The Order of the Coif
Features

Coif Comes to Cardozo

After a two-year application process, Cardozo has become the youngest law school to hold a charter from the Order of the Coif, the prestigious law school honorary society. Dean Herz discusses what it means to Cardozo and its graduates.

BY MICHAEL HERZ
SENIOR ASSOCIATE DEAN AND PROFESSOR OF LAW

Wigs, Coifs, and Other Idiosyncrasies of English Judicial Attire

Professor Yablon's article is an irreverent and sometimes hilarious look at the history of judicial attire, including wigs and coifs.

BY CHARLES M. YABLON
PROFESSOR OF LAW

New Media, Globalization, and Freedom of Speech are Focus of Squadron Program

Ten years ago, the synergy between entertainment lawyer Howard Squadron and then-dean Monroe Price resulted in the founding of the Howard M. Squadron Program in Law, Media and Society. On the occasion of this anniversary, Cardozo Life looks at the program, which is tackling new initiatives in three countries, has expanded its reach in the telecommunications field, and claims graduates working at the highest levels.

BY JEFF STOREY '01

An Interview with President Norman Lamm

Calling himself Cardozo's fraternal twin, Dr. Lamm, who has been president of Yeshiva University since the Law School's founding, spoke with Cardozo Life editor Susan Davis about the Law School's history and future, and the foundation and vision originally laid down for it by the University.

Departments

Around Campus

Justice Breyer Visits • Kaufman Speaks on Justice Cardozo • Students Bring Activists to Campus • Conference Looks at Religious Liberty Legislation • Students Beat the IRS • Visitors to Cardozo • Goodrich & Engler Named to Faculty • Moot Court Team Wins • Gattica, Bertrand Russell, & DNA Databanks • SBA Auction Raises $20,000 + • Safir & Serial Rape • New Online Journal

Faculty Briefs

An Odyssey of Interdisciplinary Connections • Dean Leads APA Project • Harvard Law Review Features Cardozo Profs • Bleich Writes New Books • Oprah Selects Schlink and His Novel • News Briefs

Alumni News & Notes

Cardozo Connection • Schulman Wins Alumni Achievement Award • Greenbergs Host Alumni Parties • Cherrick Takes New Position • BALLSA Reunion • Order of the Coif Ceremony • ClassActions
From the Dean

Coming of Age

Cardozo is a young law school, founded in 1976, and yet there are many accomplishments that indicate we have come of age. One of the most visible, and the one that we celebrate in this issue of Cardozo Life, is the attainment of a chapter of the Order of the Coif. This honor is a mark of our growing strength and reputation, and also an important recognition from our peers for our superior educational programs and academic values. Our faculty, programs, administration, and students were scrutinized by the Coif organization during a two-year process, and nomination of the Law School passed the various committees and a vote of the membership with flying colors.

Starting immediately, Cardozo graduates at the top of their class will be among those who can proudly wear membership in this national honorary society. This spring, we inducted members of the classes of 1997 and 1998 and, at graduation in June, those from the class of 1999 who attained grades that placed them in the top 10 percent of their class. They received the Order of the Coif for academic excellence, as will future Cardozo graduates. This achievement, however, is an institutional, not an individual one. Every Cardozo graduate past and future, indeed the entire Cardozo community, benefits from this recognition for it is another indication that we are moving forward on a nationally respected course.

Even a quick look at the pages that follow will show the breadth of activities in which students are involved, and the depth of scholarship that takes place throughout the Law School. These include visits from both Justice Stephen Breyer and Prof. Andrew Kaufman, among others; students providing representation for people wrongly convicted and fighting the IRS; and faculty members publishing books and articles in many languages, providing representation and counsel in high-profile cases, and speaking at symposia and panels throughout the world. In Rabbi Lamm’s interview, you will read that Cardozo was founded with the desire to emphasize the professional aspects of the law as well as the law’s cultural, ethical, and intellectual worth. The Squadron Program celebrating its 10th anniversary is one way in which Cardozo meets its mission and provides students with the tools needed to do meaningful scholarship and participate in the culture of the law. In short, this issue is filled with milestones that document Cardozo’s mission and point to achievements that fulfill the promise of our future.
Justice Breyer Visits Cardozo

Last November, legal scholars and judges from around the world convened to examine cutting-edge issues in constitutionalism and human rights. The three-day conference opened at Cardozo with US Supreme Court Justice Stephen Breyer delivering a paper on the Court's 1998 fact-finding trip to European courts; other panelists discussed how to apply constitutionalism on a global scale. They also investigated the role of constitutionalism in light of a worldwide trend for governments to give more power to private agents and companies.

New York University and Columbia University Law Schools were the venues for the subsequent days of "Constitutionalism, Constitutional Rights & Changing Civil Society," which was telecast by C-Span and co-organized by Prof. Michel Rosenfeld, who is an officer in two of the sponsoring organizations: the US Association of Constitutional Law and the International Association of Constitutional Law. The conference also was sponsored by the three participating law schools. At Cardozo, participants included Dean Paul Verkuil; NYU professor Norman Dorsen, president, US Association of Constitutional Law; Thomas Fleiner, president, International Association of Constitutional Law; Louis Henkin, Columbia Law School; Frank Michelman, Harvard Law School; Shlomo Avineri, Hebrew University, Jerusalem; Judge Charles Fried, Massachusetts Supreme Judicial Court; and H.W.O. Okoth-Ogendo, University of Nairobi, Kenya.

Kaufman Delivers Bauer Lecture on Justice Cardozo

Last June, Judge John Noonan, Jr. wrote in The New York Times Book Review that the "much-awaited publication of Andrew L. Kaufman's Cardozo (Harvard University Press) is a major event in the world of law, judicial biography, and legal literature." Kaufman presented the annual Uri and Carolyn Bauer Lecture this fall, speaking on "Cardozo and the Art of Biography," which will be published in the next issue of the Cardozo Law Review.

Kaufman, the Charles Stebbins Fairchild Professor of Law at Harvard Law School, began by noting his pleasure in reestablishing a connection with Cardozo Law School; he had published an article, "Cardozo's Appointment to the Supreme Court," in the first issue of Cardozo Law Review nearly 20 years ago. He then spoke of Cardozo's legal education and career as a practicing lawyer, while elucidating his own role as a biographer. Benjamin Nathan Cardozo, Chief Judge of the New York Court of Appeals from 1926 to 1932 and Justice of the US Supreme Court from 1932 until his death in 1938, is especially noted for his pathbreaking common law opinions for the Court of Appeals, his brilliant and distinctive writing, his social consciousness, and his ability to reconcile innovation and precedent.

The idea to write Justice Cardozo's biography was proposed to Kaufman by Justice Felix Frankfurter, for whom he clerked in 1956-57. Kaufman said "yes" immediately because he was interested in doing...
biography and no thorough book on Cardozo had been written, yet it took 40 years for the Kaufman book to be published.

Kaufman entertainingly described the many difficulties he encountered in his research. To illustrate, he explained that when Cardozo moved to Washington, D.C., he gave St. John's Law Library a collection of briefs and memoranda from his 23 years as a trial and appellate lawyer. Apparently the library lost them, and because they have never been found, Kaufman tried to reconstruct those years by painstakingly looking through New York Reports, and looking for every case that had Cardozo's name on it. This took almost a year of plodding work. Once the online legal research database Lexis was developed, Kaufman did a duplicate search that took only 45 minutes! After reading Cardozo's briefs dating back to his first year at the bar, Kaufman was astonished to discover that he did not observe a progressive development of Cardozo's finely crafted writing style. He said "his brief writing ability appeared nearly full-blown at the outset of his career."

Kaufman was more fortunate in researching the Justice's legal education. Cardozo, who had a photographic memory and could speed-write, reproduced and preserved Columbia Law School class lectures verbatim, leaving a fairly complete record of his professors' views and a rare look at legal education a century ago.

In discussing the ethical questions that arose in the undertaking of the Cardozo biography, Kaufman said that he tried to be fair to his readers by giving them a complete picture, and to Cardozo, who was an exceedingly private man who burned much of his correspondence and papers. Kaufman said he was careful not to speculate about Cardozo's personal life and sought to understand it only as it shed light on his legal contributions.

Kaufman was curious, however, as to why Cardozo never married, wondered about his religious beliefs, and tried to understand how damaged Cardozo was by the disgrace of his father resigning from the bench amidst a Tammany Hall corruption scandal.

The lecture came to a close with a selection of Kaufman's favorite Cardozo quotations; they were a reminder of the Justice's unique voice.

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Cardozo Wins Diversity Award

The Council of Legal Education Opportunity (CLEO) honors law schools that have shown a commitment to helping minority students. At a reception held during the AALS conference in New Orleans, Cardozo was one of 38 law schools presented with a CLEO Diversity Award. "This is particularly gratifying, given our efforts to increase minority enrollment at Cardozo," said Robert Schwartz, director of admissions. "Today, more than 20% of the student body are students of color." CLEO, a widely recognized and respected organization for minorities in legal education, sponsors regional pre-law summer institutes and counsels, and functions as an information clearinghouse for thousands of students.
This year the Cardozo Law & Politics Society and the Black, Asian, and Latino Law Students Association (BALLSA) have been especially energetic in presenting panels on topical subjects such as police brutality, human rights, and legal activism.

Just hours after a Bronx man was shot at 41 times by 4 police officers, and before the story broke in the press, the Rev. Al Sharpton spoke to about 300 Cardozo students on "Police Brutality and the Giuliani Administration." He addressed the need to remedy what he described as an escalating problem in New York City—"Crime is down, but police brutality is up." He suggested ways to reduce police brutality, including giving more power to the Civilian Complaint Review Board, making it mandatory for NYC police officers to reside in the city, providing better training for

**Ron Kuby**

officers, bringing in federal prosecutors if a case does go to trial, and making it impossible for officers to waive a jury trial.

The student groups also co-sponsored "The Concept of 'Race' in the New Millennium: Transformation or Abolition?", a scholarly discussion of race and its relevance in scientific and social analysis that brought together Andrew Hacker, professor of political science, Queens College, and author, *Two Nations*; Prof. E. Nathaniel Gates; and John Garvey, new abolitionist and editor, *Race Traitor*.

Ron Kuby was among the lawyers who spoke at "Fighting City Hall: Activist Lawyering in Giuliani's New York City." He and Norman Siegel, executive director, New York Civil Liberties Union; Bill Goodman, legal director, Center for Constitutional Rights; and Roger Wareham, legal counsel for the Million Youth March, discussed how to mount legal challenges to what they presented as Mayor Giuliani's efforts to squelch free speech and activism. Leslie Brody '83, co-chair, New York City Chapter, National Lawyers Guild, a sponsor of the event with the Law and Politics Society, moderated.


**Leslie Brody '83**

Students Bring Activists to Campus

(from left) Prof. Andrew Hacker, Prof. E. Nathaniel Gates, and John Garvey

**Rev. Al Sharpton**
Conference Looks at Both Sides of Religious Liberty Legislation

Since the US Supreme Court ruled in 1997 that the Religious Freedom Restoration Act (RFRA) was unconstitutional, thanks in part to Prof. Marci Hamilton's successful argument, several state legislatures have enacted laws modeled on the federal RFRA. The issue has even become a campaign issue, with Governor George Bush, whose eye is on the White House, endorsing a bill in Texas.

These new laws are supported in part by a large and diverse coalition of religious and civil rights organizations, making bedfellows of The Rutherford Institute and some state civil liberties unions. In opposition are neighborhood groups, child advocates, and the National League of Cities, whose objections include the fear that these laws might undermine other civil rights protections. Last summer, Congress considered the proposed Religious Liberty Protection Act (RLPA), which would reinstate the RFRA regime. Among opponents of the federal legislation are the Home School Legal Defense Association (whose president helped draft the original RFRA) and the National Trust for Historic Preservation.

