Spring 2003

2003 Cardozo Life (Spring)

Benjamin N. Cardozo School of Law

Follow this and additional works at: https://larc.cardozo.yu.edu/cardozo-life

Part of the Law Commons

Recommended Citation

This Book is brought to you for free and open access by the Publications at LARC @ Cardozo Law. It has been accepted for inclusion in Cardozo Life by an authorized administrator of LARC @ Cardozo Law. For more information, please contact christine.george@yu.edu, ingrid.mattson@yu.edu.
It's All New at 55 Fifth
Features

An Interview with Earle I. Mack ........ 15
Board chairman for more than a decade, member of the
Cardozo Board for twice that, Earle I. Mack tells Cardozo Life
editor Susan Davis how he has maintained his enthusiasm
for Cardozo and what he still wants to accomplish.

Cardozo Emerges New ............. 19
Nearly $40 million has been spent in enlarging and
renovating Cardozo. The newest floor of the library and
the lobby level of Brookdale Center opened during the
spring semester, offering students a first-rate urban campus.

Washington, Patton, Schwarzkopf, and...
Ashcroft? ......................... 26
In recent years it has become somewhat common practice
to refer to both the Attorney General and the Solicitor
General as "General," a title not endorsed by governmental
agencies nor one historically or grammatically appropriate.
Professor Herz writes amusingly about the genesis of
this honorific.

BY MICHAEL HERZ
PROFESSOR OF LAW

Making it Big: Cardozo Powergrads
Take on Corporate America ............. 31
A great number of Cardozo graduates enter the field of
corporate law; however, that may be where the similarities
end. As shown here, many choose very distinct,
individualized career paths.

BY MELISSA PAYTON

Departments

Around Campus ............. 3
Former Cardozo Dean Ascends to YU
Presidency • Dean Announces Center
for Public Service Law • Cardozo Team
Competes in Europe • Supreme Court
Cites AELJ • Ed Koch Greets New
Class • New Labor and Employment
Law Externship • Justice Laddie
Explores Global Impact of IP Law •
Talk and Art on Spinoza • Student
Wins ABA Contest • Busy Semester
for IP and ADR

Faculty Briefs ............. 10
Spring Brings Visitors • Faculty
Earning Their Reputation • Rosenfeld
Named Editor of New Journal

Alumni News & Notes .... 37
Dean Takes Cardozo on the Road •
Alumni Add to Cardozo's New Look •
Dean Names Development Director
• Letters to the Editor • ClassActions
• Board News
From the Dean

Applauding Our Collective Accomplishments

Cardozo has always placed far more emphasis on what happens within a classroom rather than on what that classroom looks like. Indeed, at times, it often felt as if we made a virtue of our functional but uninspired facilities as a way of reinforcing the notion that we valued learning and the life of the mind more than bricks and mortar. But now, having spent nearly $40 million to expand and restore our facilities, we have so totally changed our environment, that while new bricks and mortar may not affect one iota what we think, they certainly have a markedly discernible impact on how we feel when we enter the Law School and how we perceive Cardozo in its entirety.

The effort has been mammoth, requiring the time and attention of many Law School and University officials, Cardozo's Board of Directors, two architectural firms, and many construction engineers. This exceptional effort would not have been completed without the impressive generosity of longstanding benefactors, new friends and donors, and a supportive university.

The renovation projects disrupted normal, daily life at the Law School for nearly six years. Our entire community was affected, but it was our students who were most inconvenienced for the longest periods. Although on occasion they let loose howls of impatience with the noise and the dislocations, our students were admirably patient, understanding, and supportive, deserving of our collective thanks.

I would be remiss if I did not also point out that there is still more to accomplish. Some parts of our physical plant cry out for attention. We must continuously strengthen our support of faculty scholarship and teaching. We need to enhance our scholarship program for students who now shoulder huge loans. In addition, if the Law School is to do more for its students, faculty, and general communal life, it must fortify its lean infrastructure.

So challenges remain, which is always true for an institution that takes its endeavors seriously and seeks to constantly improve. For the moment, however, we take pleasure, if not joy, in Cardozo's exceptional accomplishments.
Former Cardozo Associate Dean Ascends to YU Presidency

Richard M. Joel, president and international director of Hillel: The Foundation for Jewish Campus Life, is coming home as Yeshiva University's fourth president. Mr. Joel, who was associate dean for business affairs at Cardozo from 1980 to 1988, will begin his tenure in June, succeeding Dr. Norman Lamm, who will become chancellor of the University and will remain Rosh HaYeshiva of its affiliated Rabbi Isaac Elchanan Theological Seminary (RIETS). The Cardozo faculty greeted Joel's appointment by adopting a resolution that reads, "The Law School faculty greets with joy the return of its prodigal son." Mr. Joel, in turn, made the Cardozo faculty the first he chose to visit after announcement of his appointment.

Mr. Joel, who began his career as an assistant district attorney in the Bronx, holds both a B.A. and a J.D. from New York University, where he was a Root-Tilden Scholar. He is a distinguished Jewish communal leader and thinker and an experienced administrator and fundraiser. He is a graduate of the YU High School for Boys; his wife, Esther, holds a Ph.D. from Ferkauf Graduate School of Psychology; and of his six children, Avery and Penny are graduates of Yeshiva College and Stern College respectively, and Ariella attends Stern. Avery is currently studying at RIETS.

When addressing the Cardozo faculty, Joel emphasized that he was not a scholar but an educator whose primary goal in accepting the presidency is to bring nobility and quality to the YU experience for students, faculty, and administrators.

Cardozo Team Competes in Europe

A Cardozo moot court team was invited to the regional oral round of the European Law Moot Court (ELMC) competition in Bratislava, Slovak Republic, marking only the second time that a US team has been invited to this international competition. Cardozo is among 40 teams selected from more than 150 on the basis of written submissions.

Visiting Professor Frank Emmert is advisor to the team of Dimiter Blyangov, David Epstein, Justin Lilien, Liza Schaeffer, Marisa Mercandetti, and Maria Rubinos, who argued a problem on an array of European legal issues, including intellectual property and antitrust. The competition is sponsored by the European Union, the government of Portugal, and several international law firms as well as the European Court of Justice. The winning teams from the four regional finals will present oral arguments in March before judges from the Court of Justice and the Court of First Instance.

Dean Announces Center for Public Service Law

In January, Dean Rudenstine announced the founding of a Center for Public Service Law.

"There is nothing more important for lawyers, law students, and law professors than serving the greater public good," he says. "The Cardozo Center for Public Service Law will emphasize our school's commitment to this ideal and help students find meaningful ways to engage in public service."

Nancy Kramer '83, who has worked in the office of career services for many years, will direct the center. Cardozo's program for public service law is already rich with panels and symposia, clinics, career opportunities, internships, clerkships, public interest stipends, and a loan repayment assistance program.

SUPREME COURT CITES AELJ AGAIN

The US Supreme Court cited Cardozo's Arts and Entertainment Law Journal in its recent decision in Eldred v. Ashcroft, upholding the 1998 law that extended copyright terms by an additional 20 years. Justice Ruth Bader Ginsburg's opinion for the Court cited a paper from the symposium, "The Constitutionality of Copyright Term Extension," held at Cardozo in 2000. AELJ was first cited by the Supreme Court in 1994 (Campbell v. Acuff-Rose Music), and has been cited several times since.
The new center will work with the Jacob Burns Center for Ethics in the Practice of Law, the newly founded Cardozo Public Law, Policy and Ethics Journal, and the very active Public Interest Law Students Association. The center will also develop new programs and promote outreach to government agencies, federal and state judges and courts, and not-for-profit organizations. It will seek closer ties to agencies and departments at all three levels of government in New York, the greater metropolitan area, and Washington, DC; improve relationships with not-for-profit organizations that serve the public; and assist Cardozo graduates in the private sector to use their professional talents to advance the public interest.

