstances.

Also in contrast to scientific practice, much of the legal profession resists quantitative or evidence-based approaches to improving legal practice and instead prefers to rely on personal experience and professional judgment. In a recent Supreme Court case challenging the constitutionality of partisan gerrymandering, Chief Justice John Roberts summarily dismissed empirical approaches to gerrymandering as “sociological gobbledygook” that any “intelligent man on the street” would denigrate

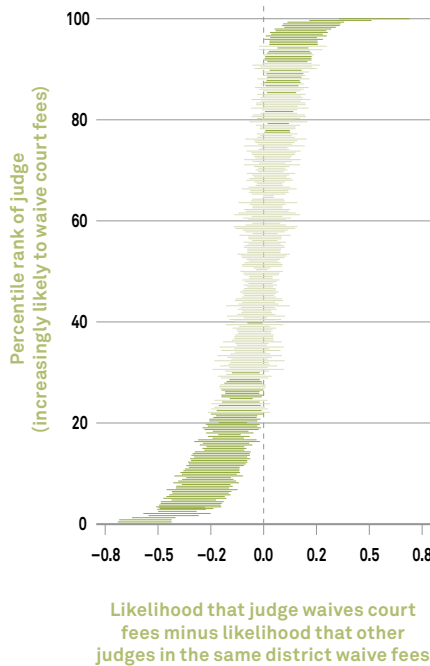


David L. Schwartz
Frederic P. Vose Professor of Law

INCONSISTENCY IN JUDICIAL FEE WAIVER DECISIONS

Litigants filed 34,001 applications to waive court fees in U.S. federal courts in 2016. For visual simplification, we show only the 294 judges (out of 1742 total) who ruled on at least 35 applications. We would expect 5% of judges to differ from their within-district peers at 95% confidence. Instead, we find that nearly 40% of judges differ.

- 95% confidence interval, not statistically different from zero
- 95% confidence interval, statistically different from zero



as “a bunch of baloney.” Such skepticism is by no means confined to the United States. France, for example, has recently prohibited the publication of any statistical analysis of a judge’s or clerk’s decisions “with the object or effect of evaluating, analyzing, comparing or predicting their actual or supposed professional practices.” Violators face up to 5 years in prison.

We believe that these differences help explain why the lack of large-scale access to data is not viewed as a priority — or even as a concern — by much of the legal community. The differences in priorities reflect not just commitments to different values but different conceptions of the same values. Yet, if court records are to be truly accessible and evaluable by the public, the legal and scientific communities must cooperate, and appreciate the values that the other holds dear.

Evaluating Access to Justice

Access to justice is a fundamental right and the foundation of any fair and legitimate justice system. But how can one quantify and empirically evaluate this concept? Consider court fees. For a litigant without means, court fees are a substantial barrier to the civil justice system. Anyone who files a lawsuit in federal court must pay a \$400 filing fee, along with other costs related to litigation such as formal service of the complaint. Litigants in need can file an application to waive court fees, but there is no uniform standard to review these requests. Application forms differ by district. Most ask the applicant to list sources of income, assets, and cash on hand — and then leave the decision to the judge’s discretion. Individual judges thus have considerable power over whether to grant or deny access to the justice system.

How do judges exercise this power? This is but one of the myriad questions that is difficult, and arguably impossible, to answer without easy access to structured court records. Even with free access to the data, the answer would be difficult to infer without being able to computationally analyze the text of the court records. In this case, the analysis is straightforward. When a party submits a fee waiver request, the case docket report adds a separate entry for that request, and the textual summary accompanying the entry typically includes some reference to whether the request was granted or denied. We analyzed these entries to compute the grant rate of each federal judge in 2016.

Average grant rates naturally differ among federal districts because cases are not randomly assigned to districts. However, once a case is filed in, say, San Francisco, it is then randomly assigned to one of the judges sitting in the federal district that includes San Francisco. Thus, if all judges reviewed fee waiver applications under the same standard, then grant rates should not systematically differ within districts.

We find, however, that they do (see the figure). At the 95% confidence level, nearly 40% of judges — instead of the expected 5% — approve fee waivers at a rate that statistically significantly differs from the average rate for all other judges in their same district. In one federal district, the waiver approval rate varies from less than 20% to more than 80%.

These findings were recently presented to a group of federal judges who are responsible for amending the rules in their local district. On learning of the

“If court records are to be truly accessible and evaluable by the public, the legal and scientific communities must cooperate, and appreciate the values that the other holds dear.”



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inconsistent treatment of fee waiver requests, these judges expressed interest in using our data to improve the decision-making process. We count this as an early and encouraging validation of our claim that judges will be especially receptive to quantitative feedback that is straightforward, apolitical, and incontrovertible.

Dismantling Barriers

Going forward, we believe that the best way to provide the judiciary with quantitative feedback is to develop a forum where individuals can collaborate and build on each other's efforts. With this vision in mind, we propose a three-pronged collaborative research agenda to empower the public to access and analyze court records.

MAKE COURT RECORDS FREE

In theory, Congress could make federal records free by repealing the laws that authorize the judiciary to charge for access, or the Judicial Conference of the United States (the policy-making body of the federal judiciary) could stop charging fees. Both Congress and the courts have rejected calls to do so. A principal reason, it seems, is money. About 2% of the federal judiciary's budget comes from online record access fees (\$145 million in fiscal year 2019). The judiciary is naturally unwilling to forgo this revenue without a commensurate increase from Congress, and Congress, for its part, is unwilling to increase funding. The stalemate persists because not enough judges, members of Congress, and people realize that this is an issue of legitimacy, not just an issue of money.

To break this impasse, we believe that organizations outside government should directly purchase and publicize court records. The most impactful first step is to make docket reports accessible. A docket report is essentially a lawsuit's table of contents. It lists the case title, presiding judge, subject matter of the suit, and information on the plaintiffs, defendants, and their attorneys. A docket report also gives the date that a document was filed, along with a summary of the document that can be analyzed to extract important features of a case. The data for the figure, for example, were constructed by parsing docket reports, not the underlying court records. Though docket reports represent only a fraction of all court records, acquiring them will be expensive. The docket reports used in the figure, which cover all cases filed in 2016, cost more than \$100,000.