In February, the Cardozo Law Review brought together legal scholars and some of the key participants in

One highlight was a panel devoted to the real-world impact of religious liberty legislation—an issue that, according to Professor Hamilton, was not debated sufficiently prior to RFRA’s enactment. Representatives of the American Civil Liberties Union, The Rutherford Institute, and The Aleph Institute, an organization that protects the rights of Jewish inmates, argued in favor of RLPA and the various state initiatives. Taking the opposite stance were representatives of the National League of Cities, the National Trust for Historic Preservation, and the Chaplain’s Office of the Ohio Department of Rehabilitation and Correction. People for the American Way Foundation and Amicus for Children’s Healthcare Is a Legal Duty, Inc., groups that had been deeply involved in RFRA’s creation, indicated new reservations.

Students in Tax Clinic Fight the IRS and Win

Fighting the Internal Revenue Service, especially in the US Tax Court, is considered to be a losing battle and certainly one that strikes fear in most US citizens. However, this fall, Cardozo students Andrew Zucker and Maria Celis—both of whom were in their last semester of legal studies—took a seemingly unwinnable case that came to the Cardozo Tax Clinic and proceeded to beat the IRS.

Their client, Haji Uddin, a Pakistani immigrant and a security guard at New York University, had claimed the earned income credit (EIC) for his cousin’s two children while his cousin’s entire family was living with him. The IRS disallowed the credit and refused to settle.

In January, special trial Judge Robert N. Armen, Jr. of the United States Tax Court found in favor of Zucker’s and Celis’s client in Uddin v. Commissioner of the IRS, Doc #2866-98S. Judge Armen’s decision established new precedent for the interpretation of eligibility for the EIC.

The story of how the two soon-to-be lawyers worked closely with their professors and colleagues in Cardozo’s Tax Clinic to win the case illustrates how well the Tax Clinic has fared since it was founded by the late James Lewis, a giant of the tax bar and a professor at Cardozo. The Clinic, supervised since 1992 by Prof. Hedy Forspan, handles approximately 200 cases annually, most of which are resolved administratively in audit or appeals or settled in negotiations with an IRS attorney.

At the trial, when the judge called a conference just prior to summation, it seemed clear to both sides that he was going to find in favor of the IRS. Zucker, a veteran of Cardozo’s Intensive Trial Advocacy Program (ITAP), presented arguments in chambers that were so persuasive that Judge Armen decided to give the disputing parties 30 days to file briefs.

In a team effort, all 16 students in the Tax Clinic worked on the case for the next 30 days. They researched the law and legislative history, and all of Judge Armen’s previous decisions. Then, with professors Stewart Sterk and Forspan, Zucker and Celis wrote and edited the brief and submitted it for decision. The judge informed both parties that they could expect a decision by November 1999; however, he ruled in just five weeks.

Zucker and Celis agreed that “the information and skills learned in all the special programs at Cardozo, the help of Professors Forspan and Sterk, plus the energy, time, and assistance of the other students in the Tax Clinic made it possible for us to win this case.”

Celis is now working with the New York office of Neville, Peterson & Williams, which specializes in international trade and customs litigation. Zucker began a job in March at the Bronx District Attorney’s office.
Visitors Enrich Spring Semester

The spring semester saw visits by several professors. Shlomo Avineri of the Hebrew University returned and taught a seminar on Hegel and one on nation-building and ideology in Israel. Rochelle Dreyfuss, director of NYU's Engelberg Center on Innovation Law & Policy, and a teacher of intellectual property and civil procedure there, was a scholar-in-residence. Michel Troper, who teaches constitutional law at Paris X (Nanterre) and often visits Cardozo, taught a three-week mini-course on French public law. In addition, three professors from law schools in the area taught as academic adjuncts: Dan Burk of Seton Hall taught Cyberspace Law; Nina Crimm of St. John's taught Federal Tax; and Jeffrey Hass of New York Law School taught Corporate Finance.

Goodrich and Engler Named to Faculty

Peter Goodrich, founding dean of the department of law, Birkbeck College, University of London, has been appointed professor of law at Cardozo beginning fall 1999, announced Dean Paul Verkuil. At present, Professor Goodrich is Corporation of London Professor of Law at Birkbeck College, where he teaches contracts, torts, legal methods, and legal theory among other courses. He received an L.L.B. degree in 1975 from the University of Sheffield, England and a Ph.D. in 1984 from the University of Edinburgh. According to Dean Verkuil, "With the appointment of Peter Goodrich, the program and faculty in legal theory and philosophy, which is already first-rate, is now unparalleled."

Professor Goodrich has written extensively in the areas of law and literature and semiotics. He has authored eight books and has two more forthcoming: Histories and Theories of Law: A Textbook in Contemporary Jurisprudence (with Costas Douzinas), to be published by Oxford University Press, and The Laws of Love, to be published by Cambridge University Press. He is editor of the International Journal for the Semiotics of Law and editor-in-chief of Law and Critique.

Mitchell L. Engler, who has been acting assistant professor at NYU School of Law for two years, has been appointed associate professor of law. From 1992 to 1997, Engler was an associate in the tax department of Fried, Frank, Harris, Shriver & Jacobson; he was an associate at Davis Polk & Wardwell in 1991. He holds a B.A., a J.D., and an LL.M. in taxation from NYU. He was on the editorial staff of the NYU Law Review and the Tax Law Review and is a member of the Order of the Coif. Professor Engler will teach Corporations and a variety of tax courses beginning in the 1999-2000 academic year.

Moot Court Team Ends Year with Wins

Once again, the Moot Court Honor Society had a banner year in interschool competitions. Two teams competed in the Ruby R. Vale Moot Court Competition at Widener University Law School. The team composed of oralists Sonny Chehl and Rebecca Duewer won the competition in final arguments before the Chief Justice and Associate Justices of the Delaware Supreme Court. This was the first time Cardozo has won this competition.
Oralists Nathaniel Ginor and Seth Kaufman advanced to the quarter-final round. Gregory Dell and Michael Hoffman were bench memorandum writers; Atul Joshi and Eric Stern were team editors.

In another victory, Cardozo won for the second year in a row the Nassau Academy of Law competition. Oralists Erica Busch and Sean Parmenter and bench memorandum writers Joshua Fine and Sandi Greene worked with team editor Rob Wallack.

For the first time, Cardozo competed in the Giles Sutherland Rich National Intellectual Property Moot Court Competition, where they advanced to the semi-final round. Reuben Levy and Daniel Schnapp were oralists; Deborah Cynn and Jared Shapiro were bench memorandum writers. The team editor was Hillary Schaeffer.

In the Domineck L. Gabrielli National Family Law competition, oralists Erin Naftali and Ellie Rivkin, assisted by bench memorandum writers Jennifer Davis and Perry Krinsky and team editor Vered Adoni, advanced to the quarter-final round.

The Cardozo team advanced to the sweet-sixteen round of the Irving R. Kaufman Memorial Securities Law competition. Jaimie Rothman and Mark Korn were the oralists. Debbie Rubino and Stephen Romagnoli were bench memorandum writers, and Elizabeth Kase was the team editor.

This year, 28 teams from 22 law schools participated in the annual Cardozo/BMI Entertainment and Communications Law Moot Court Competition. Cardozo’s Moot Court Honor Society members, who do not compete, write the Competition problem, organize and plan the event. BMI, an organization dedicated to the protection of the rights of writers, composers, and publishers of music, hosts a reception at their offices. Theodora Zavin, BMI senior vice president and special counsel, said “It is BMI’s hope that this Competition helps sensitize tomorrow’s lawyers, legislators, and judges to the vital importance of the law of intellectual property.” Final round judges were (from left) Hon. Andrew J. Peck, United States Magistrate Judge, Southern District of New York; Hon. Stephen F. Williams, US Court of Appeals for the D.C. Circuit; and I. Fred Koenigsberg, Esq., White and Case, L.L.P.

The Kurds are a minority group who live in the mountainous area of Eastern Turkey. They make up approximately 20% of the Turkish population and as a group have been subject to discrimination and other abuses. “Human Rights and Democracy in Turkey under International Law,” sponsored by the Cardozo Journal of International and Comparative Law, brought together a group of human rights activists and legal experts just as the Kurdish People’s Party leader Ocalan was captured by Turkish commandos in Nairobi, Kenya. The panel participants were Edip Yuksel (above), a Turk and Kurdish national who is a prominent lawyer and human rights activist; Dr. Thomas Christiano, professor of philosophy, University of Arizona; Gregory Fox, senior fellow, Orville H. Schnell Jr. Center for International Human Rights, Yale Law School; Dr. Paul Magnarella, professor of law and anthropology, University of Florida; and William Pfaff, international affairs columnist, International Herald Tribune.
Ethics Talk Covers *Gattica*, Bertrand Russell, and DNA Databanks

In Cardozo’s darkened Moot Court Room, students watched an early scene from the futuristic film *Gattica*. In the film’s world, the genetic material of unborn children can be manipulated to subtract all negative tendencies and create a near-perfect human being. The film’s protagonist, however, was not genetically programmed and was born with imperfections. His parents respond very differently to him and his “perfect” brother, basing their child-rearing behavior on each child’s genetic expectations. The lights came back on, and Prof. Barry Scheck began the Jacob Burns Ethics Center lecture “Privacy: The Impact of DNA Databases.”

“This film shows that with too much knowledge, a danger of genetic determinism arises. It is this issue—denial of an open future—that underlies our fears about DNA testing,” Professor Scheck said. “Imagine if the CIA could have tested Ronald Reagan’s DNA,” he continued. “They may have seen he had a gene for Alzheimer’s disease and not allowed him to run for president.”

Despite the possibilities for abuse, unwarranted surveillance, eugenics, and all manner of invasions of privacy, Professor Scheck ardently believes in the responsible use of DNA for forensic identification. He would like to see more DNA testing at crime scenes right after the crimes are committed. It can help link apparently unrelated crimes to the same perpetrator and generate leads at the beginning of an investigation. He advocates carefully constructed legislation to protect civil liberties and limit DNA databank use to forensic identification only.

As a crime-fighting tool, DNA databanks can be very effective. Professor Scheck discussed how the British have invested resources and utilized this powerful tool far more aggressively than American authorities. Essentially, they use DNA the way US law enforcement uses fingerprints—as a universal identifier. In the UK, the police create a DNA profile for everyone arrested for either a misdemeanor or felony. They compare it to databank samples gathered from other crime scenes and try to make a match. If no conviction follows, the DNA is presumably expunged.

The statistics for the UK DNA databanks bear witness to their power as a crime-solving tool. Each week, 300 to 500 matches are made, and to date 36,454 suspect-to-crime scene “hits” have been made.

SBA Auction Raises more than $20,000 for Public Interest Stipends

At the Seventh Annual Goods and Services Auction, a dinner with the dean, a trip to the Delaware courts with professors Larry Cunningham and Charles Yablon, and a jog around the park with Prof. John Duffy were among the items that helped bring the total amount raised to more than $20,000. The money goes to funding Cardozo Public Interest Stipends.

According to Mitch Kleinman, president of the SBA, “There was a large group of students who worked very hard to put together a great list of live and silent auction items, as well as a terrific raffle. Our hope is that next year we will have additional support from the students and alumni alike to insure that the total is even higher.”