Former Mayor Ed Koch Greets New Class

When students choose to come to Cardozo, among the lures is its location in New York City. Who better, then, to greet the incoming class of 1Ls than the consummate New Yorker—former New York City mayor Edward I. Koch?

At an orientation luncheon preceding the traditional boat cruise sponsored by the SBA, Cardozo’s class of 2005 heard about New York, the law, the latest movies, and the best theaters in which to see them.

The former mayor addressed an incoming class of 261 men and women aged 20 to 49 drawn from an applicant pool that jumped to nearly 4,000, up almost 40 percent against a national average of 26 percent. The class, which is 53 percent women and 21.5 percent minority, is the strongest academically in Cardozo’s history, with a median LSAT score of 160 and a median GPA of 3.47. The class of 2005 represents 113 undergraduate institutions and 31 states. The largest feeder school is Cornell, represented by 16 students, followed by Columbia/Barnard with 15, University of Pennsylvania with 14, and 10 each from NYU and SUNY Binghamton.

Those coming from other careers include a psychotherapist, literary agent, city planner, congressional legislative aide, engineer, actuary, economist, social worker, documentary film director, cavalry troop commander, and a rap singer. Some hold advanced degrees in such areas as comparative literature, bioethics, psychology, and city planning.

As for incoming LL.M. candidates, there were 34 students—18 in intellectual property and 16 in general studies—coming from 13 countries and the US. Five received J.D. degrees from Cardozo in June 2002 and are continuing on to obtain masters of laws in IP.
Nine Participate in New Labor and Employment Law Externship

Prof. Daniel Silverman has taught labor law at Cardozo for many years. Now he is supervising a new Labor and Employment Externship and teaching the seminar on advanced labor law that goes with it. Professor Silverman, counsel at Skadden Arps, was for 20 years the regional director of the New York office of the National Labor Relations Board. President Clinton appointed him in 1993 to serve as acting general counsel for the NLRB.

Nine students accepted into the program are working this spring in law firms and agencies on labor and employment issues. Each spends 12 to 15 hours a week at the NLRB office in Manhattan, Brooklyn, or Philadelphia; District Council 37; Orrick Harrington; Levy Rattner; or Eisner and Associates, where they work on significant litigation and research projects. Each will write a paper in an area of special interest. Silverman indicated that sports, disadvantaged workers, and other relevant labor issues were among the topics chosen.

According to Silverman, Cardozo students have shown considerable interest in labor law, and the externship is tapping into that interest. "Students are expressing great enthusiasm for the work and the employers as well as the classroom component. Externs..."
ships are a great way for students to plan for their futures and to network among those who could become their employers," he says.

**Justice Hugh Laddie Explores Global Impact of IP Law**

The Honorable Justice Hugh Laddie of the English Court of Chancery explored the global impact of intellectual property law at this year's Tenzer Lecture. Entitled "Intellectual Property Law: Servant or Tyrant," his lecture focused on intellectual property as a form of regulation and considered the harm of over-regulation. For example, he suggested that the American practice of software patents and better business patents only halts new technology and manufacturing techniques. Justice Laddie also argued that patenting and its potential for economic rewards appears to have distorted university research agendas as scientists turn to applied research.

What is bad for consumers is bad for business and thus for the economy, argued Justice Laddie, who also cautioned against imposing IP rights uniformly on underdeveloped countries. Laddie added that "IP law is both a moderator and catalyst for our economic system," and urged tailoring its uses to a particular nation's economy.

**Talk and Art on Spinoza**

Spinoza's Law, cosponsored with and held at the Yeshiva University Museum at the Center for Jewish History, brought scholars from throughout the country for a full day of panels. Topics included Spinoza's critique of prophecy as a source of legal authority, his suggestion that authority flows instead from how a country addresses the welfare of its citizens, Spinoza's influence on modern theories of legal interpretation, and his role as the first theorist of toleration. The conference established that Spinoza was the first completely modern theorist of law and the state, and the first philosopher to understand the metaphysical and epistemological implications of modern science.

The conference was, perhaps, the first legal academic gathering to be "illustrated" by works of art. The museum installed Spinoza's

**NEW PUBLIC AFFAIRS BREAKFAST FORUM FEATURES NYC LEADERS**

New York City Comptroller William Thompson, NYC Corporation Counsel Michael Cardozo, and United Federation of Teachers President Randi Weingarten '83 addressed students and alumni at a series inaugurated and sponsored by the Cardozo Alumni Association. The breakfast talks bring to the Cardozo campus issues of local public concern and help integrate Cardozo into the fabric of the city. They also offer students and alumni the opportunity to meet newsmakers. Weingarten, who discussed the New York City school system and pending challenges—including budgetary problems, relationships with City Hall, and measurements for success—declared her admiration for Dean Rudenstine and said, "For me, Cardozo is home."
Temple, a series of works on paper by Israeli artist Asaph Ben Menahem inspired by the philosopher's life and career. Ben Menahem attended the conference, giving a tour of his work. The art, the gallery talk, and the conference papers will be printed in a forthcoming issue of the Cardozo Law Review.

Student Wins ABA National Writing Contest

Sarah Gottfried '03, editor in chief of the Cardozo Women's Law Journal (CWLJ), won first place in the 2002 Howard C. Schwab Memorial Award Essay Contest for "Virtual Visitation: The Wave of the Future in Communication Between Children and Non-custodial Parents in Relocation Cases." It is a shorter version of a note published in CWLJ's spring 2003 issue (Volume 9, issue 2). The ABA Section of Family Law, sponsor of the prize, awarded Ms. Gottfried $1,500 and a book of her choosing. She chose The Supreme Court and its Justices, Second Edition, which features portraits and writings of legendary justices and discusses landmark cases. Ms. Gottfried learned of the contest and developed her essay last year, when she took Child, Parent and State and Reproductive Technology, taught by Prof. Janet Dolgin, whom she credits with "a tremendous amount of encouragement...and constructive feedback."

This year, students are presenting Law Revue shows each semester. The first, Law Revue Live!, featured Jeremy S. Goldman '05 and was produced by Joshua Warren '04, Joshua Glick '03, Dave Gross '04, and Jaye Seidlin '03. The spring production, Cardozo Idol, is a take-off on the popular TV show American Idol.

The participants in China and the WTO: Progress, Perils, and Prospects were (from left) Xu Bu, counselor and director of policy research, PRC's Permanent Mission to the United Nations; Gordon G. Chang, author, The Coming Collapse of China; Prof. Sharon K. Hom, CUNY and managing director, Human Rights in China; Prof. Jerome A. Cohen, NYU School of Law; Elizabeth C. Economy, C.V. Starr senior fellow and director in Asia Studies, Center on Foreign Relations; Adam Qi Li, partner, Jun He Law Offices; Chris X. Lin '92, partner, De Heng, LLP; and Prof. Peter K. Yu '99. Conference cohosts were the Asian Pacific American Law Students Association, the Asian American Bar Association of New York, and the US-China Lawyers Society.
Among scholars presenting works-in-progress at the Second Annual Intellectual Property Scholars Conference were (from left) Prof. Susan Scafidi, Dedman School of Law, on "Intellectual Property, Culture, and Time;" and Prof. Mark A. Lemley, Boalt Hall School of Law, on "Are the U.S. Patent Priority Rules Really Necessary?" Prof. Justin Hughes was a commentator.