LINK DATA IN A KNOWLEDGE NETWORK

Because court records are mostly unstructured text, researchers will need to dedicate extensive time and resources to organizing the data. Documents must be analyzed using natural language processing; entities must be disambiguated; and events, such as the filing of a fee waiver, must be classified using machine learning. The docket reports should also be linked to external metadata such as information on judges, litigants, and lawyers. By linking court records to outside data sources, individual users can conduct more powerful searches, such as for litigation against big tech firms or for suits currently pending against the federal government.

Although we already have

“Ultimately, the judiciary’s principal asset is not its annual appropriation from Congress or the revenue generated by access fees, but the public trust.”

solutions to many of the problems associated with organizing and classifying the data, for many more we will need additional research. For example, it is straightforward to link the presiding judge of each case to outside data on the judge's characteristics such as age, gender, and appointing president. By contrast, to assemble information about litigants and lawyers, researchers will need to make considerable progress on named-entity recognition techniques while protecting litigants' and third parties' privacy. We believe that an open and collaborative platform is the best way to make substantial and rapid progress on these challenges.

EMPOWER THE PUBLIC

The ultimate goal must be to enable the public to directly evaluate and engage with the work of the courts. To this end, we should create applications that not only support scholars and researchers who may want to analyze the data but also enable members of the judiciary, entrepreneurs, journalists, potential litigants, and concerned citizens to learn more about the functioning of the courts. To support inquiries made by the public, we should develop applications that can process natural language queries such as “What are the most recent data privacy cases?” or “How often do police officers invoke qualified immunity?”

Funding the efforts we propose will be challenging because the cause does not slot nicely into standard philanthropic categories. To carry out our proposals, the academic community should partner with other stakeholders such as nongovernmental organizations, law firms, legal clinics,



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“By linking court records to outside data sources, individual users can conduct more powerful searches, such as for litigation against big tech firms or for suits currently pending against the federal government.”



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and other advocacy groups. Indeed, we believe that one of the main reasons why past calls for change failed is because they were not coordinated.

Opening up court records could lead to some flawed or misleading analyses, yet such problems apply to any setting with open data. No one can control what people do with congressional records, federal agency records, census data, etc. Nevertheless, these data are — and should remain — available to everyone. As in any discipline, standards and best practices eventually emerge, and there is already a thriving literature of empirical legal studies. Many scholars have engaged with these data, albeit on a smaller scale. Thus, for the most part, standards and best practices already exist.

We believe that the judiciary should be shielded from outside pressures so that it can decide cases according to the law, not the latest poll. But the judiciary also acts on behalf of the public. Its independence must therefore be balanced with commensurate transparency. Ultimately, the judiciary’s principal asset is not its annual appropriation from Congress or the revenue generated by access fees, but the public trust. And the most effective way to cultivate this trust — to promote transparency, dismantle barriers to access, and build an open knowledge network — is to do it together.

From “How to build a more open justice system” by Adam R. Pah, David L. Schwartz, Sarah Sanga, Zachary D. Clopton, Peter DiCola, Rachel Davis Mersey, Charlotte S. Alexander, Kristian J. Hammond, Luis A. Nunes Amaral, in SCIENCE, 10 July 2020. Reprinted with permission from AAAS.

OP-ED

Does John Roberts Need to Check His Own Biases?

BY TONJA JACOBI AND LEAH LITMAN

Chief Justice John Roberts would like us to think that Supreme Court justices are mere umpires who “don’t make the rules” but simply “apply them.”

When President Trump criticized what he saw as an unreasonable ruling by an “Obama judge,” the chief justice said, “We do not have Obama judges or Trump judges, Bush judges or Clinton judges.”

Yet at Supreme Court oral arguments, chief justices have applied rules of the court with very real differences among justices depending on their partisan appointment: Justices appointed by Democrats have been interrupted more frequently than justices appointed by Republicans. And women have been interrupted more frequently than men.

And recently, as the court conducted oral arguments over the phone, it was Chief Justice Roberts himself who did the uneven interrupting in his role as timekeeper.

The pattern of interruptions reflects the reality that Supreme Court justices, like everyone else, are susceptible to bias. It is an unfortunate reality that women are often perceived as talking too much even though studies show that they talk less than men. And it is also the case that people like to hear things they already believe — and interrupt those with whom they disagree.

The same pattern manifests at the Supreme Court.

Normally, Supreme Court arguments are unstructured sessions in which any justice can ask any question at any

point in the argument. Justices sometimes interrupt one another and the advocates, and some advocates even interrupt justices.

A 2017 study showed that the interruptions at the Supreme Court are both gendered and ideological. The study, which focused on the Roberts court as well as two earlier Supreme Court terms from the Rehnquist and Burger courts, found that female justices were interrupted at disproportionate rates by their male colleagues and by male advocates. Male justices interrupt more than female justices, and male justices interrupt their female colleagues more than their male colleagues. The interruptions do not reflect female justices’ participation in arguments: Female justices do not talk more than their male colleagues.

The same study also showed an ideological bias in interruptions. Both Democratic-appointed and Republican-appointed justices are more likely to interrupt a justice with whom they disagree. But the conservative justices interrupt their liberal colleagues at higher rates than the liberal justices interrupt their conservative colleagues.

The Covid-19 pandemic has sharpened these divisions. Last month, the court held oral arguments over the phone, and the justices spoke in order of seniority.

The new format shifted more responsibility to the chief justice. In the court’s usual argument structure, the chief justice’s role is to “referee”

among justices when more than one speak at the same time. But in the new format, the chief justice was tasked with ensuring that each justice had the opportunity to speak for roughly the same amount of time. That gave the chief justice the power to decide when to end each justice's time for questions (unless the questioning justice concluded it).

Looking at all the cases together — 10 in total — the chief justice arguably succeeded at being evenhanded. The justices who spoke the most, per questioning period that they used, were Justice Neil Gorsuch and Justice Sonia Sotomayor, who represent different wings of the court. Justice Samuel Alito also spoke for a similar amount of time.