Each year, approximately 90 students apply for stipends of $3,250 to enable them to take public interest summer internships that pay no salary. Typically one-third of this number are awarded the grants.
In the US, investigators can take DNA only from inmates who are convicted of violent felonies and sex offenses or from individuals if they have a court order showing “probable cause.” In the UK, the turnaround time for lab results is 7 to 14 days, whereas in the US, results can take 3 to 10 months—a long time to wait if you are innocent and can be exonerated by the sample. Because of limited resources here, there is a tremendous backlog of collected but untyped samples as well as more than a million “owed” samples (people on parole or probation for violent felonies from whom DNA samples should, but have not been, collected). There are also thousands of untyped rape kits and many old, unsolved homicides where DNA testing could make a difference. In addition, the statute of limitations allows evidence to be destroyed after five years. “To destroy such powerful clues is a big mistake,” said Professor Scheck, noting that Cardozo’s Innocence Project relies on preserved evidence.

Constitutional questions have been raised about methods of DNA gathering. Sometimes investigators find DNA evidence that is “abandoned” from a discarded cigarette butt, for example. This method raises concerns about potential law enforcement abuses with “pretext arrests” designed to obtain DNA samples surreptitiously and thereby skirt Fourth Amendment protections against unreasonable searches and seizures.

Other questions include what will be done with blood samples from convicted offenders after the DNA from them has been extracted and entered into the databank. Today, they are preserved as backup, but Professor Scheck believes they should be discarded to prevent their use for purposes other than crime solving. The armed forces, medical research labs, hospitals, the genome project, commercial labs, and blood banks, and many private employers have DNA databases that are used for various purposes.

Scheck warned that the use of DNA databanks should be limited to protect civil liberties. “Keep in mind,” he said, “the words of Bertrand Russell. ‘Pragmatism is like that warm bath that heats up so imperceptibly that you never know when to scream.’"
Commissioner Safir Discusses Serial Rape

Though homicide and crime rates in general are down in New York, serial rape is up. Dr. Casey Jordan, a criminologist from John Jay College of Criminal Justice, opened up the panel "Serial Rape" discussing the consequences of rape and sharing personal reflections. Dr. Jordan said rape differs from other crimes because it terrorizes a community and changes the victims’ lives permanently. "A rapist does not spend a life in prison, but the victim pays a life sentence of trauma. The effect is extraordinarily severe, and the emotional and psychological damage cannot be quantified." To illustrate, she added, "My own mother was a rape victim, and I was born in a mental hospital. Although I am not the child from that rape, I too am a victim because my mother was forever changed."

The panel, which also featured NYPD Commissioner Howard Safir; NY State Assemblyman John Ravitz; and Susan Hendricks, director of litigation, Criminal Defense Division, Legal Aid Society, focused on a bill sponsored by Assemblyman Ravitz, whose district includes Manhattan's Upper East Side, haunt of the notorious "East Side Rapist" who is believed to have raped 14 women in the past two years alone. The bill would mandate that persons con-
Students Launch New Journal Online

This spring, the Law School launches a new publication: the Cardozo Online Journal of Conflict Resolution. Students initiated the project and will have the first issue online soon. Editor-in-chief Jed Melnick noted, “The challenge will be to combine a serious academic journal that fully utilizes the internet and its interactive capabilities." The journal will get a significant boost from a generous contribution from the Kukin Foundation, YU President Norman Lamm announced recently. “The Kukin support of the online journal will significantly enhance Cardozo's growing dispute resolution program," said Prof. Lela Love, director of the Kukin Program for Conflict Resolution. “Scholars, students, and practitioners will have a new venue to exchange ideas in this field.”

The journal also presented its first symposium: “Teaching a New Paradigm: Must Knights Shed Their Swords and Armor to Enter Certain ADR Arenas." Panelists discussed whether teaching mediation in law school imparts a different vision of lawyering that will require advocates to have new strategies and skills. Participants were (from left below) Peter R. Robinson, Pepperdine University School of Law; Kimberlee K. Kovach, University of Texas Law School; and Professor Love. Not shown: Robert A. Baruch, Hofstra University School of Law; and Carol Bensinger Liebman, Columbia University School of Law. A transcript of the proceedings will be available at the Journal’s website: www.yu.edu/cardozo/journals/conresj.

Two well-known business leaders presented talks this February as part of The Heyman Center Winter Lecture Series. Ronald Stanton (at left), chairman, Transammonia, and a YU Trustee, spoke on “Issues in International Arbitration," and Howard W. Lutnick (below), president and CEO, Cantor Fitzgerald, discussed “Marketplaces, Exchanges, and Competition." Howard Abrahams '94 (at top right) helped organize the series.
An Odyssey of Interdisciplinary Connections

Leslie Newman
Associate Professor of Law &
Director of Legal Writing Program

Last fall, in addition to my usual course load at Cardozo, I taught writing skills to a select group of Yeshiva University rabbinic students as part of the Bella and Harry Wexner Kollel Elyon and Smikha Honors Program. I also found myself reflecting on the connections between teaching law students and teaching rabbinic students.

My students at the Law School and at the Rabbi Isaac Elchanan Theological Seminary (RIETS) are taught to value analytical reading and the written word. But they have much more in common. Both thirst for ways to express the beauty of their discoveries and beliefs to a public that may not exactly share them.

Both may fall into the trap of using what can be a derivative and spent rhetoric, rather than reflecting their own insights and passions. Both have to learn the thrill of new expression to reflect ideas that need desperately to be communicated.

Legal studies and rabbinic studies may sometimes appear as insular cultures. But I have observed that while the students restate and uphold enduring texts and sources, they create new genres of interpretation that reach out to many audiences. Precisely because of these similar efforts, there is a common theme to the way I teach writing to the two groups.

Although teaching writing is necessarily an exercise in nurturing practical skills, it is not predicated on the separation of theory and practice. Rather, the effort is to enable students to read critically, to conceptualize both concretely and abstractly, to use sources in some form of reflective analysis, and then to synthesize them all in the enterprise of articulation. Whether one writes on behalf of scholarship or professional goals, in the legal or the rabbinic context, the values of clear and direct language, usage that eschews jargon, and the use of stories and disciplinary cross-references are vital to effective writing.

In this regard, the lessons learned teaching law students to communicate with clients, judges, and each other become perfectly applicable in the rabbinic setting, where study exists within a matrix of rich and diverse cross-references. At RIETS, my mission is to help Yeshiva...
University's modern Orthodox rabbis hone the verbal tools of leadership within their congregational communities and beyond. I have learned from the rabbinic students that with an intense reverence for language, the study of Torah is filtered and expressed through cultural and literary voices. There is sensitivity to language and form, a tradition that is narratively bound, and a keen recognition of the constraints and possibilities of language. I have come to appreciate the beauty, depth and wealth of knowledge, thought, and feeling within this tradition, and enjoy my role in helping it find written expression in the present.

And, there is a complementary benefit. Just as my background in teaching writing to law students has aided my work in the Seminary, my rabbinic students have enriched my appreciation of legal writing. So, as I shuttle between the law, its writing and method of study, and writing in the rabbinic context, between the law school downtown and the university campus uptown—I see that my journey is not between two wholly different worlds. This odyssey reflects the scholarly and practical expedition in which I am engaged with students in both venues. I feel a spirit of possibility and revel in the matrix of cross-references.

Bleich Writes New Books

**Bioethical Dilemmas. A Jewish Perspective** is the newest book by Rabbi J. David Bleich. In this volume of essays published by Yeshiva University Press, Bleich explores the questions of assisted procreation, surrogate motherhood, pregnancy reduction, sperm banking, disclosure of information, care of the terminally ill, AIDS, HIV screening, and conjoined twins. Bleich, who teaches Bio-Ethics and other courses, addresses the principles and concerns that enter into a Jewish response to these contemporary medical advances and demonstrates how Jewish teaching addresses each of them within the context of a unique and morally coherent value system. The second volume of his *Be-Netivot Ha-Halakhat* was also published recently by Yeshiva University Press, with Michael Herz and John Duffy as assistant reporters. The list of other participants includes such well-known administrative law scholars as Cass Sunstein (Chicago), Peter Strauss (Columbia), Richard Revesz (NYU), Michael Asimow (UCLA), and Thomas McGarity (Texas), among others.

“The Statement of Administrative Law project promises to make a significant contribution to the development of federal administrative law at a critical juncture in its history,” said Dean Verkuil. He also noted how fortunate he was to be able to draw on Cardozo’s exceptionally strong faculty resources in administrative law.

Dean Verkuil continues to pursue his scholarly interests in this area. He recently completed an article for the *Cardozo Law Review* with Ernest Gellhorn based on a paper they presented at the conference on nondelegation held at the Law School last spring. The third edition of his book *Administrative Law and Process* (with Pierce and Shapiro) will be published by Foundation Press later this year.

More information on the Statement of Administrative Law can be found at www.abanet.org/adminlaw/apa/home.html.
University Press. This volume is devoted primarily to matters pertaining to Shabbat and Yom Tov, jurisprudence and judicial procedure, and usury.

**HONORS**

Adjunct Professor Daniel Silverman, regional director of the National Labor Relations Board, New York City office, was selected as a winner of the President's Meritorious Rank Award for Senior Executives. Recipients, who are chosen by the president on the basis of their distinguished service in government, receive $10,000. In the nominations for the award, Silverman was cited for "his dedication, creativity, and excellence," and for his enthusiasm and innovation in fulfilling the agency's mission.

**SPEECHES • PAPERS • PANELS**

In January, Rabbi J. David Bleich spoke at the executive meeting of the Rabbinical Council of America on "Confidentiality and Clergy Privilege: Diverse Legal Systems." At the international symposium organized by the Association of Orthodox Jewish Scientists and Maimonides Medical Center on modern medicine and Jewish law, he presented a paper on "Testing for the BRCA Gene: Ethical, Legal and Halachic Issues."

Lester Brickman was the featured speaker in February at the American Tort Reform Foundation's inaugural lecture series. His topic was "How Do You Spend $15 Billion? A Discussion of the Political and Public-Policy Consequences of the Tobacco Settlement Attorneys' Fee Award." He also spoke on this subject at Fordham Law School and the Manhattan Institute.

Larry Cunningham was among the panelists who took part in the Analyst conference in London, "How to Make 18 Billion Pounds in the Stockmarket: The Odyssey, the System and the Success of the Buffett-Munger-Graham Investment Phenomenon." He was listed as one of the six "top Buffett experts in the world."

Malvina Halberstam participated in "Is the Federal Government Helpless in State Criminal Proceedings that Affect US Foreign Relations?" at the conference sponsored last fall by the American branch of the International Law Association. At a round-table discussion on a permanent international criminal court at the annual meeting of the American Association of Law Schools, she indicated that although she supported the establishment of an international criminal court, she could not support the statute adopted in Rome this summer since it expanded on the definition of war crimes, making it possible to charge Jews living in Jerusalem or Hebron with war crimes.

Marci Hamilton has conjoined her dual interests of religious freedom legislation and intellectual property through her web site, which has become an interactive site for all those groups and individuals involved with and interested in pending state and federal legislation. Individuals can find the latest information and thinking in the area. She has continued to speak widely on the issue of religious liberty legislation, appearing at New York University School of Law, Alabama Municipal League, Illinois Municipal League, and the AALS Annual Meeting, among other
Oprah Selects Schlink and His Novel

Bernhard Schlink's (visiting professor 1998) novel *The Reader* was chosen this winter as a selection for Oprah's Book Club, a distinction that catapulted the Vintage paperback edition to No. 1 on *The New York Times* paperback best-seller list for two consecutive weeks (as of the end of March) and outsold even Monica Lewinsky's story at Amazon.com. He then appeared as a guest on *The Oprah Winfrey Show* and was the focus of a major article in the March 30, 1999 issue of *The New York Times*, which reported that the film rights were sold to Miramax. The book, which has as its theme collective guilt in Germany, especially as it applies to the second generation after World War II, was the subject of a panel held at Cardozo last spring. Professor Schlink was joined on that panel by Prof. Daniel Goldhagen of Harvard, Prof. Richard Weisberg, and *The New York Times* editorial writer and Pulitzer Prize winner Tina Rosenberg. Prof. Arthur Jacobson moderated.