Experts from the entertainment industry and ADR field discussed the practicality and applicability of ADR in Entertainment Law. Guest panelists included Louise E. Dembeck, Esq., president, The American International Arbitration and Conciliation Center for Dispute Resolution (above); Prof. Rosalind Lichter '82; Hilary Burt, volunteer lawyer, Arts and MediateArt; Robert Freedman, Cowan, DeBaets, Abrahams & Sheppard; Lisa Davis, Frankfurt, Garbus, Kurnit, Klein & Selz; Christine Lepera, Sonneschein, Nath & Rosenthal; and Donald Farber, Jacob, Medinger & Finnegan.

Kenneth Feinberg, special master of the 9/11 Victims' Compensation Fund, was a panelist for "ADR's Response to the Day that Changed the World," sponsored by the Dispute Resolution Society. Other panelists included Kevin Curnin, director, public service project, Stroock, Stroock and Lavan; Prof. Maria Volpe, director, Dispute Resolution Program, John Jay College- CUNY; and Debra Shime, director, Safe Horizon's 9/11 Program, who was the moderator.

The Recording Academy Entertainment Law Initiative, together with the ABA Forum on Entertainment and Sports Industries, presented a panel of managers, agents, attorneys, and recording artists speaking on new media and business models affecting the music industry. (From left) Dennis Arfa, agent, QBQ Entertainment; Saguit Saad, Esq., Davis, Shapiro & Lewitt; and Nile Rogers, producer/musician.

Prof. Jonathan Hyman, Rutgers School of Law/Newark, was a judge at the American Bar Association Regional Negotiation Competition hosted by the Law School. Cardozo's team advanced to the finals.
The Jacob Burns Ethics Center and the Public Interest Law Students Association sponsored two panels that focused on the needs of underserved constituents in the legal system. "Will the Criminal Justice System Ever Meet the Needs of Battered Women?" included panelists (from left) Jill Konviser '90, senior assistant counsel to Governor Pataki; Prof. Linda Mills, New York University; Nina Morrison, executive director, Innocence Project; and Prof. Holly Maguigan, New York University, board member, Clearing House for the Defense of Battered Women. The Women Law Students Association organized the event.

Judge Juanita Bing Newton, deputy chief administrative judge for Justice Initiatives (at left) and Natalie Sobchak, senior staff attorney, Pro Se Office, Southern District of New York, spoke at "Justice Without Lawyers: Pro Se Litigants and the Unauthorized Practice of Law."

The Rockefeller drug laws, their impact, and needed reforms were discussed at a panel organized by the Latin American Law Students Association and Students for a Sensible Drug Policy. Gerald Cohen '04 (above) introduced the panelists who included Thomas Eddy '99; William Gibney, Legal Aid Society; Julie Ebenstein, New York Civil Liberties Union; Valerie Vandepanne, writer; and Thomas Leighton, former candidate for governor of New York.

Hendrik Hartog, Class of 1921 Bicentennial Professor of American Law and Liberty, Princeton University (left), shown with Adjunct Professor Stanley Plesent at the Gloria and Stanley Plesent Lecture, spoke on "Man and Wife in America: Revisiting a History."

Dean Rudenstine hosted a luncheon for LL.M. students to meet Board member Stephen Schulte, senior partner, Schulte, Roth & Zabel, who spoke about job-search strategies. Mr. Schulte is shown here with Michele Babkine '03, who graduated in January and is now working at Davis Polk & Wardwell.
Spring Brings Visitors to Campus

Every semester, scholars from the United States and abroad visit Cardozo and enrich academic life with fresh perspectives and unique talents. This spring, the Law School welcomes visitors teaching courses ranging from Psychoanalysis and Law to Intellectual Property Protection in the European Union Law, and coming from places as far away as Estonia and as nearby as Syracuse.

Roger Berkowitz, a lecturer at Amherst College, is teaching Criminal Law and Theories of Punishment. Since 1993, he has been seen at Cardozo at many legal theory conferences and as a visiting scholar. His academic interests meld philosophy with the law; he writes and lectures on political theory, legal history, and jurisprudence. He believes that “criminal law is the most philosophical field of law. Modern criminal law can trace its philosophical foundation back to post-Hegelian concepts of the distinction between moral wrong and harm.” His most recent projects include translating a series of Heidegger’s essays on art and technique, an article on Nietzsche’s interest in the legal and religious ethics of the ancient Indian Brahmins, and a piece on Hollywood’s image of prosecutors. He is enjoying Cardozo students immensely; he likes their “I’m here to work” attitude. “I hope to teach them to be good lawyers and, secondarily, successful attorneys,” he says. Professor Berkowitz understands the challenge in overcoming cynicism found in the profession and hopes to impress on his students the deep ethical foundations of law. He holds a B.A. from Amherst College, a J.D. from Boalt Hall School of Law, and a Ph.D. from the University of California at Berkeley. His many honors include the American Jurisprudence Award and three Max-Planck Institute fellowships.

Daan Braveman, who has taught at Syracuse University College of Law since 1977 and was dean there from 1994 to 2002, is teaching Constitutional Law. Among his achievements at Syracuse, he was instrumental in starting the Public Interest Law Firm, a clinical program. He says working with students in practical situations gives him the greatest satisfaction. Students learn best when they apply their knowledge. As others have said, “Tell me and I’ll forget; Teach me and I may remember; Involve me and I’ll learn.”

His expertise includes federal courts, civil rights, legal education, and constitutional law. Professor Braveman is working on the second edition of Power, Privilege and Law: A Civil Rights Reader with Leslie Bender, and an article on tribal sovereignty that grew out of his work representing the Oneida Indians of the Thames Band in their land claims litigation against the State of New York. He attributes the subject’s urgency to surging economic development on reservations that raises many conflicting issues of jurisdiction and tribal authority. He is the author of Protecting Constitutional Freedoms: A Role for
Federal Courts (1985), and coauthor of Constitutional Law: Structure and Rights in Our Federal System (2000). He holds an A.B. from the University of Rochester and a J.D. from University of Pennsylvania. After graduating from law school, he was a law clerk for the Pennsylvania Supreme Court and an attorney for the Greater Upstate Law Project of Rochester, NY. His honors include the William H. Emerson Faculty Research Prize and the Ralph Kharas Award for Distinguished Services in Civil Liberties.

Frank Emmert, who was until recently the dean and Jean Monnet Professor of European Union Law at Concordia International University in Estonia, began teaching at Cardozo in fall 2002 with courses on international trade and European Union law. This spring, he is teaching his other fields of expertise: International Business Transactions and Intellectual Property Protection in the European Union. EU law in particular, he says, is increasingly popular in the US with all major law schools now offering a course. He adds, "it's an exciting time for the legal profession, particularly in Europe, because there is so much flux and new legislation." This September, he invited students in his classes to participate in the preeminent European Union Moot Court Competition. He advised them on their written briefs, and a team of four was selected from the Law School to go to the semifinals in Bratislava for the oral arguments. It was the first time Cardozo participated. Professor Emmert has taught at universities throughout Europe and at Stanford Law School. He is the founder and managing editor of the European Journal of Law Reform, and has published 12 books and dozens of articles. He studied law at the University of Munich in Germany, then obtained an LL.M. from the University of Michigan (Ann Arbor) and a Ph.D. from the University of Maastricht in the Netherlands. He also holds a diploma in European and international law from the European University Institute in Florence, Italy. He is currently writing papers on labor law and world trade, the European Union's enlargement and transformation, and globalization and human rights.

Renata Salecl’s course Psychoanalysis and Law is especially popular with students who have an interest in the social sciences and want to explore other dimensions of law. "We examine how different people understand the law and concepts of legal prohibitions and remorse. The course makes students think hard. They enrich the classroom by bringing their own examples and case histories to the discussion. I learn a lot from my students, too," she says.