But the devil is in the details, and in some striking respects, the chief justice fell short of the ideal of the neutral umpire. The three justices who were allowed to speak the most in the very politically salient cases — the two cases about the president and one about access to contraception under the Affordable Care Act — were conservative men: Justice Brett Kavanaugh had two of the longest amounts of time in a case, and Justice Alito had the other. The justices who received the three longest individual questioning periods were also all conservative men: Justice Alito had two such periods, and Justice Gorsuch had the other. By contrast, the justices who received the three shortest questioning periods that the chief justice ended were all liberal women: Justice Ruth Bader Ginsburg had two, and Justice Elena Kagan had the other.

When it came to the controversial topic of a woman's right to contraception access, the conservative Justice Alito was given over a minute and a half longer

than the longest questioning period by a justice appointed by a Democratic president — or any of the female justices.

There were also notable differences in whom the chief justice interrupted or cut off. The chief justice ended questioning periods nearly 160 times, typically by interrupting an advocate or concluding after an advocate's response to another justice's question. But on 11 occasions, the chief justice interrupted or cut off another justice. Every one of those 11 occasions involved justices who were appointed by Democratic presidents, and nine of the 11 involved female justices.

That is not because the female or Democratic-appointed justices were taking more time. The chief justice interrupted Justice Ginsburg and Justice Stephen Breyer even though they used less time than a majority of their colleagues, including Justice Gorsuch and Justice Kavanaugh, whom the chief justice never once interrupted.

Justice Ginsburg, a senior member of the court, participated from her hospital bed on some days. But the chief justice did not lend her great deference, ending more of her questioning periods than that of the newest member, Justice Kavanaugh, even though she spoke, on average, over 10 seconds less per questioning period than he did. Ten seconds may not sound like much, but is more than enough time to get out an additional question or at least a remark about how an advocate's claims are unpersuasive.

Similarly, the chief justice ended many more of Justice Sotomayor's questioning periods than Justice Gorsuch's, even though they spoke, on average, the same amount of time per questioning period and even though he had two of the six longest questioning

“On 11 occasions, the chief justice interrupted or cut off another justice. Every one of those 11 occasions involved justices who were appointed by Democratic presidents, and nine of the 11 involved female justices.”



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periods and she had none.

To be fair to the chief justice, this was an unusual arrangement, and at the same time that he was supposed to be keeping the justices to their time limits, he was also participating in the arguments as a questioner and as a decision maker. By any standard, he had a difficult job.

Still, his uneven application of the rules was not random. It was gendered and ideological, as interruptions have been in previous courts. But it is possible that having these new demands, he could not or did not devote sufficient attention to checking his own biases.

The justices promise to be neutral, but the fact is that they are human with real human biases that affect their decisions. Oral arguments are just another occasion where that comes through.

It's possible that with experience, Chief Justice Roberts will take corrective steps. If the court continues to have arguments on the phone into the next term, someone else, such as the clerk of the court or the counselor to the chief justice, could keep time and end questioning periods rather than the chief justice.

And if the court reverts to its usual argument, Chief Justice Roberts might want to keep a running tally of who interrupts and whom he allows to speak. Because as much as we may want the chief justice to be a neutral umpire, that is not what we have seen this month at the Supreme Court.

Tonja Jacobi is the Stanford Clinton Sr. and Zylpha Kilbride Clinton Research Professor of Law. She co-authored this op-ed with Leah Litman (Michigan Law School). It originally appeared in the New York Times on June 2, 2020.

Faculty Publications

The Northwestern Pritzker 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

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Karen Alter (Courtesy)
PROFESSOR
OF POLITICAL
SCIENCE AND
LAW

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Bridget Arimond
CLINICAL
PROFESSOR OF
LAW

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Esther S. Barron
CLINICAL
PROFESSOR OF
LAW

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Sheila Bedi
CLINICAL
PROFESSOR OF
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Robert W. Bennett
NATHANIEL L.
NATHANSON
PROFESSOR OF
LAW EMERITUS

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PROFESSOR OF
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Janet Siegel Brown
LECTURER

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MEMORIAL
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Shari Diamond

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Steven A. Drizin

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John S. Elson

PROFESSOR OF LAW (EMERITUS)

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Carolyn Frazier

CLINICAL ASSOCIATE PROFESSOR OF LAW

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Ezra Friedman
PROFESSOR OF
LAW

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Darren Green
PROFESSOR OF
PRACTICE

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Joyce Hughes
PROFESSOR OF
LAW

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Tonja Jacobi
STANFORD
CLINTON SR. AND
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CLINTON
RESEARCH
PROFESSOR OF
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Michael S. Kang
WILLIAM G.
AND VIRGINIA
K. KARNES
RESEARCH
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PROFESSOR OF
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Matthew B. Kugler
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PROFESSOR OF
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Sarah Lawsky
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Daniel W. Linna Jr.
SENIOR
LECTURER

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Alumni Notes

“You’ll Never Forget Living in These Times”

Faith Gay Delivers Powerful Commencement Address

On May 15, 2020, Northwestern Pritzker School of Law held its first-ever virtual commencement ceremony, featuring remarks from Dean Kimberly Yuracko, JD student speaker Richard Minott, LLM student speaker Andrea Castro-Mendivil, and MSL student speaker Bridgette René McCullough. The commencement address was delivered by Faith Gay (JD ’86), founding partner of Selendy & Gay LLC. The following is the text of that speech.

Hello, Northwestern Pritzker Law Class of 2020. What a ring that has to it! And hello to all of those who love you, support you, have been standing behind you, as you made the steep climb to obtain this milestone degree. Your decision to press on, to keep your eye on the prize, to reach this important day, will change your life in ways you cannot imagine and open doors that do not even exist yet.

My name is Faith Gay and I graduated from your fabulous Law School in the last century,

almost 35 years ago. Since then, I’ve been a trial lawyer in New York City. But I’m not speaking to you from New York City today, but rather from a small farming community outside of Cooperstown, New York. I wish I could show you the sparkling lake, the rolling pastureland, the animals running around down below where I work every day as I continue unabated the work of our law firm in New York. And I wish I could tell you how grateful and shocked I am to find myself here. But

I think you know how I feel because we’re all living in 2020, and we’re all in a time and a place we never dreamed we would be. We’re living in the most significant year in American life since the World Wars, maybe since the Civil War. And you, not me, have the great good fortune, and the great responsibility, to lead us into an entirely new world that you’re going to create.