% places. In the area of intellectual property law, "The Top Ten Intellectual Property Law Questions that Should be Asked About Any Merger or Acquisition," which was published in the *University of Cincinnati Law Review* in 1998, was chosen to be reprinted in *Intellectual Property Law Review*. She presented papers at the University of Minnesota Law School, the Copyright Society of the USA, and University of California at Berkeley. She presented an oral argument before the US Court of Appeals for the Fourth Circuit in *Amos v. Maryland* on behalf of amicus curiae Association of State Correctional Administrators, contending that the Americans with Disabilities Act and the Rehabilitation Act are beyond Congress's power.

Michel Rosenfeld was a panelist at two conferences celebrating the 50th anniversary of the Universal Declaration of Human Rights. In Bordeaux, France, at one organized by the Office of the Prime Minister of France, he spoke on "Teaching Human Rights"; at the Association of the Bar of the City of New York, he spoke on "What is a Human Right? Universals and the Challenge of Cultural Relativism." His article "Can Human Rights Bridge the Gap Between Universalism and Cultural Relativism? A Pluralist Assessment Based on the Rights of Minorities" has been published in Spanish and will appear also in the *Columbia Human Rights Law Review*. "A Pluralist Critique of Contractarian Proceduralism" was published in *Ratios Juris* (1998) and appeared in an Italian translation in *Analisi e Diritto* (1997).


In April, Suzanne Last Stone presented "Judaism and Tolerance" at a workshop at the Institut fur die Wissenschaften von Menschen in Vienna. "Jewish Marriage and Divorce: Religious and Secular Law" was her topic at the Harvard Law School conference on the Islamic Marriage Contract. Last fall, at a round table sponsored by the International Association of Constitutional Law, she presented a comment, "Multiculturalism and Universal Rights."
THERE ARE WELL OVER 200 LAW SCHOOLS IN THE UNITED States. Of these, 181 are approved by the American Bar Association. In turn, 162 of those are members of the Association of American Law Schools. And of those, only 76 have chapters of the Order of the Coif, legal education's national honorary society.

The Cardozo School of Law opened its doors in 1976, was approved by the ABA in 1978, and was admitted to the AALS in 1983. And now, as of March 16, 1999, it has joined the much smaller group of law schools with a chapter of the Order of the Coif. Cardozo is the youngest law school in the country with a chapter. We join NYU, Cornell, Fordham, and Syracuse as the only law schools—and there are 15—in New York State with Coif chapters.

Establishment of a chapter of the Order of the Coif is an important milestone for Cardozo. It confirms our position as not only an established but a superior law school and reminds us how far we have come in such a short period.

So what is the Order of the Coif, anyway?

The usual shorthand description is that Coif is the law school equivalent of Phi Beta Kappa. Its stated purpose is "to encourage excellence in legal education by fostering a spirit of careful study." The most visible aspect of having a Coif chapter is that the top 10 percent of the graduating class are elected to membership in the Order. They receive a certificate, a handbook, a handshake, and, not least, an important line on their resume.

The Order does more than just honor top students, however. It is also well known in legal academic circles because of its triennial book award. This is arguably the single most prestigious award given for legal scholarship. Recent winners have included Gerald Gunther for his biography of Judge Learned Hand, G. Edward White for his biography of Justice Holmes, Mary Ann Glendon, Ronald Dworkin, Guido Calabresi, John Hart Ely, and Jesse Choper. The Order also supports a national lecture series, allowing member schools the opportunity to bring outstanding scholars to their campuses.

As for the "coif" itself, that was a round piece of white cloth, a sort of a doily, that medieval English serjeants-at-
law wore atop their wig. Five centuries ago, serjeants were the top dogs of English lawyers. Appointment as a serjeant was a significant honor and a great professional benefit, not least because judges were drawn exclusively from among serjeants. This exclusivity arrangement lasted until abolished by Parliament in 1837. Originally, serjeants-at-law wore a particular sort of hood; when lawyers started wearing wigs, the serjeants abandoned the hood and adopted the coif. The English “Order of the Coif” was the corporate society of the serjeants. To be a serjeant-at-law was to be a member of the Order of the Coif. Fortunately, modern-day members of the American Order are not obliged to don an actual coif, but in earlier centuries the coif was worn with pride. According to one contemporary account, during the ceremony creating a new serjeant, “[t]he white coif of the order was placed on the head of the serjeant-elect with the same solemnity as the helmet was formerly placed on the head of the knight.”

The English Order of the Coif came to an end in the late 1800s after many centuries of decline. The contemporary American version began at Northwestern in 1907 and does not actually have any connection with the historical English order other than the name and, at an abstract level, an aspiration toward quality. Apparently it was the influence of John Henry Wigmore, author of the famous treatise on evidence, an enthusiastic Anglophile, and dean at Northwestern, that led to the adoption of “Order of the Coif” as the name for the new honorary society. The Order adopted its first constitution in 1912 and has grown steadily. But for a couple of conspicuous absences, the list of schools with Coif chapters is the honor roll of law schools. (Oddly, neither Columbia nor Harvard has a Coif chapter. It seems safe to say that they qualify; for reasons best known to themselves, they have not sought to join.)

Although Cardozo's charter is dated March 1999, under the Order’s constitution a new chapter can reach back two years to elect members. This spring, there will be a ceremony at the Law School to initiate into the Order of the Coif those members of the classes of 1997 and 1998 who finished in the top 10 percent.

We should be justly proud that the officers and other chapters of the Order have recognized Cardozo’s quality in granting it a chapter. In the words of the Order’s former secretary-treasurer, “Creation of new chapters is a demanding procedure designed to ensure that member law schools offer a distinctly superior quality of education.” The whole process took almost two years and included a lengthy application and an on-site inspection. The Order receives multiple applications each year; it generally creates one new chapter a year at most and does not necessarily grant even one.

Our success, to those who know Cardozo well, should not come as a surprise. But not everyone knows Cardozo well. One benefit of our successful application for a chapter is that both the process and the result will inform others in the legal academy of the school's quality. We were particularly gratified when the inspectors wrote in their site report:

Based upon a knowledge of its reputation, team members came to Cardozo with the expectation of visiting a very good law school. We left with the impression that the school is far better than we had anticipated, and that it exceeds its reputation by a wide margin.

This being an ever-more promotional world, law schools often send their magazine to many to whom they have no particular connection. As Associate Dean, I read or, to be precise, glance at alumni magazines from many other law schools. One caught my eye recently because the cover story was that it planned to apply for a chapter of the Order of the Coif. It is very nice to be in the position of having our cover story be that we have been granted a Coif chapter.

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1 Although it looks French, the word is pronounced ‘koyf,’ not ‘quaﬀ.’ As with a certain much-mispronounced street about half a mile south of Cardozo, those in the know sound like they are saying it wrong.
3 Strong, supra note 2, at 1727. For those really interested in the history of the organization and its English namesake, this article is the best place to start.
Wigs, Coifs,
and Other Idiosyncrasies
of English Judicial Attire

Charles M. Yablon
Professor of Law

EDITOR'S NOTE: This article is adapted from Professor Yablon's article
"Judicial Drag: An Essay on Wigs, Robes and Legal Change,
published in 1995 in the Wisconsin Law Review.

Except for some members of the clergy and practitioners of a few
of the more exotic forms of show business, judges are the only
people in America who, irrespective of gender, are expected to
carry out their primary duties while wearing a dress. While busi­
ness suits may well be worn beneath the judicial costume, the
whole point of the judicial dress (or robe, if you insist) is that it
hides whatever the judge is wearing underneath. Because of the
robe, a judge wearing tank top and cutoffs wields just as much authority behind
the bench as one dressed by Brooks Brothers (at least as long as that judge stays
behind the bench). When it comes to exercising judicial power, in short, the busi­
ness suit is superfluous. It’s the dress that counts.

The silliness of American judicial garb, however, pales into insignificance when
compared to the truly ridiculous outfits their brethren and sistren1 in England are
expected to wear. While judicial robes in America at least have the minor virtues
of being cheap and easy to clean, the English judges of the higher ranks are sad­

1 I know there is no such word as “sistren,” but let’s see you come up with a good gender-neutral archaic expression.
dled (literally) with enormous horsehair wigs that can cost over one thousand pounds and weigh almost that much. They are also expected to wear garish robes trimmed with the carcasses of small woodland creatures. The English judicial costume is said to be itchy, unhygienic, and uncomfortable. It also doesn’t always smell terrific.

The absurdity of English judicial attire has been a matter of note for quite some time. That most stylish of Founding Fathers, Thomas Jefferson, said that English judges looked to him “like mice peeping out of oakum.” Jefferson was not much of an Anglophile. A few decades later, another budding revolutionary, Alexander Herzen, described the English judges as “wearing a fur coat and something like a woman’s dressing gown.”

English judicial attire in its present form dates from about 1660, the time of the Restoration of the English monarchy. Upon the return of Charles II from France, the fashion of the Court of Louis XIV for powdered wigs became de rigueur for the smart members of English society. Since England had just emerged from a bloody civil war between those who wore their hair short (the “Roundheads”) and those who wore their hair long (the “Beatles”), the pervasive use of wigs was an obvious way to cover over the divisions in society (as well as the occasional bald spot).

The judicial robe and barrister’s gown developed much earlier. By the time of Edward III (1327-77), the fur and silk-lined robes were well established as a mark of high judicial office. Judicial costume changed with the

**Because of the robe, a judge wearing tank top and cutoffs wields just as much authority behind the bench as one dressed by Brooks Brothers.**
seasons, generally green in the summer and violet in the winter, with red reserved for special occasions. The plain black gown was adopted by most barristers in 1685 when the bar went into mourning at the death of King Charles II. They have apparently never gotten over it.

Until the nineteenth century, the wig was not considered a particularly legal headgear. The distinctive medieval legal headdress was the coif, a piece of white linen which seems originally to have been designed to cover the tonsure of monks who were acting in a legal capacity.

By the late sixteenth century, however, all members of the legal profession wore round black skullcaps to court, with the white edges of the coif sticking out underneath. When wigs were introduced, judicial wigs had a small version of the skullcap and coif sewn into them. Law students, not yet entitled to wear wigs, continued to wear the legal skullcap for some time after the introduction of wigs, but by the early eighteenth century, it had disappeared completely. Much writing in this area tends to confuse the legal skullcap with the coif. Absent this confusion, it is possible that law school honor societies would be inducting students into the "Order of the Yarmulke."

In short, English judges and barristers

When wigs were introduced, judicial wigs had a small version of the skullcap and coif sewn into them. Law students, not yet entitled to wear wigs, continued to wear the legal skullcap for some time after the introduction of wigs, but by the early eighteenth century, it had disappeared completely. Much writing in this area tends to confuse the legal skullcap with the coif. Absent this confusion, it is possible that law school honor societies would be inducting students into the "Order of the Yarmulke."

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wigs to be stolen and resold on the black market. As one barrister put it, "The courts are full of criminals."