Professor Salecl, a familiar face at the Law School, teaches law at the University of Ljubljana in Slovenia, her native country, and at the London School of Economics. She has taught at Cardozo previously and collaborated on conferences such as the recent Lacan and Crime. She sits on several think tanks, including the Remarque Institute, where she is investigating questions like "What is the West?" from varying European and American perspectives. In her country, she has been developing policy changes in feminist rights, maternity leave, and in vitro fertilization. She is, in general, fascinated by the contemporary human condition as it confronts anxiety, fear, and the "tyranny of choice" in our postindustrial society. She has written numerous books and articles, including Per(versions) of Love and Hate, published in 1998 by Verso and translated and published in German, Russian, Spanish, French, and Serbo-Croatian. She lectures extensively on such topics as "Anxiety in Arts and Wars," "Cultural Aspects of Violence," and
"Law and Femininity in Cultural Context." She holds a B.A., M.A., and Ph.D. from the University of Ljubljana.

Frank Tuerkheimer, the Habush-Bascom Professor of Law at the University of Wisconsin, where he has taught since 1970, is a native New Yorker. He is glad to be back in New York for the semester, where he enjoys "the bridges, rivers, culture, friends, relatives, and memories." In addition to teaching Criminal Law, he is representing an indigent on Alabama's death row, and is working on a project that entails interviewing the remaining Nuremberg prosecutors. Throughout his career, Professor Tuerkheimer has often combined academia with public service. He held a US Senate appointment as a commissioner from 1991 to 1993 on the National Commission on Judicial Discipline and Removal, was US attorney for the Western District of Wisconsin from 1977 to 1981, associate special Watergate prosecutor from 1973 to 1975, assistant US attorney in the Southern District of New York from 1965 to 1970, and a legal assistant to the Attorney General of Swaziland from 1964 to 1965. He holds a B.A. from Columbia University. After graduating cum laude from New York University Law School, he clerked for Judge Edward Weinfeld of the United States District Court for the Southern District of New York. He is of counsel to La Follette Godfrey & Kahn in Madison, Wisconsin and writes on criminal law, ethics, and evidence issues. He has also written an electronic evidence text that contains jump links to a trial transcript to illustrate otherwise abstract principles of evidence law.

Bernhard Schlink, who regularly teaches at the Law School and has been featured previously in Cardozo Life, is coteaching Religion, Law and Politics with Prof. Michel Rosenfeld.

Rosenfeld Named Editor in Chief of New Journal

Michel Rosenfeld was named editor in chief of the International Journal of Constitutional Law (I•CON), a new quarterly journal intended for an international readership. According to Professor Rosenfeld and NYU's Norman Dorsen, who is editorial director, "We hope that the journal will succeed in filling a need among scholars interested in sharing views on common problems of constitutional law."

I•CON, published by Oxford University Press, will feature articles, essays, book reviews, and shorter reports on familiar and emerging national, international, and transnational constitutional issues and those from a comparative...
Rosenfeld

perspective. Periodically, the journal will feature a profile of a constitutional court, discussing the composition of the court, reviewing its most salient decisions, and analyzing its jurisprudence. The inaugural issue contains articles by Jürgen Habermas, Frank Michelman, Mark Tushnet, and Michel Troper, among others, with reports from Australia, Chile, Germany, China, South Africa, and Hong Kong/China.

The journal's second issue will feature the first CON symposium on the transnational migration of constitutional norms. A special section devoted to the drafting of a constitution for the European Union will include an essay by Professor Rosenfeld, "The European Convention and Constitution Making in Philadelphia," along with essays by Valery Giscard d'Estaing, president of the European Convention and former President of France, Giuliano Amato, vice president of the European Convention and former Prime Minister of Italy, and Robert Badinter, a French

-appointed Professor of Law at the University of East Anglia, and Braden C. Higdon, a law clerk and professor.

Baldacci

Senator who is former Minister of Justice and former Chief Justice of the French Constitutional Council.

APPOINTMENTS

Peter Tillers will teach at the University of Konstanz, Germany this summer. His course will concern probability in various special sciences, including physics, economics, biology, and law.

Peter Yu will join the faculty of Michigan State University in the fall with appointments in the College of Law and the College of Communication Arts and Sciences. He will direct a new intellectual property and communications law program. Professor Yu helped launch the American Law Review, a scholarly journal on US law published in Chinese, to which he contributed his first article in that language, "Mickey Mouse Goes to the Supreme Court." He also published "The Harmonization Game: What Basketball Can Teach About Intellec-
tual Property and International Trade." He was recently elected to the boards of the Asian American Bar Association of New York and the US-China Lawyers Society.

PAPERS PANELS SPEECHES

Paris Baldacci rejoined the committee on the judiciary of the Association of the Bar of the City of New York as an interim member. He previously served on the committee from 1996 to 2002. At the Second Triennial Conference on the International Recognition of Same-Sex Relationships in Turin, Italy, sponsored by the International Lesbian and Gay Law Association and the Center for Research and Comparative Legal Studies on Sexual Orientation and Gender identity, he presented "Tenancy Succession Rights of Surviving Life-Partners: An International Comparison." This paper will be published in a special volume of the Journal of Homosexuality and in a book by Haworth Press.

Professor Baldacci also spoke to New York City Housing Court judges and law clerks on "Dealing with Difficult Litigants: The Particular Challenges of the Compulsive Hoarder."

Rabbi David Bleich spoke on stem cell research at the 12th Biennial Conference on Jewish Law in Jerusalem. His article on the same subject was published in Tradition.

Lester Brickman presented "Asbestos: What Went Wrong?" at the Association of the Bar of the City of New York. He also spoke at the US Chamber Institute for Legal Reform and the Center for Legal Policy at the Manhattan Institute on "Magnet Courts & Class Actions: The Empirical Evidence," and at the University of Illinois Law School Conference on "Ethics 2000 and Beyond: Reform or Professional Responsibility as Usual?"

Toni Fine participated in meetings of the International Judicial Relations
Peter Goodrich has the lead article in the current issue of Critical Inquiry, entitled "Distrust Quotations in Latin." He also gave the 10th anniversary lecture at Birkbeck Law School, University of London, where he was the founding dean.

Marci Hamilton spoke at the Federalist Society and the Association of American Law Schools on school vouchers and the Constitution.

Justin Hughes was a panelist at the Kagan Digital Rights Management Summit on "HDTV Broadcast Flag: Content vs. Consumer" and spoke on the "Role of Scientific and Technical Data in the Public Domain" at the National Academies of Sciences, Washington, DC. He presented papers at Boston College Law School and the University of Dayton Law School.

Lela Love presented an article she wrote with Jonathan M. Hyman, "If Portia Were a Mediator: an Inquiry into Justice in Mediation," at a faculty colloquium at Rutgers Law School. She also led a workshop, "Innovations in Alternative Dispute Resolution Pedagogy," at the AALS conference.

Monroe Price gave the keynote address at a conference at the University of Toronto's Center for Innovation, speaking on "The Internet and Jurisdiction." At the Annenberg School for Communication in Philadelphia, he spoke on "A Foreign Policy of Media Space." He also moderated a panel, "The New Gatekeepers," at the National Arts Journalism Program at Columbia University, at which Justin Hughes also moderated "In Copyright We Trust."

A Hebrew translation of Michel Rosenfeld's "Hate Speech in Constitutional Jurisprudence: a Comparative Analysis" will be included in a volume on propaganda and freedom of speech published by the Yitzhak Rabin Center in Israel, and a French translation of an article on Bush v. Gore is in Les Cahiers du Conseil Constitutionnel, the official journal of the French Constitutional Council. He was a respondent at a colloquium at the Institut des Hautes Études sur La Justice held at the Sorbonne in December and returned in January to participate in the conference La Constitution de l'Union Européenne. Professor Rosenfeld presided over a roundtable held in Beijing on "Constitutionalism and Market Economy," organized by the International Association of Constitutional Law, the Chinese Association of Constitutional Law, and the China Law Society. While in China, he also lectured on the 2000 US election at the Nanjing University–Johns Hopkins University Center for Chinese and American Studies.