You’ll never forget that you graduated in 2020. You’ll tell your kids about it. You’ll never forget living in these times, and what you do and see and feel and think going forward, will transform American life. The stakes have never been higher, as you know. The opportunity has never been greater, as you *should* know, and your role could not be more important. And, by God, that is something to celebrate.

If you’ll bear with me for just a couple of minutes, I’ll share with you my personal experience at the beginning of this new pandemic world and offer a couple of thoughts coming out of that, about what the world can, may, and probably will look like for you going forward.

The day COVID found me is seared in my memory. It sits there, vivid as a hurricane, right next to the memory of where I was and what I was doing when the planes rammed the Twin Towers. Oddly, and embarrassingly, given that friends were already falling ill by then, and some surely — though we didn’t know it then — dying, New York City stay at home orders found me oddly thriving. I knew POTUS wasn’t candid about the dangers of what we faced, and I knew that a prolonged shutdown could blow our democracy sky

high, but there was a small part of me that was elated to have a tiny break from the oxygen-heavy marathon that is our day-to-day life in the big city. And, coward that I am, what made the break better was that I didn’t have to call the timeout myself. So I plunged into reading aloud with my family, holding our son close without an eye on the clock. Ingesting newly fresh air, unsullied by pollution. Giving voice to ancient but unspoken love, offering a virtual hand to strangers. The stress of a mass fear and personal panic proved less in those early days of the pandemic than the psychic cost of racing through life at Mach speed.

I knew, as we all did, that others were suffering in a thousand ways greater than mine, and I did what I could to help. But my joy at a few days of forced respite spoke volumes about my prior so-called healthy life.

And then in the blink of an eye, I got sicker than I ever had been. I fell face down in nausea and fear and fever and, of course, absolute isolation. The nights were endless and terrifying. Several times I felt sure that I would die.

But in the worst points of this illness, something unknowable and sublime happened to me that I want to briefly share with you today. I saw things in those dark COVID nights that are completely obscured by the bright light of day and by the modern life we live in a busy world. Comets flared, galaxies strutted their stuff, there were things in those dark nights that I had never seen. They were convincing me, reminding me, of my modest place, my fortunate place, in



the universe. I closed my eyes in absolute sweaty fear, and night sounds, together with the voices of the beloved dead, sang to me with a clarity of pitch I had never heard. All I hoped for was to see the Morning Star, willing me to rise up for one more day.

The silence and depth of those feverish nights were also new gifts to me. My thoughts stripped down to their barest essence: *What is the purpose of our days, assuming some are left? What does it mean to really love or know another? What does an individual life or individual life work really mean?*

Now that I've been spared, or at least I hope so, and I'm crawling out of this revelatory darkness, I crave it and I will not forget it. I see now, I am reminded, that times of human tragedy are times of utmost inspiration, creativity, value sorting/refining and opportunity, dare I say it. Our best genius does not come in sunshine. Think of Frederick Douglas, Siegfried Sassoon, Natalia Ginzburg, Zora Neale Hurston. Think of Alexander Hamilton, Thurgood Marshall, Ruth Bader Ginsburg. Their genius was forged in deep trauma and world change. Their crucible was like ours,

not like the world we left behind in 2019, but the world that you are going to lead now.

In other words, darkness lets us, it forces us, to reset, to dream, to create, to feel, and ultimately forge a role that is better and larger than the one we have now. And that, my friends, is what you will have an opportunity to do. Hard as it may be to see, this dark time is a crucible of change that will lead not only to moments of genius but also will give you time and permission to invent an intelligent, life-giving scheme that will lead us forward.

I'll stop to say that as the darkness receded, the skies lit up again for me. I could not express what it meant to see the faces of my family, my wife, my son, after weeks of separation. I knew then that it was worth all that my life had been or would be, and it gave me hope for you that you might find a way out of this extremely isolating crisis to truly be seen, known and felt, by at least one more soul, eye to eye, and heart to heart.

More importantly for today's purposes, my COVID experience also brought home to me that as highly trained advocates — that's what you are — as public citizens, as budding public intellectuals, we can't stand by while thousands die from inadequate healthcare, from misinformation, from food scarcity. This Law School, this very Law School, the degrees you receive, your training in logic, and this civilized art of war, has no reason to exist except in its constant and compassionate service to others. And that is true whether your passion is making deals or saving essential workers. Your opportunity now is to let this darkness teach you and

inform you, to grab this one clear chance in a century or more to reset, to find a whole new way to arrange our collective wellbeing, and no one, no one, is better equipped to do this than you.

Let me offer two quick reasons why your timing in life is perfect. First, this pandemic sets you free in a way that maybe we can't quite appreciate yet. The old rules will no longer apply. Workplaces will change. The practice of law will change. The practice of business will change. Capital formation will change. Clients' needs will change. The world will be both smaller and larger. If you don't like the organization you've signed up with or the career path that was both comforting and maybe secretly a little boring, invent a new one. The pandemic gives you license to do that.

I will tell you, I had a lot of explaining to do when my partners and I built a new law firm two years ago that was based on both excellence and diversity, representing blue chip clients and doing public interest, doing plaintiff and defense work, and that was — shocking most of all — majority owned by women. But your time will be different. I don't think you have to explain so much in this new world because a lot of the old giants are falling down, and will fall down. You won't need so much of an excuse to go your own way, to build from the ground up, because that is where we are — in a time of radical rebuilding. The pandemic gives you absolute cover and an absolute mandate to build the world you always secretly wanted to build and you won't have to wait until you are 60, like I did.

Second, the richness of work for lawyers and advocates right now has never been exceeded, at least in my lifetime. The whole world needs your genius for reshaping and rebuilding. And again, who is better to do it? Why wait? If corporate is your thing, reinvent bankruptcy laws so they apply

corps, or a new version of the WPA. And that is just the tip of the iceberg. I know you can think of more and better, faster, farther, and higher than the somewhat conventional list I have just mentioned.

What a fabulous time you're going to have, and what amazing things you

“I am reminded that times of human tragedy are times of utmost inspiration, creativity, value assortment and opportunity, dare I say it. Our best genius does not come in sunshine.”

the world over, so folks can get a fresh start and jobs can be saved. Or find a way to fix the tax laws so they incentivize everyone from top to bottom. If the environment rocks your boat, reinvent the power grid so everyone has access and competition is welcomed, not squelched. If education is your thing, attack student debt or help expand the right to education that the Sixth Circuit just defined more precisely and realistically in a path-breaking opinion, just last week. If prosecution is your thing, make sure the laws apply to everyone, top to bottom, all the way up to the President.