In April 1992, there was much speculation that English judges might finally stop wearing all their ridiculous paraphernalia and slip into something a little more comfortable. The judges of the commercial court, the division of the High Court that deals with commercial litigation, were scheduled to vote on a recommendation that the wearing of wigs be abolished in commercial court proceedings. The new lord chief justice, Justice Taylor of Gosforth, was also on record as being strongly anti-wig.

It didn't happen. The commercial court judges voted not to abandon their wigs, but instead to place the whole matter before all 55 judges of the Queen's Bench Division for continued consideration and debate. Interviewed the following day, the clerk to the chief judge of the Commercial Court stated, "I think they felt it was too big an issue for them to sit in splendid isolation." Remember, these are the judges of the highest court of original jurisdiction for commercial matters in England. Sitting in "splendid isolation," each judge frequently decides cases involving the most complex business affairs and the disposition of many millions of pounds sterling. Yet whether or not to take off their wigs in public was "too big an issue" for them to decide alone. Clearly, the judicial wig was directly connected to
English judges of the higher ranks are saddled (literally) with enormous horsehair wigs that can cost over one thousand pounds and weigh almost as much.

something deep within the English judge's psyche. The most cogent rationale for deciding not to decide, however, was provided by one of the most senior judges, the master of the rolls, Lord Donaldson. As he put it, there was no urgent need to go "discarding something which has been out of date for at least a century."

Under the British parliamentary system, the House of Lords has a particular interest and expertise on the subject of anachronism. On June 22, 1992, they debated the wig issue at some length in the presence of Lord Mackey, who, as lord chancellor, was simultaneously the highest judicial officer in England, a member of the Cabinet, and a member of the House of Lords. Most of the peers who spoke argued strongly for the retention of wigs and robes. They did so, however, in business suits. Lord Mackey, who took no substantive position on the wig question, appeared before the House in full court dress. He announced that the question of judicial dress would be presented to all interested bodies through a "consultation paper" seeking the views of judges, lawyers, the public, and even criminal defendants.

Other forces began to rally round the ancient horsehair. Counsel magazine, a practice journal for British barristers, published a totally unscientific survey conducted by two English schoolboys of about 200 people they found hanging out at the courthouse in Oxford during three days in early June. These folks, who consisted primarily of litigants and witnesses in various pending proceedings—19 of them were defendants in criminal cases—came out overwhelmingly for retaining traditional wigs and robes both for barristers and judges. Of the criminal defendants surveyed, not a single one was willing to go on record as favoring abolition of the robe.

The consultation paper released on August 19, 1992 sought to summarize the strongest and most cogent arguments in favor of and against the continued wearing of wigs by the English judiciary. One of the most prominent reasons for retaining traditional judicial garb was that it imbued in laypersons a sense of the solemnity and dignity of the law. This was seen as a particularly important function in connection with criminal defendants who tend, as a group, to be underappreciative of the law's dignity and solemnity. On a more practical note, a second major justification was that the wig and robe served to disguise the appearance of judges to a considerable degree, making it difficult for criminal defendants and other litigants to identify them outside the courtroom context.

Both of these arguments struck me as vaguely familiar. I had heard them before in some other, different connection. After careful research I have determined that these are precisely the same reasons Batman gives for wearing his mask and cape. Batman, like the English judiciary, seeks through his bizarre and slightly anachronistic apparel (after all, who wears a cape these days?) to "strike fear into the hearts of criminals everywhere." Moreover, both the English judges and Batman use their costumes to hide their "secret identity," which is, in fact, their ordinary everyday identity, the one they use when they are not busy fighting crime.

In the end, it was decided that English judges would continue, at least for the foreseeable future, to wear the same old silly costumes. The difference is that they now have a well-defined and clearly articulated set of reasons explaining and justifying why they are wearing those silly costumes. This, as every lawyer knows, is progress.
New Media, Globalization, and Freedom of Speech are Focus of Squadron Program

Jeff Storey '01

The meeting 10 years ago of two uncommonly energetic men who are accustomed to being ahead of the curve has evolved into an international legal education program that gives Cardozo a unique vantage point on the communications revolution. Named for the prominent entertainment lawyer who raised its seed money, the Howard M. Squadron Program for Law, Media and Society has become "a leading center on questions of law and policy involving media and new communications policy," wrote Monroe E. Price, its director and the man who set it all in motion, in a 10th anniversary report last summer.

Squadron first became involved with Cardozo when Yeshiva University President Norman Lamm asked him to host a fundraising event for the fledgling law school. Squadron felt he owed that
to Lamm, a friend who "was right there in an extraordinarily thoughtful and appropriate way" when the lawyer's first wife died.

The buzz about "new media" had not yet reached a deafening level, but Price, who was then dean of the Law School, saw the opportunity to build on Cardozo strengths in intellectual property and entertainment law. Squadron laughingly describes his collaborator as "one of those wildly enthusiastic people with lots of ideas." The program built by Price offers externships and fellowships for students, sponsors conferences and publications, and has created media think tanks in Moscow and Oxford, the first of what Price envisions as a global network of affiliated policy centers. "Most of these activities are favorites of Monroe's," Squadron says. "He's very good at putting these things together."

Squadron also is pretty good at "putting things together." His own Rolodex reads like a who's who of the media industry, and he's been able to call on friends and clients like Rupert Murdoch, Mike Wallace, Larry Tisch, Peter Jennings, and Steve Ross to support the Squadron Program and to participate in a Conversation Series with Cardozo students and faculty that was, according to Price, "historical and remarkable." Squadron himself taught a course at the school in 1992-93. On June 10, YU has a dinner scheduled to honor Squadron. Co-chairmen for the event are New York Mets president and chief executive officer Fred Wilpon and Murdoch, whose media empire is a major client for the firm of Squadron, Ellenoff, Plesent & Sheinfeld, LLP

"Rupert is a unique personality," Squadron says. "He's smart, and he has a memory like an elephant. There isn't a lot of discussion before decisions are made." Murdoch says that Squadron is "a very shrewd, tough, and hard-working attorney. But he has a strong sense of responsibility and a keen insight into the problems and opportunities presented by today's mass media. The Squadron Program is a very effective way to pass on those insights to the young people who will determine the industry's direction in the 21st century."

Squadron's involvement with Cardozo is consistent with his lifelong commitment to social responsibility. He became a lawyer "at a time when being a professional meant contributing to the community." He laments the fact that law became more of a business in the 1980s, but he has remained active in the arts and other community causes. He has been the chairman of City Center 55th Street Theater Foundation since 1975 and, among other activities, has served as the president of the American Jewish Congress, the chairman of the Conference of Presidents of Major American Jewish Organizations, and the founding president of the International Center of Photography.

When Squadron was starting his career, the news media were still relatively simple. "You had the red network, the blue network and CBS," he says. Fifty years after Squadron was admitted to the bar, traditional broadcast media face fierce competition from cable and satellite television and the Internet. Ever-expanding content is available in the blink of an eye, and Squadron frets that the multitude of new information sources has led to "a dumbing down" of the media. New technology is driving down the cost of producing and distributing information, while "bandwidth" is becoming a marketable commodity. Finally, different forms of communications are converging. The consolidation of communication companies is producing "a lot of 800-pound gorillas," Squadron says.

"What's new is the ubiquity of communications," says Kenneth Carter '98, who became the associate director of the Columbia Institute for Tele-Information after leaving Cardozo. "The world is becoming a much smaller place," says Gary Lutzker '93, who practices communications law in Washington, D.C. "You can just be anywhere and
connect to anywhere else." The pace of change is dizzying, agrees third-year student Peter Yu. "Who knows what will happen tomorrow?"

These developments have created exciting challenges for lawyers. Familiar legal issues like censorship, copyright, and regulation keep cropping up in new contexts. Domestically, policy makers are working to craft a legal environment to spur competition and encourage advances in telecommunications. Internationally, officials in transitional societies like Russia and its former satellites are writing laws aimed at promoting a free press and a marketplace of ideas. Those efforts are important to Americans who are concerned about the survival of democratic institutions. After all, says Squadron, "democracy is our most important export."

The Squadron Program incorporates a model of legal education that tries to give students as much practical experience as possible early in their law school careers. "It is crucial in ensuring that Cardozo students who pursue careers in media law have an in-depth and sophisticated understanding of this constantly evolving area of the law," Price says. Susan German '88, who works for the Federal Communications Commission, says that the Squadron Program director is an effective mentor for students who are interested in media policy. "Monroe is a big deal in the communications field," she says. "He's very well-respected. He sees things before they're coming."

The Squadron Program exposes Cardozo students to the future of telecommunications through specialized courses in issues like media globalization and the regulation of electronic media. It also places students at nonprofit agencies like the Tele-Information Institute, the Authors Guild, the Libel Defense Resource Center, and media research centers around the world. Former students say that this mixture of the academic and the practical gave a real boost to their careers.

Carter says that working for nonprofit agencies like the Tele-Information Institute gives students essential training in the "nuts-and-bolts issues" of telecommunications law, a "complex and involved field." When Lutzker was looking for his first job, Congress had just passed the 1992 telecommunications law—since replaced by the 1996 law—and "nobody knew what it was about. I had just spent a year in class dissecting it." That led to a position with the New Jersey agency that oversees cable television.

The experience Marc Szafran '96 got as a Squadron Fellow was "invaluable preparation" that "put me in the position of stepping out of law school and getting the kind of job I wanted" at the New York City Department of Information Technology and Telecommunications. In May, he left the city agency for a position as general counsel with the interactive and on-line division of the Entertainment Software Ratings Board, the leading software rating body serving the interactive software industry. Szafran was introduced to such issues at a conference he helped organize at Cardozo, "The V-Chip and the Jurisprudence of Ratings." (The V-Chip conference was the basis of a special issue of the Cardozo Arts and Entertainment Law Journal and a book published last year by Lawrence Erlbaum Associates.)

Szafran's division, which includes both legal and business people, will develop and implement legal and business mechanisms "that will create a safe, comfortable forum on the Internet for consumers to exchange accurate information and conduct electronic transactions." His duties will include working with more than 250 leading interactive companies (including Nintendo, Electronic Arts, and Sony), the US Department of Commerce, the Federal Trade Commission, and prominent industry organizations and associations. There has been concern about Internet privacy issues like the collection and use of personally identifiable information and the access of third parties to that information. If the software

The program...offers externships and fellowships for students, sponsors conferences and publications, and has created media think tanks in Moscow and Oxford...

industry can develop its own "meaningful and effective" guidelines, as it did for computer video games, "the government will not have to come in and regulate, and we'll be doing a service for our clients and the online public at large," Szafran says.

There are plenty of domestic communications issues like content ratings and cable television deregulation that Squadron Program participants can focus on, but Price's vision for the program does not stop at the water's edge. The Squadron Program seeks to prepare students for issues and opportunities that are international in scope. "Not only does Cardozo have a really strong communications program," Price says. "It's one of the few with a truly global reach."

Cardozo's Post-Soviet Media Law and Policy Newsletter, for which students perform online research, tracks changes in communications law and policy in the former Soviet Union and in Central and Eastern Europe. It is published about 10 times a year. The December 1998 issue reported complaints by Serbian authorities of "information subversion" in Kosovo and calls from the Russian Communist Party for a clampdown on the "radical liberal" news media.

As an outgrowth of the newsletter, Price in 1995 helped Russian colleagues establish the Moscow Media Law and Policy Center to study ways in which the rule of law can promote the growth of a free and independent press. The Moscow Institute "is training a whole generation of lawyers and journalists," Price says. The Squadron Program has helped its Moscow partners obtain funding, arrange internships for Russian journalists at American nonprofit agencies, organize conferences, publish textbooks and a Russian-language monthly newsletter with seven regional supplements.