Suzanne Stone was the keynote speaker at the Riverdale Jewish Women's Forum on "Jewish Law, American Law: Impact on Women's Lives."

Ellen Yaroshefsky moderated a panel, "First Monday: Civil Liberties in a New America," held at the Rutgers School of Law–Newark, and cohosted by Cardozo's Jacob Burns Ethics Center.
Earle I. Mack has been chairman of the Cardozo Board of Directors since 1992, working diligently with faculty and administration in building the financial and physical infrastructure, as well as the personality, of the Law School. He is a businessman, political advisor, and arts advocate who has played a major role in the life of New York City and of Cardozo. Susan Davis, editor of Cardozo Life, sat down with him recently to discuss the Board, his role on it, and his goals.

DAVIS: When did you join the Cardozo Board?

MACK: I joined the Board in 1980, becoming the youngest person on it. I think the other Board members were hoping I would bring a young spirit and energy. I hope I haven't let them down. The first Board meeting I attended was an unforgettable moment in my association with Yeshiva University and Cardozo. It was 23 years ago and seems like yesterday!

I came to the meeting knowing only that Cardozo was a work in process—something new. At that meeting, Morris Abram, Cardozo's outgoing Board chairman, gave the most eloquent eulogy I've ever heard. Dean Monrad Paulsen had just died and Abram, a partner at Paul, Weiss, Rifkin, Wharton & Garrison and an advisor to five presidents, a most distinguished man, spoke about
I became very enthusiastic about the School and quickly began to feel that I was part of a winning team.

Monrad and his great leadership—highlighting his enormous dedication and passion and his relentless work toward putting Cardozo on a path for future greatness.

I was truly inspired and energized, and I became very enthusiastic about the School and quickly began to feel that I was part of a winning team.

My involvement on the Cardozo Board became a very important association for me. Immediately, I got to know the students and faculty. Those who came to Cardozo in the early days were pioneers, and that spirit was awe-inspiring. I saw the passion and dedication of the faculty. It was clear that their goal was to build a law school that was going to achieve greatness. These early experiences created my passion for the School.

Then Monroe Price was appointed dean in 1982, and the transition was easy and very special for me. Monroe had been involved in the entertainment industry as had I, so we had lots in common and worked well together to build the Board, faculty, and School. During Monroe’s tenure, I was appointed chairman of the Board’s nominating committee. I believe Monroe hoped that through synergistic energy we would build an enthusiastic, committed board that included prominent New Yorkers. And we did.

The Board chairman was then Charles Ballon, who died several years ago. He was a wonderful person, a senior partner at Phillips, Nizer, Benjamin, Krim & Ballon, a major law firm. He was one of the key attorneys in the evolution of Calvin Klein. Later, that association was instrumental in bringing Barry Schwartz, the current chairman and CEO of Calvin Klein, to the Cardozo Board. Mr. Ballon wanted to strengthen the Bet Tzedek Clinic, which I was also very interested in, so we worked together to make it an important part of Cardozo.

DAVIS: When you were building the Board, what did you feel were the most important qualities to look for in Board members?

MACK: We needed people whom we hoped would contribute financially and intellectually and build upon their relationships for the good of the School.

DAVIS: What do you tell people about Cardozo if you are interested in their joining the Board?
MACK: I am very enthusiastic about many aspects of Cardozo and its programs and try to get them enthused as well. I speak about the special people associated with the School—faculty, the dean, and our esteemed Board members. As you may know, nine alumni are now members of the Board, and two are vice chairmen, which is particularly gratifying.

I talk about the wonderful tradition of Cardozo being the first and only law school under Jewish auspices. I emphasize the great progress made by our current dean, David Rudenstine, whose energy and dedication are nothing short of amazing. I explain that he is a loved professor and a distinguished legal scholar specializing in constitutional law, the First Amendment, and labor law, and is the first dean to have come from the Cardozo faculty.

I speak of my vision and that of the dean's—our absolute conviction that Cardozo is on the move and will soon be in the top tier nationally. It's important for prospective board members to know about the quality and achievements of our students. They need to hear about the increased national recognition we are garnering, as reflected in last year's 40 percent increase in applications and the continued rise in applications this year, which will lead to yet another high-achieving incoming class: students who are academically strong, eager to achieve, and ready for success.

And then I point to tangible programs such as our LL.M. program, developed under Dean Paul Verkuil; our clinical programs like the Innocence Project, which has exonerated 121 wrongfully convicted individuals; our top-ranked intellectual property and dispute resolution programs; and our soon-to-be-completed capital improvement program.

DAVIS: What kind of roles do Board members actually play?
MACK: It is important for prospects to know that we have recently expanded the roles for members of our Board. For example, Rachel Warren '92, a vice chairman, has taken on responsibility for Board/alumni relations. We have a well-organized nominating committee chaired by Justice Sandy Feuerstein '79, an active budget and finance committee cochaired by Mark Lieberman '84 with attorney Terence Todman. Mark is also a vice chairman for special fiscal matters. Sheldon Solow, a major NYC builder and developer, chairs the building committee and has worked diligently over the past several years. I salute them all for a job well done.

Not many people realize that we will have spent approximately $40 million since 1996 upgrading our physical plant. In those years we have added a residence hall on 11th Street, we've just opened a spectacular new floor of the library, and in the next few weeks we will complete the lobby and a new technologically enhanced Jacob Burns Moot Court Room. The facility improvements are going to have a tremendous impact on the students and faculty. They show that Cardozo is not content with the status quo and has the vision and resources to enhance the law school experience for all who attend.

DAVIS: And what about the future of Cardozo?
MACK: To sum it up? The best is yet to come.
Let me tell you my four highest priorities and goals:

One: To upgrade the School's physical plant—which has been nearly accomplished. I'm extremely proud that we have raised more than $20 million of our $25 million capital campaign goal.

Two: To have alumni take over leadership of the
Board. We already have two who are vice chairmen. So again, we are close to achieving this goal.

Three: To do what I can to keep a stellar faculty. Cardozo has one of the best faculties in the country, not just the city, and they are increasingly being coveted by other law schools. While I'm chairman I'll do everything possible to ensure that they remain happy at Cardozo.

Four: To increase funding for scholarships.

Davis: Over the years, you have worked with nearly every dean. Will you tell us your impressions of each of them?

Mack: From the outset, the founders of Cardozo envisioned a very distinguished, top-tier law school—one that is ambitious and determined, and whose primary goal is to demand excellence.

Monroe Price, Frank Macchiarola, Paul Verkuil, each had wonderful, important, qualities and visions for the job of dean. They placed indelible and personal stamps on the School—and each has been extremely important to its growth and strength. They have successfully driven the building of this great school that began with the vision of Dean Paulsen. Now with David Rudenstine, we have the best-suited and hardest-working person to finish the job so effectively started by his predecessors. I am convinced that their plans and dreams can be crystallized and realized by David.

Davis: Over the years you have been involved in virtually every aspect of the Law School. Is there one achievement of which you are most proud?

Mack: I am most proud of the School's growth and track record, and extremely proud of my association with it over the past 23 years—almost 11 as chairman. It has given me much satisfaction.

What we have achieved has been accomplished by a team. The University had faith in the Law School and gave it the tools and financial support it needed. The deans were dedicated to excellence and allowed Cardozo to grow from strength to strength. The distinguished faculty, the very hard working Board of Directors, the dedicated and enthusiastic students, and the administrations of YU and the Law School have worked together to nurture Cardozo from a fledgling school to a strong, thriving part of the University.