If the Constitution is your thing, protect access to the polls. Make sure religious freedom is enforced in a coherent and equitable manner. If public service is more generally your thing, invent a national service

will do with the skills that you've gained — it's both your right and it's your duty. What kind of world we have now is yours to decide, not mine. In your acts, in your words, in your rock-solid commitment to each other in the face of this demon pandemic. We are now forced to see that we are connected to each other whether we want to be or not. This pandemic gives us an opening, an opportunity, an excuse, a mission, to live fully, drawing strength, genius, creativity, from both darkness and light. I challenge you to take this piece of paper, this degree, and move forward through the world to reach others who need you almost as much as you need them.

My family and I wish you Godspeed. I look forward to the world you are going to create and I will be cheering for you every step of the way.

Student Awards Recognize Seven Graduates

Each year, the students in Northwestern Pritzker School of Law's graduating class nominate and vote on the winners of the Student Awards. Because these awards are peer-selected and recognize students for a range of accomplishments, they have become one of the Law School's most beloved graduation traditions. Northwestern Pritzker Law is thrilled to announce the Student Award winners of the Class of 2020.

Courage Award

Awarded to the student who has shown the greatest courage in surmounting obstacles to completing his or her education



USAMA IBRAHIM

“I learned through the endeavors, challenges,

and failures — my own and those of my peers — that if we can get through these last three years, we can go on to do remarkable things. I learned that, though some portions of law school were competitive, the most gratifying bits were helping one another advance and move forward. My peers have been bold, daring, and at times adventurous enough to brainstorm ways we could improve the world for the better. But we never let those ideas sit. We acted on them. We did make the world better. We helped hurricane victims

post-Harvey. We helped refugees seek asylum at the border. We helped people avoid homelessness. We helped people start businesses. We're helping people through this global pandemic. The Class of 2020 is a resilient, generous, and motivated group of extraordinary people who will go on to do extraordinary things.”

Leadership Award

Awarded to the student who has made the greatest contribution to leadership in the student community



PAUL JONES

“This award is meaningful to me because it was given to me by fellow

classmates. The class of 2020 is full of amazing leaders who will go on to do great things in the legal field and change the world for the better. To be

recognized by this group of individuals is a tremendous honor and privilege, and it means the world to me to know that my classmates thought I was deserving of this award.”

Legal Profession Award

Awarded to the student who has made the greatest contribution to professional responsibility and to the practice of law



RILEY
CLAFTON

“Once I was talking with my client,

Marcel Brown,

who was wrongfully convicted and imprisoned for ten years. In conversation, Marcel mentioned that he wasn’t angry for how he had been wronged. I pressed him on this, and he told me that it only hurt him to be angry. Marcel may be full of grace, but my clients, and so many people I’ll never get to represent, deserve better from the justice system. Whether it be through formal representation, volunteer work, or scholarship, I try always to make things better than they were. I am overwhelmed with gratitude that my community thinks I have made a difference.”

Service Award

Awarded to the student who has shown the greatest dedication and commitment to public service and the practice of law



CHARLES
ISAACS

“When I came to law school, I knew that it would be

a privilege, and the only way I could accept that privilege would be to devote as much of my law school tenure to fighting against injustice and oppression as possible. Winning this award is exceptionally meaningful to me because it tells me that others feel [I succeeded at that]. It is an absolute honor to win this award, one that inspires me to keep going, to dig deeper, to fight harder, and to never lose hope that the work will make a difference — and that others around me may do the same.”

Global Legal Profession Award

Awarded to the LLM student who has most exemplified standards of professionalism and has made the greatest contribution to the global legal profession



WEICHU XIAO

“Receiving the Global Legal Profession Award is a huge validation

for my time here at Northwestern Pritzker Law. I am thrilled that I am recognized for one of the most important qualities as a lawyer. Thank you for the validation and recognition, I am absolutely honored!”

Victor Rosenblum Award

Awarded to the LLM student who has done the most to uphold the traditions of the Law School



LAYS LIMA
DUTRA

“This class of LLM students are a group of 152 brave

people, from 19 countries, that are united through the eagerness to learn more and to go further in life. We all came from different backgrounds and cultures, but we all have this common place in our paths, which is pursuing a Master’s Degree at Northwestern. After graduation, I hope you all keep being brave, keep pushing yourselves to be better, to learn more, and keep having amazing experiences in your lives. I am sure that this is not the graduation that you dreamed of, and that COVID-19 changed a lot of our plans, but I’m also sure you learned that there are some things in life that we simply cannot control. And that’s life. This is the graduation that we are having for now, and I am positive that all of this will make us stronger. I’m also confident that we will be even better professionals after this experience.”

Wigmore Key

Awarded to the student who has done the most to uphold the traditions of the Law School



RICHARD
MINOTT

“Without a doubt, the best part of Northwestern

Pritzker Law is the people that surround you every day — classmates, faculty, administrators, and staff. So many diverse backgrounds, experiences and perspectives coming together to support each other through this crazy journey. I feel fortunate to have attended a school with some of the smartest, most selfless and supportive people I have ever met.”

2020 Teaching Awards

Childres Award

WENDY MUCHMAN

Outstanding Adjunct Professor

MARY FOSTER

Outstanding Small Class Professor

ANNIE BUTH

Robert R. Wootton Award for Teaching Excellence in the LLM-Tax Program

JEFFREY SHEFFIELD

Outstanding First Year Professor

JANICE NADLER

Outstanding Professor of a Small MSL Class

NANCY GAMBURD

Outstanding Professor of a Large MSL Class

MICHAEL R. BARSA

MSL Online's First Graduates Reflect on the Program's Impact

In May, the nine members of the Master of Science in Law Online (MSL-O) Class of 2020 — all of whom tackled the program in two years as opposed to the allotted four — received their degrees, becoming the inaugural graduates of Northwestern Pritzker Law's online offering of the degree program. Each of the graduates completed the program while working full-time.