"Monroe Price is rightly considered the godfather of the center," says Andrei Richter, the Moscow Center's director. "Without his thinking, initiative, strong belief in change here in Russia, nothing would have worked with the establishment of our institution. The know-how of the Cardozo faculty and assistance of staff and students have been of great help as well." Price hopes that more Cardozo faculty members and students will tap into the Moscow Center resources. "We're all learning together," he says.

The Russian Law on Mass Media, passed seven years ago, confirmed a ban on censorship and created favorable conditions for the development of independent publications. Nevertheless, Richter says there are "tremendous gaps" in Russian media legislation. The Squadron Program currently is helping the Moscow Center draft a model telecommunications law for the country, which is, says Richter, a crucial step in the creation of "a civilized legal environment in the Russian community." Peter Yu, who functions as managing editor of the Post-Soviet Media Law and Policy Newsletter, attended a media law conference in St. Petersburg in February and has begun collecting laws, FCC regulations, court cases and other materials that will be used by the Moscow Center in writing the law. Yu says that the Russians cannot be expected to adopt legal rules without change. They will need time to study which aspects of American law can work under Russian conditions. Meanwhile, as the result of a 1997 conference sponsored by the Squadron Program, Price has received a contract from the US government to study how media law can be used to strengthen democratic tendencies in Russia and other transitional societies.

Yu, who is from Hong Kong and was drawn to Cardozo by its intellectual property program, says that the opportunity to do international work "does not come along often" for law students. That is seconded by Joe Perkovich, who has completed three terms at Cardozo and is currently on leave to work with another of Price's brainchilds—the Programme in Comparative Media Law and Policy at Wolfson College, Oxford University. "When you're dealing with a new program, you often have the chance to take on a lot of responsibility," Perkovich says.
Perkovich and his British colleagues recently completed a six-month study for the European Union on television and the protection of minors. They concluded that the V-Chip content-filtering device used in the United States and Canada "doesn't really make sense in a European setting." Perkovich is working on several other European Union studies related to "the information society." The Oxford organization also supports the work of the Moscow Media Law and Policy Center.

Price helped the British program get a two-year grant from the Markle Foundation in 1997 and says it "is on the threshold of a substantial expansion." He envisions it as a hub for similar institutions studying media law in Latin America, Asia, and Africa. Signs of the broadening focus are already visible. In 1997, the Squadron Program and its British partners cooperated in a study of broadcast reform in India that was published in the *Cardozo Journal of International and Comparative Law.* And Cardozo graduate Michael Likosky '97 is studying Malaysian media law and policy at Oxford, where he is a D.Phil. candidate.

Cardozo also runs a two-week introductory media course at Oxford for entering law school students. John Duffy of Cardozo was among three professors who taught during the program's first summer. Prof. Angela Campbell, director of the Citizens Communication Center at Georgetown Law School, and Stefaan Verhulst, director, Programme in Comparative Media Law and Policy at Oxford, were the other faculty members in 1998. "This program provides an extraordinary opportunity for entering students to be introduced to the telecommunications field," explains Duffy. "The environment at Oxford is perfect for teaching telecommunications from a comparative, global perspective." In the future, Price hopes to increase the contacts between Cardozo and the British media law program. For the moment, though, Perkovich says, "Cardozo brings a lot to Oxford, and Oxford brings a lot to Cardozo."

All in all, Price says that the Squadron Program has accomplished "some pretty amazing things" with relatively modest resources. Additional money would cement its position. For example, funds could be used to offer scholarships to attract talented students interested in telecommunications law. Luring more such students would be the big payoff for Cardozo. Price also wants to continue expanding the network of international centers the Program has spawned and thinks it should be paying more attention to issues surrounding the Internet.

Throughout the development of the program, Howard Squadron has been "an extraordinary friend and counselor" to the program named for him, says Price. "I'm not a letterhead person," says the 72-year-old lawyer, who still works four days a week. Squadron jokes that he hasn't decided "what to be when I grow up." He remains intrigued, however, by the conjunction of the media industry, freedom of speech, and globalization issues. In fact, he can't wait to sit down with Price after the dinner for a full-scale discussion of the future of the Program that "has done me proud."

Howard Squadron frets that the multitude of new information sources has led to "a dumbing down" of the media.
In 1976, the same year as the founding of Cardozo, Dr. Norman Lamm succeeded Dr. Samuel Belkin as president of Yeshiva University, becoming the first native-born American to head the institution. He is widely recognized for his writings and discourses on interpretation of Jewish philosophy and law, especially in relation to problems involving science, technology, and philosophy in the modern world. He graduated from Yeshiva College summa cum laude in 1949 and was class valedictorian. He was ordained as a rabbi by YU’s affiliated Rabbi Isaac Elchanan Theological Seminary in 1951, and earned a Ph.D. in Jewish philosophy from the University’s Bernard Revel Graduate School in 1966. Cardozo Life editor Susan Davis sat down with President Lamm to hear his views and recollections of Cardozo’s history and growth.
DAVIS: I have often heard you speak eloquently about the relationship between Cardozo and Yeshiva University; I wanted to be able to share your thinking with our readers. First, however, I would like you to take a look back to what the Law School was like at the beginning—how it seemed to you, the vision that the University sought for it.

LAMM: I can't take credit for the vision. I was not the midwife of the Law School, but its fraternal twin. My tenure as president of the University is one month older than the Law School. As a faculty member, I was on the committee that chose Monrad Paulson to be the founding dean of the Law School. He was a marvelous choice. He himself was an elder in the Lutheran Church and a man with very broad vision who understood the relation of a great law school to a great Jewish university. He had the respect and admiration of not only the entire legal community but of the entire University community. He put the School on the right footing from the very beginning.

He himself was an elder in the Lutheran Church and a man with very broad vision who understood the relation of a great law school to a great Jewish university. He had the respect and admiration of not only the entire legal community but of the entire University community. He put the School on the right footing from the very beginning.

I remember that at a Cardozo board meeting shortly after the Law School's founding, he issued a very strong statement to the effect that he did not become the founding dean of Yeshiva's Law School in order to create another trade school. He wanted Cardozo to emphasize the professional aspects of the law but also the law's cultural and intellectual worth, believing that a legal education should do more than just prepare people to make a living. He wanted Cardozo to be a place of culture and scholarship. That is why he was so delighted that it was a part of a university which reveres scholarship and learning.

This philosophy has remained with the School, and successive deans and faculty leaders have developed Cardozo with this in mind. I believe that it is responsible for Cardozo having won acclaim for such a productive faculty—especially for such a young school. It is why so many of the faculty have multiple degrees with expertise not only in the law but in literature, social science, political science, philosophy, economics, and other areas.

It also gives a certain breadth and commodious quality to the whole School.

DAVIS: Is it fair to say that the vision was a good one right from the start?

LAMM: The vision was a very good one. You see, the vision of the University in founding the Law School was twofold. First, law is a significant element of Western culture and human culture in general, and a university should have a law school as a way of expressing that awareness. Second, Yeshiva is under Jewish auspices and the law is very much part of Jewish tradition.

In Judaism, the bible is called "Torah" and Torah means "the teaching." And what teaching is it? Primarily
legal teaching. Law is very important to Judaism. The most revered personalities in Jewish history were jurists. And in the Jewish tradition, you cannot have law without spirit, nor can you have spirit without law. Because law without spirit becomes harsh and not very human, and spirit without law becomes anarchic, moody, formless—it is not fixed, it has no structure. So, law gives structure to the metaphysical quest that is fundamental to religion.

DAVIS: You have written that Dr. Belkin [former president of YU] convinced you to choose the rabbinate over a career in science. These two career choices do not seem to be similar. Can you elaborate on why you chose the rabbinate?

LAMM: They do not seem similar, but they are as far as Yeshiva's philosophy is concerned. Torah Umadda means Torah and culture. However, the word madda in modern Hebrew specifically means science.

I always loved science and I always loved learning, studying Talmud. I couldn't make up my mind which way I wanted to go. My mother, whose family was heavily rabbinic, said she wanted me to continue the family tradition in the rabbinate. My father said he wanted me to be a scholar of the Talmud, but he wanted me to make my living in science.

I had received a four-year scholarship to medical school in Israel tuition free, and I turned it down because I wasn't interested in medicine. So the school said, "Okay, we will give you the scholarship in chemistry." Then I was stuck with a dilemma. Should I stay in the US for the rabbinate, or go to Israel for chemistry?

My father said go to Israel for chemistry, and my mother said stay here. I decided that I would go to Dr. Belkin and say to him, "Tell me what I should do and I shall do it." I didn't want to hear a reason why because then I might refute it and I would be back in my dilemma. So, Dr. Belkin told me to stay here. I took Dr. Belkin so seriously that I eventually came into his office and I am still here.

DAVIS: Would you take a minute to discuss the Jewish tradition of study for its own sake?

LAMM: I wrote a book called Torah Lishmah or Study for Its Own Sake that shows how the concept of study developed throughout the ages and turned into a major theme in the religious polemics of the late 18th and early 19th centuries and remains current to this day. It is primarily a work in intellectual history.

In Judaism, there are 613 biblical commandments, and the Talmud says that the chief commandment of all is study. Judaism is an intellectually based religion, and the single most important theme is that of study. As for the motivation for study, there are two traditions. One says it is imperative to study for its own sake. The other says, yes, it's good to study for its own sake, but study itself is so important that even if you do it for the wrong reasons, it will lead to good results, and eventually you will study for its own sake.

Then, there is the question, "What does 'for its own sake' mean?" Basically, it means study without any kind of ulterior motives. However, as I mentioned, the tradition comes down in favor of study for its own sake, even if you begin for self-serving reasons. So, if you take the concept of study of Torah for its own sake and refract it through the prism of American secular life, you get the study of law for its own sake, the study of science for its own sake, philosophy for its own sake, art for its own sake. It has a consequence in all areas of study.

I like to think that Cardozo represents a non-theological parallel to the study of Torah for its own sake, as do the other schools of the University. At Cardozo, study of law is part of a larger culture. You can get a law degree and make a good living, but it is best that you do that having studied the discipline for its own inherent merit, because you love studying.

DAVIS: I understand that some of your articles about Jewish law have influenced American Constitutional law and were actually cited in two Supreme Court cases.

I am very proud of the fact that there is a deep ethical dimension to the program at Cardozo.
LAMM: The same article ["The Fifth Amendment and Its Equivalent in the Halakha"] was cited twice: once at some length by Justice William O. Douglas [on January 16, 1967] and once by Justice Earl Warren in the 1966 Miranda decision. I wrote on the fifth amendment and compared self-incrimination in Jewish law, Halakha, to self-incrimination under Constitutional law. I ended with a psychoanalytical exploration of self-incrimination and showed that Freud's reasoning for not accepting confessions was anticipated by 800 years by Maimonides, the great Jewish thinker in medieval Spain.

The second article ["The Fourth Amendment and Its Equivalent in the Halakha"] was on privacy law, which was just coming into being in America and was a fairly new construct. I showed that privacy was an implicit right in Jewish law, probably going back to the second or third century, when it was elaborated on in a legal way. I tried to give some of the philosophical background to privacy and show that it has some very interesting roots and parallels. Indeed, the issue goes back to the Bible itself, where a creditor cannot enter the premises of the debtor and must stand outside and ask permission to enter. In fact, you cannot invade an individual's privacy. As a result of this article, I was invited to testify in the Senate Judiciary Committee on privacy law.

DAVIS: At the March meeting of the Cardozo board, Prof. Suzanne Stone made a very persuasive argument for the establishment of a Jewish law program at Cardozo. Your articles and writings seem to be perfect examples of what can be accomplished with a venture like this.