Davis: Beyond your extraordinary efforts for Cardozo, I know that you have been very active in the arts, business, and politics. Can you tell us something about your recent activities?

Mack: This past November, I went to Argentina as a member of the Appeal of Conscience, an international group of clergy and business and community leaders. We went to promote and encourage religious and human rights. We met with the current President of Argentina, Dr. Eduardo Duhalde, as well as with former presidents, members of the nuncio, several ambassadors and religious leaders, and members of the Jewish community. It was an extremely educational and productive trip.

I remain an advisor to Governor Pataki, who appointed me chairman of the New York State Council on the Arts (NYSCA), a position I held from 1996 to 1999. I'm especially proud that while chairman of NYSCA, I initiated the Empire State Partnership, which put arts education back into many of the public schools. I continue to consult with the governor on cultural initiatives.

Davis: Are you still involved in the arts?

Mack: I maintain my passion for the arts, and advise and sit on the boards of several organizations. Among the most important to me are the New York City Ballet, where I have a very long association, and the Alliance for the Arts, a New York arts advocacy organization. But, most important, I'm a tenacious fighter dedicated to making this Law School one of the best in the country.

I'm a tenacious fighter dedicated to making this Law School one of the best in the country.
Five years and some $40 million later, Cardozo's much refurbished, expanded, and newly built home in the Brookdale Center is ready to greet a long-awaited spring, its New York City neighbors, and those who study and work at 55 Fifth Avenue. During the winter of 2003, as scaffolding and painted panels were removed, it became clear to visitors, neighbors, and the Cardozo community alike that the Law School had undergone a transformation—inside and out.
The sleek, fresh design is apparent as soon as you walk through the new Fifth Avenue entrance, which opened in January as students returned for the spring semester.

What's not immediately apparent is that each of the Law School's entire 11 stories has received some sort of upgrade, expansion, facelift, or full renovation. Technological enhancements and new heating, ventilation, and air conditioning systems have also been added. In addition, the acquisition in the late 1990s of two full floors of 55 Fifth and of nearly 100 apartments at 15 East 11th Street has greatly expanded the Cardozo campus.

- **LOBBY AND JACOB BURNS MOOT COURT ROOM**

Guided by a Cardozo Board committee chaired by Sheldon Solow, a New York City developer and builder, Cardozo and the University hired the internationally known architectural firm of Davis Brody Bond to design the ground floor. While restoring the building's original neoclassical facade, the firm also oversaw expansion of the lobby, the addition of a new seminar room, and the design and building of a new Jacob Burns Moot Court Room. The expansion was made possible with the reacquisition of several thousand square feet of space at the building's southern end. The goal was to create a campus center that would bring students and faculty together and act as an intellectual and social venue, while providing more classroom and student space.

The centerpiece of the 16,000 square-foot facility is the round wood and limestone-clad moot court room. Using warm wood and bronze accents, the architects created a 250-seat room that exceeds 4,000 square feet—double the size of the Law School's original moot court room. This summer, the court room will receive its final enhancements—a limestone outer wall that features quotations from
Faculty conversations take place in the new library.

Brookdale Center at night.

A new classroom with technological and audio visual capabilities has been added to the lobby level.
Justice Benjamin N. Cardozo's writings and the names of the Law School's major donors, as well as state-of-the-art audio/visual enhancements and a production studio. The spacious, bright lobby surrounding the court room doubles as a lounge and gracious setting for Law School banquets and receptions. Floor-to-ceiling windows face both Fifth Avenue and 12th Street, making optimal use of the vibrant backdrop Greenwich Village provides.

**LIBRARY**

January also saw the opening of the redesigned main floor of the Dr. Rebecca and Lillian Chutick Law Library, which in 2001 expanded from three to four floors when the University acquired the 9th floor. The law library has always been the “brains” of the School; as designed by SLCE Architects, it is now a true showpiece. The architects, who are responsible for the successful redesign of the class-
rooms and 9th, 10th, and 11th floors replicated the rounded designs of the lobby for the 7th floor. The main floor’s soaring, vaulted ceilings are accented by geometric forms that reappear in the warm wood paneling gracing the reading rooms, the circulation and reserve desks, and the book shelves. In the bright, inviting alcove near the library’s grand circular entrance, wood and glass cases display recent faculty publications. This space will be used for informal conversations with recently published faculty. It also provides a comfortable place to check a reference or meet a friend.

The reading rooms feature beautiful wooden tables and classic library chairs, as well as upholstered arm chairs in shades of blue and light green that complement the rich green tweed carpeting. Large windows provide magnificent views of Greenwich Village below. An ultra-modern com-
puter lab boasts more than 30 new Internet-connected work stations with state-of-the-art black, flat screen monitors and Aeron chairs.

The interior staircase providing access to the rest of the library now extends to the 9th floor, where more book stacks and additional study rooms were added, providing quiet space for individual and group study.

CLASSROOMS, OFFICES, AND CONFERENCE ROOMS

The main lecture halls on the second, third, and fourth floors were rewired, newly carpeted, and re-decorated with wooden desks and upholstered chairs. Electrical outlets at each desk are available for laptops. In addition, advanced, multi-media instructional equipment enhances the larger lecture halls, with video teleconferencing capabilities added to one. When it acquired the 9th and 11th floors, the Law School gained new offices for student journals and organizations, offices and workspace for its rich clinical program, several new conference rooms, and more commodious areas for admissions and career services. The offices on the 10th floor, including those for student services, financial aid, and the registrar, were greatly refurbished and reconfigured. The Law School’s primary conference room can now accommodate board and faculty meetings, as well as small luncheons and dinners.

THE ALABAMA RESIDENCE HALL

In 1998, Yeshiva University purchased the majority of shares in a historic co-op building located one short block from the Cardozo campus. Today, more than 100 students live in studio and one-bedroom apartments on one of the most attractive residential streets in Manhattan. Students from across the country can now attend Cardozo without having to tackle New York’s residential housing maze.
The Power of Philanthropy

The scope of these renovations would not have been possible without the generosity of Cardozo's Board, alumni, parents, and friends. We gratefully acknowledge those who have supported this component of our broader capital campaign by designating their gifts to the Cardozo Building Fund, be it for the lobby, library, or other building renovations.

Special thanks go to Yeshiva University trustee and former Board Chair Robert M. Beren, whose gift of $1 million, conditional upon raising an equal amount in matching gifts, helped to raise awareness of the importance of philanthropic support to our ability to complete this project.

We also salute our alumni, who have responded to the need for support at unprecedented levels. The leadership of our alumni board members is especially appreciated. Alumni support ranges from $500,000—the largest gift from an alumnus in Cardozo's history—to those whose gifts of $2,500 will be recognized with seats in the Jacob Burns Moot Court Room.

Gifts of $1 Million and Above
Robert M. Beren
Jacob Burns Foundation
Jeffrey & Sivia Loria*
Earle I. Mack*

Gifts of $500,000–$999,999
Nate Kacew '98 *
Howard Lorber, The Lorber Charitable Fund

Gifts of $100,000 to $499,999
Anonymous *
Anonymous
Tiffany & Evan H. Berger '92 *
Kenneth & Sherry Endelson
Kathryn Greenberg '82 & Alan Greenberg
Ronnie & Samuel J. Heyman *
Shimmie Horn '95 *
Steven & Ruth Katz
Jonathan Kukin '87 *
Hon. Frank Lautenberg *
Jill & James Schwalbe '93 *
Wendy & Stephen B. Siegel *
Sheldon Solow *
Rachel Sussman
Debra Weiss '90 & Stephen A. Weiss '90*

Gifts of $25,000 to $99,999
Arlene & Harvey R. Blau *
Lawrence Blenden '86
The Garden City Group, Inc.