The MSL-O program, which launched in 2018, was created to help STEM professionals around the world advance their careers by deepening their understanding of law and business. The part-time program launched with 27 students and is growing quickly — another 65 students have since joined. We asked the nine members of the Class of 2020 about their time in the program, the challenges they faced, and their advice for future students.

How did the MSL program expand your professional knowledge?

Azeem Khan (Senior Consultant, Vizient): Northwestern's MSL program has opened up a new world to me. No matter which industry you are in, the law plays a large role in why things are the way they are, and this program helped me realize that.

Jenna Dobry (Clinical Research Associate, Alberta Health Services): The program was vast and yet tailored to all us science and math kids that were never really taught

how to apply our skills into the real world of business and regulation — that is what this program gave me and many of my classmates.

James Steier (Campaign Managing Consultant, The Steier Group): I'm happy to

have had the opportunity to work with many of the talented professors and fellow students in the program; it exposed me to a breadth of new ideas and modes of academic analysis.

What is something you've learned from this experience that you expect to use in your career?

Elizabeth Sosic (Clinical Project Manager & Research Supervisor, Cleveland Clinic Foundation): There is no "I" in team, and none in "MSL" either; there is a collaborative piece [of this program] that allows you to be successful in everything you do. There are people who have the experience to help or guide you — you just have to know which question(s) to ask, but also know how to cultivate varying experiences to achieve a collective goal.

Fayyaz A. Sheikh (Ex Medical Director, Tolstoy Foundation Rehabilitation Center): The healthcare field is heavily regulated and the program provided an understanding of how to comply.

Shawna Embrey (Vice President of Regulatory Affairs, Hazel Technologies, Inc.): As someone that has been in the regulatory space my entire career, I approach contracts, negotiations and legal matters with a greater understanding of producing win-win results.

What's the best advice you received from a professor in the program?

Matthew Rubin (Director, Government and Regulatory Affairs at Faegre Drinker Biddle & Reath LLP): Utilize your academic and professional knowledge that resides outside of law to your benefit. Approaching law and legal studies from the STEM perspective opens up a new avenue of analyzing issues and identifying areas where the law may be used to effectively advance business opportunities, professional development, or address pressing issues.

Elizabeth Sosic: The best advice came more through their actions; through their dedication to the program and students' learning, and by being so readily available.

Garrett Gilbreath (Trader, ExxonMobil): The best advice I received from a professor in the MSL program was from Lynn Cohn in Negotiations: "Sometimes if the deal isn't working out, the best option is to walk away."

What's your best memory of your time in the program?

Garrett Gilbreath: My favorite memory from the MSL program was the boat tour of Chicago and the Wrigley rooftops experience during Power Week. It's important to do things like that outside of the classroom so you can develop

"There is no 'I' in team, and none in 'MSL' either; there is a collaborative piece [of this program] that allows you to be successful in everything you do."

—ELIZABETH SOSIC



The nine graduates of the 2020 MSL online program

“Northwestern’s MSL program has opened up a new world to me. No matter which industry you are in, the law plays a large role in why things are the way they are, and this program helped me realize that.”

—AZEEM KHAN

a more personal connection with your cohort.

Matthew Rubin: Without a doubt, the best memory that I have of the program (beyond graduation) was having the opportunity to meet all of my peers during the Power Week. Up to that point, we had only met online and via Sync Sessions. Bringing the MSL-O students together in Chicago was a great opportunity to build camaraderie and also cover several pressing topics that are most effectively conveyed in a face-to-face manner.

Isabela Bagi (Marketing & Business Development Manager, Pierce Bainbridge):

The [Power Week] excursions (the cruise, the baseball game, everything!) were an absolute joy. It was also so incredibly fun to be able to meet everyone in person.

What was the most challenging part of the program?

Azeem Khan: The most challenging part of the program might be time management. As a professional taking class with people from all around the world, you have to be really good at your time-management skills.

Jenna Dobry: Maintaining balance and remembering that I chose to do this for me and that I deserve to take time out

of my regular life to focus on the education. It is difficult not to let “real life” get in the way

“You have access to some of the greatest professors in the country. Use them. Ask them questions, meet outside of class and don’t be afraid to speak up in class!”

—ISABELA BAGI

but I have learned so many more time-management skills and allowed myself to focus on “me” in the meantime.

Isabela Bagi: You really have to convince yourself (for years!) to really commit to yourself. This is an investment in yourself and you will get back however much you put in.

Any advice for future MSL students?

Shawna Embrey: You must attend Power Week! The relationships you build will last a lifetime.

Fayyaz A. Sheikh: Prepare well, don’t miss synchronous sessions, and participate fully to learn and enjoy at the same time.

Matthew Rubin: Given I was working full time while pursuing my degree, it was critical that I recognized what was expected of me each week, proactively developing a plan to ensure all of my goals were met — personally, professionally, and academically.

Isabela Bagi: Do something every day! Even if it’s only 10-20 minutes, it helps tremendously to keep this part of your brain active. And you have access to some of the greatest professors in the country. Use them. Ask them

questions, meet outside of class and don’t be afraid to speak up in class!

New Mentorship Program Provides Welcome Support

Northwestern Pritzker Law's Alumni Relations Department launched their Alumni/Student Mentorship Program during the 2019-20 academic year. The program partners first-year JD students with alumni in an area of study that mirrors their own, and supports students from their acceptance to the Law School through their first-year post graduation. Pairs attend panel discussions, social gatherings, orientations, and engage in extensive personal communications throughout their time as mentor and mentee.

Naomi Duru (JD '22) and Erin Millender (JD '05) were both excited at the idea of joining the fledgling program. "I really wanted [to talk to] someone who knew the ins and outs of Northwestern specifically and who had

family who went to law school. I can Google and find things out, but they're not necessarily Northwestern-specific or specific to me." Millender — who is currently head of legal at HyperScience in New York City — echoed her mentee's sentiments. "I've been involved as the co-chair of our New York city alumni club for the past few years," she says. "I've enjoyed doing alumni things, but you know, connecting back to the Law School is important. I've also been an alumni interviewer and I go to our admitted students' dinners, but this was a great chance to actually interact with current students and to tell them a little bit about where I've been."