LAMM: And, of course, its proper place is at Cardozo. I hope that we can find the backing for it. It would be a very good program to have in place.

DAVIS: The Wexner Program at RIETS may be a perfect model or even a microcosm, if you will, of the kind of collaborations that should be happening University-wide. I know that Leslie Newman, director of legal writing at Cardozo, taught a writing class at RIETS last semester and Adam Berner, who graduated from Cardozo and our Mediation Clinic in 1994, is teaching alternative dispute resolution there this semester. I wonder if you would tell us about this program, its goals, its successes.

LAMM: The Wexner Program is probably the best example of study for its own sake. It is for exceptional rabbinic students and for post-rabbinic students who have already spent at least four years learning without getting a degree or certification. In the Wexner Program they study in a Kollel, an advanced institute of Talmud. They study day and night, learning in a program that prepares them to be teachers or pulpit rabbis and ensures that they are able to function in practical ways. The program offers courses in writing, communication, conflict resolution, and business ethics—an area of concern in many disciplines.

DAVIS: How have students responded?

LAMM: They are very pleased. It is a fascinating program and one where you have, at the highest level, a cooperation among our Theological Seminary and Cardozo and other schools at the University.

DAVIS: There has been a lot of growth and activity at Cardozo. We have expanded to another floor, and now there is talk of further expansion. Last year we opened the residence hall. I wonder whether you have a new vision for the Law School. In what ways would you like to see it change, or is it on track?

LAMM: I think our vision heretofore has been and should continue to be to have Cardozo be the kind of law school that we can be proud of. I would like to see it gain recognition as one of the three best law schools in New York City.

I would like Cardozo to continue emphasizing law as part of a broader community of intellect and culture while preparing people to go into the law with corporations or in private practice, and also in public service.

I am very proud of the fact that there is a deep ethical dimension to the program at Cardozo. Barry Scheck's Innocence Project is, to me, a source of great pride. Maimonides taught that it is better that 10 criminals go free than let one innocent man be executed. The Innocence Project represents that point of view. I am very pleased by this program and the Bet Tzedek Legal Services program. They express both a general human ethos and a Jewish moral conviction and represent the obligation of the legal community to the community at large. I think they speak well for Cardozo, for the faculty, the board, and the students.

I would also like to see the alumni become more active in the School, not only in their fund-raising activities, which are terribly important, but also for help in directing students and creating a network that is helpful in placement and in other areas. Most of all, I would like the alumni to come back and feel that this is their home.
Stories about the accused Mafia leader John Gotti, Jr., his case, and his lawyers have appeared regularly in the metropolitan area press this year. As most New Yorkers know by now, the case never went to trial because Gotti, Jr. entered a plea deal with prosecutors this April that will send him to prison and bring a $1 million fine. Apparently, Gotti, Jr. and his defense team determined that this outcome was preferable to the possibility of a longer sentence and years of legal battles. Interestingly, three Cardozo alumni are involved in the Gotti case: one of the lead prosecutors is Marjorie Miller '84, assistant US attorney for the Southern District of New York; Bettina Schein '86 is of counsel to Gotti lawyer Bruce Cutler; and Schein’s husband, Alan Futerfas ’87, who is a private attorney, filed an amicus brief on behalf of Cutler to prevent the prosecution’s attempt to disqualify Cutler’s representation of Gotti, Jr.

Of the three, only Alan was available to share some of his experiences with Cardozo Life. He first met criminal defense attorney Bruce Cutler in his second year at Cardozo while working with lawyer Gerald Shargel. (Upon graduation, Alan became an associate in Shargel’s office and later a partner.) Shargel’s office was then in the heat of defending John Gotti, Sr., which brought Alan into contact with some of the topflight lawyers in the country, including Cutler. Of this renowned lawyer, Alan has only praise. “He is a fabulous trial lawyer with a unique presence in the courtroom. He knows how to get to the essence of arguments, is extremely effective at cross-examination, and can reach the jurors. He believes in the causes that he defends 100%.” In 1991, when the US government tried to disqualify both Shargel and Cutler from representing Gotti, Sr., it was Alan who wrote the motion to keep Shargel in; Bettina wrote the motion for Cutler. Their motions were unsuccessful; Shargel and Cutler were disqualified; and John Gotti, Sr. was subsequently given a life sentence.

Although Alan is now in private practice at the Law Offices of Futerfas, he recently found himself re-involved in a Gotti prosecution. Shargel and Cutler, who represent the younger Gotti, again found the prosecution attempting to disqualify Cutler. This time, the amicus brief that Alan wrote on behalf of Cutler was successful, and the Judge ruled to allow Cutler to represent Gotti, Jr. The New York Law Journal ran at least two major stories on this aspect of the case and Alan’s efforts.

Alan worked his way through law school. During his first year he took a job on the defense side, listening to surveillance tapes in US v. Matthew Ianniello, which was a major organized crime case at the time. “The experience was fascinating, I loved the work,” he said. “I got to meet some incredible lawyers like Shargel, Jerry
Lefcourt, Jay Goldberg, Fred Hafetz, and John Pollok, a premier expert on wiretap prosecutions."

While at Cardozo, Alan valued the support he received from his professors, especially Peter Lushing. "He was very cognizant that success is more than grades. He took a real interest in what I was doing in the field and talked with me about the cases I was working on. I really enjoyed him," remarked Alan and added, "I had Michael Ross for Appellate Advocacy. He was tough but good—the lessons learned truly paid off when I argued before less-than-enthusiastic judges." Before law school, Alan was a professional trombone player and performed in a brass quintet for five years. He also is a graduate of The Juilliard School.

Alan met Bettina after law school, in 1991, when they were both working on an eight-defendant narcotics trial in Brooklyn. These days, he handles all kinds of cases, from white collar crime, such as securities investigations, bank fraud, and tax evasion to the occasional drug or organized crime case.

When asked what advice he has for aspiring criminal lawyers, he pointed to his good fortune to learn from some very gifted attorneys. "The best recommendation I have is to get a wonderful mentor. Sophisticated criminal law requires an apprenticeship, especially because you are dealing with complicated ethical issues."

Greenbergs Host First Alumni Leadership Council Event

Kathy Greenberg ’82 and her husband, Alan "Ace" Greenberg, hosted not one but two kick-off evenings for the Alumni Leadership Council. The response to the ALC’s inaugural event was so overwhelming that the Greenbergs offered to host back-to-back cocktail receptions at their home, enabling everyone who wanted to attend to do so. More than 200 alumni, parents, and members of the faculty and board of directors attended one of the two evenings.

According to co-chair Jon Henes ’96, "This event was the perfect start to the ALC’s efforts to build a strong alumni community and help lead Cardozo to national prominence. The Greenbergs’ generosity is truly inspiring." Co-chair Pam Henes ’96 added, "Clearly the alumni are poised to play a major role in shaping Cardozo’s future."

To get involved, please write to the ALC, c/o Office of Alumni Affairs.

(K) From left) Rachel Warren ’92, Shai Weisman ’96, and Jeremy Novak ’97

Dean Paul Verkuil (at left) presented Kathy and Ace Greenberg with a copy of Andrew Kaufman’s biography of Justice Cardozo. Shown at right are ALC co-chairs Jon Henes ’96 and Pam Henes ’96.

(From right) Tricia Cohen ’93 with Dean Verkuil and her parents, Edward and Joan Cohen.

Lisa Foy ’93, Stephanie Gayden ’93, Maxine Stein ’94
Cherrick Takes Job at Medical School

Ellen Cherrick '80, associate dean for placement, student, and alumni affairs, has left Cardozo to become executive director, department of surgery, New York University School of Medicine. In her new position, Ellen serves as the chief of staff for the chairman of the department.

"Under Ellen’s leadership, Cardozo’s Center for Professional Development initiated a variety of new programs, significantly increased summer funding opportunities, expanded the internship program, and helped us join the technological age by contracting with an online legal employment service," said Senior Associate Dean Michael Herz. During her tenure, the Center for Professional Development was cited in an ABA report as one that could be a model for law school placement programs nationally. "Ellen showed extraordinary dedication, initiative, and professionalism in what is one of the most difficult assignments at the Law School, and we are all in her debt," continued Dean Herz.

"As a member of Cardozo’s second graduating class, I look back with a tremendous sense of pride at the Law School’s remarkable accomplishments during its first two decades, and I look forward to continuing to share in the many successes that I know lie in the Law School’s future," she said.

A Creative Way to Make Gifts to Cardozo

Jeffrey T. Strauss '80, a partner at Wachtel & Masyr, LLP, recently directed a $100,000 gift to the Law School for scholarships. "I was in the position to recommend Cardozo as the recipient of a charitable donation in connection with the settlement of litigation in which I was recently involved," said Mr. Strauss. The money will be awarded to second- and third-year students based on their academic achievement during the first year of law school.

Yisroel Schulman '87 Wins Alumni Achievement Award

"He is a lawyer who fights the good fight because it is the right thing to do," said James Sarna '90 of the Alumni Leadership Council when asked about Yisroel Schulman '87, who was chosen the inaugural winner of Cardozo’s Alumni Achievement Award.

Yisroel has been executive director of the New York Legal Assistance Group (NYLAG) since its founding in 1990. Under his leadership, NYLAG has expanded to be one of the major providers of free civil legal services in the New York metropolitan area.

In a statement nominating him for the award, an alumnus wrote, "He has devoted his career to pro bono legal services and has developed a first-rate private pro bono law firm, earning the respect and admiration of his clients and peers." Over the course of the years, Yisroel has also employed a significant
number of Cardozo students and alumni.

Dean Paul Verkuil, who presented Yisroel with an engraved crystal gavel, noted, "Your profound commitment to public service and to Cardozo provides a wonderful example to current and former students. We are extremely proud of your achievements."

Many members of the committee remember Yisroel from the Bet Tzedek Clinic, where he taught following graduation. Sarna said, "He is a kind, caring, dedicated attorney who has devoted his life to assisting the less fortunate. He does great work with little financial support."

According to Prof. Toby Golick, director of the Bet Tzedek Legal Services Clinic, "When Yisroel returned after graduation as a supervising attorney, he inspired many of his Cardozo students, helping them to seek careers in public service or to continue to do volunteer work while working in other areas of the law."

"I am thrilled and very honored to be the first recipient of this award, which is an important acknowledgment from my peers," noted Yisroel. "I am also very pleased with the formation of the ALC. It's an important step toward getting alumni more involved, which aids in the Law School's growth and continued success, and is ultimately good for all of us."

BALLSA Honors Two

The Black Asian Latino Law Students Association (BALLSA) held their annual alumni dinner and honored Thurman Mathis '90, president of BALLSA in 1989–90, and career counselor Vielka Holness of the Cardozo Center for Professional Development for their contributions to BALLSA now and in the past. Many alumni attended the evening and greeted current students and members of the faculty. (All photo captions read from left to right.)

Thurman Mathis '90, Arthur Rojas '93, and Vielka Holness

Paul Palvi Mohammad '99, Caesar Perez '98, Brian Blake '98, and Rob Jones '98, past president.

Myriam Sanchez, Elissa Lubin, and Veronica Juarez, all of the class of 2000.

Susan John '94, Rodney Pepe-Souvenir '93, and Averlyn Archer '93
Members of the Classes of 1997 and 1998
Inducted into Order of the Coif

At a special ceremony presided over by Dean Paul R. Verkuil and Senior Associate Dean Michael Herz prior to reunions, members of the classes of 1997 and 1998 who finished in the top 10 percent of their class were initiated into the Order of the Coif. Prof. Arthur Jacobson made remarks in which he noted how quickly Cardozo has attained academic distinction. He credited Cardozo's founding dean, Monrad Paulsen, for his commitment to scholarly writing, Yeshiva University for providing a supportive environment, and Jacob Burns for funding the Jacob Burns Institute for Advanced Legal Studies.