* denotes member of Cardozo Board

If you would like to be part of Cardozo's historic Building Campaign, please call the Office of Development at 212-790-0288.
ASHCROFT?

Michael Herz, Professor of Law

A longer version of this article appears in Constitutional Commentary, volume 19, number 3 (2003). ©2003 by Constitutional Commentary. Reprinted with permission.
GENERALS, GENERALS EVERYWHERE

If you attend a Supreme Court argument of sufficient moment to be presented by Solicitor General (SG) Theodore B. Olson himself, you may hear something like this:

QUESTION: Thank you, Mr. Dellinger. General Olson, we'll hear from you.

GENERAL OLSON: Mr. Chief Justice and may it please the Court...!

Ah yes, “General” Olson. A military man.

Then, if you cross the street to attend, say, a congressional hearing on security issues at which Attorney General (AG) John Ashcroft is testifying, you may hear something like this:

SENATOR BYRD: “General Ashcroft, we welcome you to the Senate Appropriations Committee as we conduct our hearings on homeland security...”

And so your day would go. While at the Department of Justice (DOJ) you would sense that neither attorneys nor solicitors are in charge; generals are.

The tendency to call the AG and the SG “General” is not new or pervasive. As far as I know, it is not officially endorsed by DOJ; the Department’s own publications and Web site do not use that formulation. Reportedly, Janet Reno disliked being called “General” and discouraged use of the title. When John Ashcroft became AG, he told reporters he did not care if he was called “John, General, Mr. Ashcroft, or ‘Hey, you.”

Nonetheless, it is not at all uncommon to call the AG and the SG “General.” I respectfully suggest that doing so is altogether incorrect.

THE ATTORNEY GENERAL IS A KIND OF ATTORNEY, NOT A KIND OF GENERAL

Notwithstanding the popularity of “come here, gorgeous,” it is grammatically incorrect to call someone by an adjective. But the “general” in Attorney General is an adjective. That is why the plural is Attorneys General, not Attorney Generals. Indeed, for something with the flavor of annoying pedantry, the careful use of Attorneys General and Solicitors General is universal.

Under “plural anomalies,” Fowler’s Modern English Usage explains that compound words “ordinarily form their plurals logically, by attaching the -s to the noun element in them.” Accordingly, “[t]he officials called General in civil life, e.g., Attorney G., Solicitor G., Governor G., Postmaster G., Paymaster G., being special kinds of attorney, solicitor, etc., should be Attorneys General and so on.”

Opinions would vary on what “special kind of attorney” John Ashcroft (or, say, Ramsey Clark) is, but for present purposes, the answer is the general kind, therefore General cannot be his title.

History confirms what grammar suggests. Historically, general refers not to rank or command but to the breadth of attorneyship. The first known use of the term “attorney general” occurred in England in 1398 in a certificate from the Duke of Norfolk’s four attorneys general. The “general” indicated that these agents could act for their principal on any matter. “[Over time] it became usual, especially in the case of great landowners, to appoint attorneys to attend to all suits which might arise during a specified period during the life of the appointor, or in a particular county or court. Such an agent was known at first as a general attorney, later as an attorney general.”

Thus, an attorney general was someone who held what today we would call, not coincidentally, a general power of attorney.

"An impressive résumé, General, but remember—department-store security is different from national security."
The creation in England of the governmental post of attorney general apparently came later. In the 13th and 14th centuries, there existed a fluctuating number of King's Attorneys or Attornati Regis. Only in 1472 was there a single Attorney General, one William Husse, and thereafter the post was held by a single person. Thus, the English history is that the Attorney General was singled out from among the king's many counsel. As attorney for the king, writes Holdsworth, "[h]e could be a more general attorney than those of other men." The "general" indicates nothing other than a general capacity to act for the king.

The post of Solicitor General came into existence sometime later, but was well established by the early 16th century. The solicitor "served as a general assistant to the attorney in the handling of the King's legal business." Again, there is no indication that the general in this title meant anything different from the general in the title of his boss, the Attorney General.

During the American colonial period, the English Attorney General and Solicitor General functioned like their modern counterparts, as the chief litigators for, and legal advisors to, the crown. The colonies established, usually by executive action but sometimes legislatively, Attorneys General with similar functions.

In creating the federal AG and SG, in 1789 and 1870, respectively, Congress borrowed the titles from England. It is reasonable to suggest that Congress was following the English and colonial practice, and that the titles had their historical connotations—these attorneys were not limited to particular matters or courts but could handle any matter in which the United States was interested.

The background of the American office suggests that calling the AG "General" is historically inappropriate for one other reason. A general is, by definition, in charge of somebody. He or she is the top of the heap. In the early years of the republic, the Attorney General was surely the loneliest and most powerless general ever. He was in charge of no one and nothing. He had no staff. He bought his own supplies. He provided his own office. There was no Department of Justice and the AG had no responsibility for or supervision over the district attorneys. Indeed, the Attorney General did not even have a clerk until 1818 and wrote out his own opinions and correspondence. As late as 1853, "Caleb Cushing, the Attorney General of the United States, performed all his duties with the help of two clerks and a messenger." In short, Congress created a "general" who was no one's boss, was in charge of nothing, and existed within (one could not say "presided over") a state of "near anarchy in the nation's legal affairs."

I do not know when the practice of calling the AG "General" began. But surely it does not date back to the 18th century, or any time before creation of the Department of Justice, for then it would just have been too goofy.

Sources on the correct forms of address for government officials do not endorse calling the AG or SG "General." According to the standard text on protocol, a letter should begin "Dear Mr. Solicitor General" or "Dear Mr. Doe," and in conversation the SG should be referred to simply as "Mr. Doe." Other texts indicate that a state Attorney General should be addressed as "Mr. Attorney General" or "Mr. Wilson." I have not found even one source that states it is correct to call the Attorney General "General."

Some federal legal officers are real generals. The Army's Judge Advocate General is one, and is promoted to the rank of major general, if he or she is not one already upon appointment. Accordingly, the JAG Corps Web site refers to the Judge Advocate General as...
"General Romig," not because he is the Judge Advocate "General" but because he really is a general.

The Navy, too, has a Judge Advocate General. But he is not called General. By statute, upon appointment the Navy Judge Advocate General is made a rear admiral. Thus, the Navy Web site refers to the Judge Advocate General as Rear Admiral Guter. All this is as it should be, and is quite inconsistent with calling the AG "General."

Other generals of the AG sort raise interesting questions. What about, for example, the Surgeon General, who is, by statute, Vice Admiral in the US Public Health Service Commissioned Corps? (The Corps is, it claims, "a uniformed service of the same nature as the Navy, Marines, Army, Air Force, Coast Guard, and NOAA Corps." I'm not sure what "nature" that is, except that the members of each wear uniforms.) To my knowledge, no one ever calls the Surgeon General "General."

Other nonmilitary generals in the federal government are sometimes called General. The Comptroller General, who heads the General Accounting Office and has nothing to do with the military sometimes gets a General thrown his way. So does the Postmaster General. To the extent other civilian generals—comptroller, postmaster, inspector, consul, director, etcetera—get the honorific, it is just as incorrect as in the case of the AG or the SG.

WHENCE "GENERAL"?

The origins of this usage are probably lost in the mists of time. We will never know when the first sycophant tried it out on the first delighted megalomaniac. But we can speculate as to what might explain, though not justify, this improper usage.

One possibility is just sloppiness. The word "general" sounds like a title, so is used as one. Moreover, other cabinet officers can be addressed as "Secretary." While Attorney General would seem an acceptable equivalent, one can understand the impulse toward the one-word title to correspond to those of other cabinet members. Surely more is at work than that, however.