Another duo, Summer Zofrea (JD '22) and Linda Tortolero (JD '05) were also

en Accion, has become both a professional mentor and a personal friend, Zofrea says. "Linda has always been wonderfully encouraging about exploring all of the different ways law school can create a career," Zofrea says. "Learning about her experiences has taught me that it's okay to not know exactly where I want to work or exactly what position

continue with the program for the upcoming academic year. Law school can be challenging, but they all reiterated how much a support system helps students navigate that challenge. "Isolation is a significant problem in law school. And I didn't realize how isolated I was from the actual practice of law until I met lawyers through clinic or



Linda Tortolero (JD '05) and Summer Zofrea (JD '22)

I want, but that I should try to get as much hands-on experience as possible with careers I could be interested in. She has taught me to keep my eyes open and listen to what truly interests me, rather than getting wrapped up in what the typical law student is supposed to do."

The learning, Tortolero points out, is not one-sided. She says Zofrea has taught her about the current law school landscape, and wishes a similar program existed during her time at Northwestern. "Summer has taught me about how much more competitive it is to receive internships and succeed as a 1L than during my time in law school at Northwestern," Tortolero says. "I believe that with time she'll share more bright insights, helpful tips and lessons in resilience for me to consider."

All four participants plan to

practicum," Tortolero says. "Also, it's key that law school students learn early the difference between sponsorship and mentorship and why both are needed throughout their careers."

While students may have a harder time making interpersonal connections as classes begin largely online this fall, all the participants say the connection is worth the effort. "Forming relationships is the most important aspect of law school, and it is often overlooked," Millender says. "Incoming 1Ls will have to work even harder to put themselves out there and form connections...[but] having people who've gone through the same process, who understand firsthand what law school is like, is the key to being happy, especially in the first year."



Erin Millender (JD '05) and Naomi Duru (JD '22)



gone through it," Duru says. "I thought it would be a good opportunity to connect with someone who could help me think about the different aspects of law school, because I don't have anyone in my

approached to participate in the inaugural year of the program. Tortolero, who has experience in both the private and nonprofit legal sectors and is the current president and CEO of Mujeres Latinas

Class Notes

'60s

Richard A. Friedlander (JD '69) joined the Scottsdale, Arizona, law firm of Lang & Klain, P.C.

'70s

George W. Connelly, Jr. (JD '70), shareholder in the Houston office of the national law firm Chamberlain Hrdlicka, has been recognized among the recipients of Texas Lawyer's 2019 Professional Excellence Awards in the Lifetime Achievement category and received a lifetime achievement award from Marquis Who's Who.

Theodore M. Becker (JD '74) was elected to the board of directors of the National Center for Employee Ownership, a nonprofit organization dedicated to helping the employee ownership community.

Amy J. Gittler (JD '77) was featured as a Band 1 attorney in the Chambers USA 2020 Guide. She is a principal in the Phoenix, Arizona, office of Jackson Lewis P.C.

William R. Clayton (JD '78) founded a new law firm, Clayton Trial Lawyers PLLC, in Fort Lauderdale, Florida.

Audrey Holzer Rubin (JD '78) joined the advisory and coaching division of BarkerGilmore.

'80s

Kent D. Lollis (JD '80) has retired from a 30-plus-year career at the Law

School Admission Council, where he served as vice president and chief diversity officer.

Maryann A. Waryjas (JD '83) was appointed to the newly-formed Strategic Advisory Board of Morrow Sodali.

Stuart Chanen (JD '85) founded a new law firm, Chanen & Olstein, which focuses on business, criminal, and civil rights litigation.

Jackie Kim Park (JD '85) was named co-U.S. managing partner of DLA Piper LLP.

Karen R. Glickstein (JD '87) was featured in the Chambers USA 2020 Guide. She is a principal and the office litigation manager of the Overland Park, Kansas, and Kansas City, Missouri, offices of Jackson Lewis P.C.

Maria Wyckoff Boyce (JD '88) joined the board of trustees of Connecticut College.

Thomas B. Pahl (JD '88) was appointed deputy director of the Consumer Financial Protection Bureau.

Stephen B. Silverman (JD '88) was appointed senior communications advisor for speechwriting and strategic messaging in the administration of New York Governor Andrew Cuomo.

'90s

Mitchell S. Moser (JD '91) was appointed executive director of the Jewish Community Foundation.

Louis G. Martine (JD '92) joined HilltopSecurities as director of the asset management division in the

company's St. Paul, Minnesota, office.

Gregory W. Bowman (JD '94) was named dean of Roger Williams University School of Law in Rhode Island.

Joseph S. Miller (JD '94) was awarded a J. Alton Hosch Professorship at the University of Georgia School of Law, where he specializes in intellectual property law and competition law.

Halley Gilbert (JD '95) was appointed to the board of directors of Vaxcyte, Inc., a next-generation vaccine company.

Sherrese M. Smith (JD '96) was elected to the board of directors of Cable One, Inc.

John M. Jennings (JD '97) was named managing partner of the Greenville office of Nelson Mullins Riley & Scarborough LLP.

Thomas P. Martin (JD '97) joined the National Insurance Crime Bureau as the association's general counsel.

Howard M. Wasserman (JD '97) was elected to membership in the American Law Institute.

V. Marc Cali (JD '98) joined Centerline Capital Management, LLC as head of capital formation.

'00s

Trent Haywood (JD '00) was appointed strategic advisor of Paytient, a provider of financial technology.

David Malliband (LLM '00) was appointed managing partner of the Chicago office of Baker McKenzie.

Erin Murphy (JD '00) joined Latham & Watkins LLP in the Bay Area as a partner in the tax department and member of the benefits, compensation and employment practice.

Nneka Louise Rimmer (JD '01) was appointed president of McCormick & Co. Inc.

Michael Kane (JD '03) was named managing director within equity capital markets and head of convertible and equity-linked origination at Piper Sandler Companies.

Benjamin Tisdell (JD '03), along with his wife, Alexis Siggers, and their three children, relocated to the Washington D.C. area after seven years living in Asia. Ben oversees international loan workouts and other special situations for the International Finance Corporation, the private-sector.

Cesar Gomez Abero (JD '04) was named deputy director of the Securities and Exchange Commission's Office of the Advocate for Small Business Capital Formation.

Paras Pramod Maniar (JD '04) was appointed CEO of Bobit Business Media, a provider of print publications, live events, websites, and marketing services.