According to the honorary society's constitution, new chapters may elect members two years back from the date of the charter. Members of the class of 1999 who qualify will be inducted at graduation.

Class of '97: Don Cummins, Allan Blutstein, Amy Gitlitz, Jennifer Newcomb, Benjamin Gruberg, Michelle Graham, Craig Sloane, Julie Nobel, Steven Brand, Debra Nachlis, Russell Kestenbaum, Marzenna Pienkowska-Walden

Class of '98: Po Yi, Jennifer Falstault, Steven Sparling, Jonathan Bayer, Michael Ovvern, Seth Davis, Kenneth Dursh, Jay Heinrich, Ross Elgart

THE CLASS OF 1997

Tracey I. Batt, associate, Well, Gotshal & Manges
Rachel B. Berke, associate, Fulbright & Jaworski, Dallas, Texas
Jeffrey F. Bier, sales engineer, house counsel, Richards Mfg. Co., Irving, NJ
Allan L. Blutstein, Social Security Administration, Ofce of the General Counsel, NY

THE CLASS OF 1998

Nicholas Albano, associate, McCarter & English, Newark, NJ
Lynn C. Amari, associate, Shapiro Forman & Allen
Troy A. Barsky, law clerk, Hon. Michael Zimmerman, Utah State Supreme Court

Captain Steven T. Brand, US Air Force Office of the Staff Judge Advocate, Texas
Andrew S. Burchill, associate, Fulbright & Jaworski
Yaffa R. Cheslow, associate, Schulte Roth & Zabel
Don M. Cummins, associate, Axian Veltop & Harkrider

Jonathan L. Bayer, associate, Lelloeuf, Lamb, Greene & MacRae
Michael Ben-Jacob, Debevoise & Plimpton
Eric N. Cohen, associate, Mayer Brown & Platt
Ness Maurice Cohen, associate, Rogers & Wells
Patricia Colligan, associate, Law Offices of Kenneth A. Verckman, Metuchen, NJ
Seth B. Davis, assistant district attorney, Office of the District Attorney of New York County
Kenneth D. Dursht, associate, Skadden, Arps, Slate, Meagher & Flom
Ross E. Elgart, associate, Cadwalader, Wickersham & Taft
Jennifer A. Falstrault, associate, Tenzer Greenblatt
Sharyn F. Feinbloom, associate, Kaye, Scholer, Ferman, Hays & Handler
Inna Fershteyn, associate, Ryan Cave
Vincent Filardo, associate, White & Case
Jayson D. Glassman, law clerk, Hon. David W. Hagen, US District Court, District of Nevada
Edward T. Goldstein, assistant chief counsel, US Army Corps of Engineers
James A. Harris, assistant district attorney, Office of the District Attorney of Bronx County
Natan Hecht, associate, Security Capital Group, Inc.
Jay N. Heinrich, associate, Kelley Drye & Warren
Alex Kriegsman, law clerk, Hon. I. Daniel Stewart, Utah State Supreme Court
Yulan Li, associate, Schulte Roth & Zabel
Joanna L. Miller, LL.M candidate, New York University School of Law
Jennifer M. Moak, Office of Legal Affairs, Administration for Children's Services
Jennifer M. Newman, New York Life
Henrietta Margolis Nunno, visiting investigator, Forensic Science Dept., John Jay College of Criminal Justice
Mark M. Oh, law clerk, Hon. Jerry Buchmeyer, US District Court, Northern District of Texas
Dina Opici, Opici Wine Group, Glen Rock, NJ
Michael P. Ovvern, associate, Well, Gotshal & Manges
Christina D. Porter, New York Life Insurance
Jessica Lynn Rothstein, Darby & Darby
Richard A. Simon, associate, Well, Gotshal & Manges
Steven S. Sparling, associate, Cleary, Gottlieb, Steen & Hamilton
Po Yi, associate, Loeb & Loeb
Class of 1979

Justice Sandra Feuerstein was appointed by Governor George Pataki to the Appellate Division, Second Department of the State Supreme Court. She is the first woman appointed to the Appellate Court from the Tenth Judicial District. She has served on the State Supreme Court since 1994 and was on the Nassau County District Court from 1987 to 1993. She is the daughter of Judge Annette Elstein—they are believed to be the first mother-daughter judges in the US. Howard Joffe is a strategic communications counselor and partner in Best Evidence, a Cherry Hill, NJ firm. He is president of the America-Israel Chamber of Commerce.

Class of 1980

Elana R. Butler was named a partner at Proskauer Rose LLP in New York, where she works in the real estate department. Ellen McBride is president of the American Ethical Union.

Class of 1981

Joel Brickman was named general counsel of Citizen’s Financial Group, Inc. and head of its corporate law department. Marti Cardi joined the law firm of Freeborn & Peters as part of an employment law group. Nancy S. Cleveland was named partner at Saul Ewing Remick & Saul in Philadelphia, where she works in the real estate department and telecommunications group. Daniel Reingold, executive vice president of the Hebrew Home for the Aged at Riverdale, received a humanitarian award at the Riverdale B’nai Brith annual awards breakfast in November. Eric Zamir lives in Samaria, Israel with his wife, Sharon Rostorf, an Israeli-born opera singer, and two children, Or-El and Yael. He practices law and sings opera; this summer, he will perform the role of Rodolfo in La Boheme, in Orvieto, Italy. He would like to hear from other alums in Israel.

Class of 1982

Suzanne Mondo was reappointed as a judge in Manhattan’s Criminal Court. She was first appointed in 1998. Susan Whitehead was named chair of the Board of Directors of Planned Parenthood League of Massachusetts.

Class of 1983

Gary Mazart is a partner in the Morristown, NJ firm Schenck, Price, Smith & King. Formerly the managing director of Hampshire Weisman, Gary joins Schenck’s tax, trusts, and estates department. Nina Sadowsky, president, Prufrock Pictures in L.A., was quoted in the December People magazine article about her partner, Meg Ryan. Richard J. Wirth is a second vice president in Individual Insurance Compliance of the Phoenix Home Life Mutual Insurance Company. Alan Yatvin, a partner at Popper & Yatvin, was listed in Philadelphia magazine’s “Best Lawyers” issue. He was singled out for his work in civil rights and police abuse issues, particularly for his representation in the 39th District police corruption scandal.

Class of 1984

Michael Berman was elected national commander of the Jewish War Veterans of the U.S.A.

Class of 1985

Barry K. Odell and Kate Rabassa Wallen were surprised to learn that they had both applied for and were accepted onto a panel of full-time arbitrators for the New Jersey division of the American Arbitration Association. Lisa Presser was named a partner at Drinker, Biddle & Reath, LLP, where she was an associate since 1994.

Class of 1988

Isaac M. Jaroslawicz is executive director/director of legal affairs of the Aleph Institute in Miami, FL, which provides spiritual guidance and societal help to Jewish inmates in the federal and state prison systems as well as programs for their families. He represented the organization at the Cardozo conference on the Religious Freedom Restoration Act and presented the opinion that the Act and similar legislation are needed to protect legitimate religious expression in the state prison environment. Marc A. Kushner was named counsel at Debevoise & Plimpton, NYC. He works in the corporate law department. Joy Malka Rothenberg received the Governor’s Humanitarian Award in January for her legal assistance to Holocaust survivors. Joy is married, has three children, and lives in Ohio. Ira Silfin is a member of the firm of Amster Rothstein & Ebenstein, NYC.
Class of 1990
Classmates Christopher A. Seeger and Stephen A. Weiss have formed the law firm of Seeger Weiss LLP, specializing in complex litigation, class actions, and business transactions. They have seven associates at their offices at 40 Wall Street.

Class of 1991
Nancy Hirsch Dodderidge and her husband, Dan, announce the birth of a son, Bradley Tucker Dodderidge, on October 21. Nancy is practicing trademark law at the intellectual property firm of Amster, Rothstein & Ebenstein, NYC. Douglas R. Wolf of Newton, MA is a shareholder at the firm of Wolf, Greenfield & Sacks. His practice focuses on patent and trademark litigation, licensing, and Internet issues.

Class of 1992
Dan M. Blumenthal has joined the Long Island firm of Berkman, Henoch, Peterson & Peddy, P.C., as a senior associate for its landlord/tenant practice group. Adam Marcus is a legislative associate at The Creative Coalition, the leading nonprofit social and political advocacy organization of the entertainment industry.

Class of 1995
Debra L. Cordova and Jonathan Schwartzman announce the formation of the law practice of Cordova & Schwartzman, LLP in Garden City, NY. Eric Feuerstein, an associate at Reid & Priest, NYC, was the featured "young attorney" in the Paul Stuart ad that ran in the New York Times in March. Adam Glucksman announces the birth of a daughter, Leah. Gaylene Santos married Emmanuel Mercado.

Class of 1996
Joshua Gerstin lives in Boca Raton, FL, where he is a corporate attorney. He also writes a column called "Ask Joshua Anything" for the Boca Raton News. Rhona A. Silverman was certified as a member of the Million Dollar Advocates forum, where membership is limited to trial lawyers who have demonstrated exceptional skill by achieving a verdict in the amount of $1 million or more. She is a trial attorney with the firm of Bruce G. Clark & Associates, where she practices in the field of medical malpractice. She also taught ITAP at Cardozo this past January.

Class of 1997
Danalyn G. Katz and her husband, Adrian, announce the birth of their son, Jonathan, on February 10. Aron Moshe Mandl married Heidi (Chaia) Wald on August 9 in Far Rockaway, NY. Aron works for the Fort Lauderdale, FL firm of Navon, Kopelman, O'Donnell & Lavin, P.A., and is pursuing his Ph.D. in dispute resolution at Nova Southeastern University. Heidi is assistant to the director of the March of the Living at the Central Agency for Jewish Education. They live in North Miami Beach, FL. Amelia Wood Silver is director of foundation and corporate relations at Bennington College, where she will lead the effort to increase foundation and grant support. She served as director of development and alumni relations at the Buxton School from 1995 to 1998, and previously worked as managing editor of the Viking Portable Library in New York.

Class of 1998
Brian Blake is the project administrator/grant writer for the CUNY Dispute Resolution Consortium and an adjunct assistant professor at NYU's School of Continuing and Professional Education, where he teaches ADR courses. Shana Brody joined the Princeton, NJ office of Drinker, Biddle & Reath. Katherine Elms and her husband, Steve, announce the birth of Hayden Arnott on October 29. Katherine is still residing in New York although she passed the California Bar Exam last year. She worked part-time at the US Attorney's Office until the birth of her son. Elana Gilaad is an associate at the firm of Grotta, Glassman, & Hoffman.

Class of 1999
Stephen J. Blument, treasurer of the Jewish Community Center of Staten Island, was honored for his participation in the Staten Island Cabinet of UJA.

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IN MEMORIAM

Brian H. Feuerlicht '84 passed away March 26 at the age of 39. He was a lawyer at the law offices of Brian H. Feuerlicht, Esq., Millburn, NJ and East Meadow, NY for 15 years. He was a member of the New Jersey Bar Association, the New York Bar Association, and numerous professional organizations. The family requests donations to be sent to the American Heart Association, P.O. Box 5160, Kendall Park, NJ 08824.
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June 10
The Squadron Program in Law, Media and Society Tenth Anniversary Dinner

June 13
Benjamin N. Cardozo School of Law 21st Commencement