Anna Paglia (LLM '04) was appointed principal executive officer of Invesco Specialized Products, LLC, and elected to serve as a member of its board of managers.

Uma Amuluru (JD '05) was promoted to vice president and chief compliance officer at Boeing.

Matthew Lyon (JD '05) was named the next dean of Lincoln Memorial University's Duncan School of Law, where he has served as a faculty member since 2011.

Daniel Crook (JD '06) was recognized as a 2020 Rising Star by *Super Lawyers Magazine*.

Cober Plucker (JD '06) joined the Walla Walla Catholic Schools Board of Directors.

Stewart Weiss (JD '06) joined Elrod Friedman LLP, a new Chicago-based

IN MEMORIAM: Governor James R. Thompson (JD '59)



James R. Thompson (JD '59), Illinois' longest-serving Governor, died on August 14th. He was 84.

In addition to graduating from the Law School, Thompson was a faculty member from 1959 to

1964, before serving four terms as Illinois governor, from 1977 to 1991. During his time as an associate professor at the Law School, Thompson co-authored four textbooks on criminal law and criminal justice.

Prior to becoming governor, Thompson worked in the Cook County state's attorney's office and was appointed by President Nixon to serve as U.S. Attorney

for the Northern District of Illinois, arguing criminal civil-rights cases before the Illinois and U.S. Supreme Courts. After leaving office, he joined the law firm of Winston & Strawn, where he served as chair for many years.

In a 2018 interview as part of the Northwestern Law Oral History Project, Governor Thompson — known widely as “Big Jim” — shared guidance for young lawyers: “In the U.S. Attorney's Office I was aided by older, wiser people who looked out for me because I took care of them. I did good work for

them and I made them look good. And you can't discount that, you can't discount that at all. Yes, your favorite job is important, your salary is important, your reputation is important. But doing good work for others is the greatest credential you'll ever have as a lawyer.”

In 2017, a group of generous alumni established the Honorable James R. Thompson Scholarship. This scholarship is a meaningful testimony to his storied career and dedication to the law.

land use and local government firm. **Cyrus Ali Afshar (JD '07)** was named in *Billboard's* 2020 Top Music Lawyers. **Farzin Parang (JD '08)** was appointed executive director of the Building Owners and Managers Association of Chicago. **Nira Poran (LLM '08)** was appointed to the board of directors of Nano Dimension Ltd., a provider of additively manufactured electronics. **Rebekah Scheinfeld (JD '08)** was appointed CEO and president of the Civic Consulting Alliance, an affiliate of the Civic Committee of the Commercial Club of Chicago. **Troy Smith (JD '08)** was elevated to income partner at Freeborn & Peters LLP.

'10s

Azuka Dike (JD '10) was selected to participate in the 2020 Fellows Program of the Leadership Council on Legal Diversity. **Vishesh Narayan (JD '10)** was elevated to Of Counsel at Greenberg Traurig, P.A., where he is a member of the intellectual property and technology practice in its Tampa office. **Chijioke Akamigbo (JD '11)** was selected as Maryland Legal Aid's new

deputy chief counsel. **Evelyn Cobos (JD '11)** was elevated to shareholder at Greenberg Traurig, P.A., where she is a member of the litigation practice in its Miami office. **Kirk Watkins (JD '11)** was elevated to income partner at Freeborn & Peters LLP. **Sarah Jane Chapman (JD '12)** became a partner at Bielski Chapman, Ltd. **Simone Collins (JD '12)** was promoted to partner at the law firm of Sklar Kirsh. **Andrew Ritter (JD '12)** joined the law firm of Wiggin and Dana as co-chair of the finance and restructuring practice group.

Alexandra Brodman Golden (JD '13) married David Golden on July 18 in Mount Desert, Maine. She is a law clerk for Judge Margo K. Brodie of the United States District Court for the Eastern District of New York. **Esther Joy King (JD '13)** was nominated by the Republican Party to represent the Illinois 17th Congressional District. **Jessica Treanor Murray (JD '13)** married Joshua Aaron Sheppard on April 18 in Harrison, New York. She is a partner at Kirland & Ellis. **Daniel Newman (JD '14)** was appointed to the Board of Directors for the Oregon Health Justice Center.

Christian Schiessler (LLM '14) joined Chilean law firm Jara del Fabero as a partner in its finance and capital markets team. **Christopher White (JD '17)** joined the Tampa office of Greenberg Traurig, P.A., as an associate in the firm's litigation practice. **Anavictoria Avila (JD '18)** joined the Policy Advocacy Clinic at Berkeley Law School as a clinical teaching fellow. *This list reflects information received by the Office of Alumni Relations and Development as of August 18, 2020.*

In Memoriam

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

'40s

James F. Conway (JD '48)
Henry Geller (JD '49)

'50s

Allen H. Meyer (JD '51)
The Honorable James J. Richards (JD '52)
Myron Lieberman (JD '54)
Scribner Harlan (JD '56)

Robert J. Oliver (JD '56)
Richard H. Lucy (JD '57)
Burton V. Du Boe (JD '59)
The Honorable James R. Thompson (JD '59)

'60s

Lawrence M. Dubin (JD '61)
Stanley F. Kaplan (JD '62)
Richard C. Moening (JD '62)
Gerald Caplan (JD '63)
Bruce Jay Goodhart (JD '63)
Edward M. Genson (JD '65)
Melvin C. Thomas, Jr. (JD '69)

'70s

Melvin R. Katskee (JD '70)
Mark Hugh Verwys (JD '74)
Richard H. Forbes (JD '75)
Michael C. Osajda (JD '76)

'80s

Martin A.A. Diestler (JD '81)

'90s

Colleen M. Conway (JD '99)

'00s

William I. Robinson (JD '01)
Hector Bove (JD '08)

Northwestern Pritzker Law Got a Digital Makeover!
Check out our updated home page and brand-new news site.

www.law.northwestern.edu

news.law.northwestern.edu





REUNION

2021

**SAVE THE DATE:
April 9–10, 2021**

Special Reunion celebrations
will be held for the following
reunion classes:

**1970, 1975, 1980, 1985, 1990,
1995, 2000, 2005, 2010, 2015**

law.alumni.northwestern.edu/reunion

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