It likely stems in part from the irresistible pressure to inflate titles. In the business world the proliferation of fancy titles once held only by the top brass enhances employee satisfaction and psychic income without costing the company anything. One would expect such a tendency to be even more rampant in the government, where limited financial remuneration makes nonfinancial alternatives more attractive.

Thus, in a world, and especially a city (and particularly a body, namely the Senate), in which everyone is crowned not with laurels but with titles and honorifics, it is not a surprise that anyone with General in their title would lay claim to, or be treated to, the most grandiose possibility.

However, the misuse of General predates the recent uptitling epidemic, and the term is more than simply grandiose. There is also no escaping its military connotations. Almost all generals are found in the Army (or Air Force, or Marines). Most people are slightly confused the first time they hear the AG or SG referred to as General precisely because the term's primary meaning and its primary association are military. My guess? The misuse of general is not only confusing, but also attractive.

This cannot be proven, of course. But the military feel to the term is so strong that it is hard to believe its use is independent of that feeling. People are reassured, or impressed, by having a general around and find comfort in having one in charge.

This impulse might be stronger since September 11 and the start of the war on terrorism in which the Department of Justice is a central player. Since then, President Bush has half-jokingly referred to Ashcroft as a military general on occasion. For example, in November 2001 Bush addressed a meeting of the US Attorneys. After being introduced by the Attorney General, Bush said:

"Thank you, General."

Well, John, thank you very much for those kind words and I appreciate your strong leadership. It's a principled leadership, it is a steady leadership and it's a leadership that's good for America. I guess we call you General. That means you [i.e., the US Attorneys in the audience] all are in the Army.

And I'm glad you are.

THE MILITARY AND THE RULE OF LAW

On June 10, 2002, John Ashcroft announced that the FBI had captured Al Qaeda operative Abdullah Al Muhajir. He ended his remarks with a two-sentence warning and assurance:

"To our enemies, I say we will continue to be vigilant against all threats, whether they come from overseas or at home in America. To our citizens, I say we will continue to respect the rule of law while doing everything in our power to prevent terrorist attacks."

It was not consciously intended, but these sentences
"Five minutes, General."

not of men;"¹⁰ the point is that he is no more than that. He is a participant in the rule of law, an attorney, and not a general, in the words of the Judiciary Act of 1789—"a meet person, learned in the law." The United States is not governed by a Generalissimo. Indeed, the attorney, or solicitor, on the one hand, and the general on the other, are in opposition. The latter epitomizes the principle that might makes right; the former epitomizes the principle that right makes might.

Now, calling the AG "General" is hardly a major step in the direction of a totalitarian form of government. It will not make or break this nation's claim to be an exemplar of the rule of law. There are many more important aspects, and more important symbols, of our commitment, or lack thereof, to that ideal. Nonetheless, the line between military and civilian authority is an important one.

"General Ashcroft" should clang. A litigating and law enforcement agency would not and should not have a general at its head. To call civil officials General because that word appears in their title is incorrect by the standards of grammar, history, and protocol. It is also a little silly. And it is at odds with important values.

An oft-repeated bit of SG office lore tells of a letter reaching Solicitor General Robert Jackson addressed simply to "The Celestial General, Washington, DC." A celestial general would be worth having. But such a general is unavailable here on earth, where angels do not govern.¹¹ We should therefore stick with attorneys and solicitors in the Department of Justice, and leave the generals in the army. Law is too important to be left to the generals.

ENDNOTES
11. See The Federalist No. 51, at 322 (James Madison) (Clinton Rossiter ed., 1961). ("If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary.")
Say "corporate lawyer" and ask people to conjure an image. Generally along with "nice office" and "good view," they also think buttoned down, long hours, and briefcases bulging with contracts outlining the details of mergers and acquisitions, partnerships, and other business arcana. No wonder hit television shows like Law & Order and The Practice usually stick to profiling the lives and loves of more glamorous criminal lawyers.

But corporate law covers many job categories and prepares one for a variety of careers. Cardozo graduates in corporate law work for leading firms and private businesses, use their degrees and experiences to start their own companies, litigate high-profile cases, run entertainment firms, and even lead a major league sports team. Those working as corporate or general counsels have found creative and challenging aspects in their career choices as well.

Even those who have strayed furthest from a traditional law practice, however, emphasize the importance of internships, clerkships, networking, and law-firm experience during law school. All identify at least one professor at Cardozo who helped shaped their careers by offering support, advice, and academic grounding. As in most samplings of Cardozo graduates, a surprising number have backgrounds in the visual and performing arts, and all stress the importance of finding a job that one can be passionate about.
BARBARA KOLSUN '82 is general counsel for Kate Spade, heading up the legal department for the $70 million New York-based handbag maker. Because Kate Spade bags are so often copied and then sold at home "purse parties," flea markets, and shopping mall kiosks, she devotes much of her time to anticounterfeiting work: calling police departments and firing off cease-and-desist letters to fraudulent retailers. Her efforts have earned her media attention recently, including a November 2002 The New York Times profile headlined "A Pit Bull Who Lungs at Brand Counterfeiters."

"It's stealing," Kolsun says simply of counterfeiting. "Kate Spade is someone who started a business from nothing." She can cite dozens of other reasons why buying a fake Kate Spade bag is not a victimless crime—among them, that "a $20 counterfeit bag is made under conditions you wouldn't want to know about. Anyone who cares about the issues of child labor and sweatshops should not buy counterfeit."

Kolsun, 53, came to the legal profession after years as a struggling singer and actress, playing in regional theaters and touring in Broadway shows. At one point, tired of the travel and the financial instability of acting, she decided to give law a try. The teacher of her prep course for the LSAT, Rosemary Byrne '80, talked her into textile giant. She finds parallels with her career in theater: "I was a creative person, and I found myself in a job where I'm representing creative people. I love my job, the product is beautiful, and Kate Spade is about as nice a company as you could work with."

Kolsun's company frequently hires Cardozo students and graduates. Five of her six interns are from Cardozo, two are current LL.M. students. "They're dying to work here," she says of intern applicants in general.

Kolsun says she paid her dues to land at Kate Spade. "Lawyers who go directly in house working for a corporation are limited. I spent almost 10 years in law firms. That's how I became a generalist. I know how to look at a lease, an advertising problem, corporate law, mergers and acquisitions—you have to know a little of everything."

Making the transition from the legal to the business side of one of the country's largest corporations is STEPHANIE MUDICK '81, who has been a rising star at Citigroup since the mid-90s. Mudick was recently named executive vice president and chief administrative officer of Citigroup's Global Consumer Group. She was previously co-general counsel of Citigroup.

Her new role puts her in charge of the infrastructure side of Citigroup's largest business, with more than $8
billion a year in earnings and 130,000 of Citigroup's 260,000 employees. The Global Consumer Group includes Citigroup's global credit cards, retail banking, and consumer finance businesses. On its own, Citigroup's Global Consumer Group would be one of the largest companies in the United States.

"Moving into a business is exciting, and moving into a business with two of the world's leading franchises, cards and consumer finance, is particularly challenging," Mudick says. "I'm really looking forward to it."

After Mudick graduated from Smith College in 1976 with a bachelor's degree in politics, the idea of becoming a lawyer "developed by default," she says. Mudick, who was notes and comments editor of the Cardozo Law Review, landed a job after graduation as a litigator at Fried, Frank, Harris, Shriver & Jacobson. She then spent several years as a general corporate and M&A lawyer at Skadden, Arps, Slate, Meagher & Flom. In 1993, Mudick joined one of Citigroup's predecessor companies and has since then worked in a number of roles in the legal department, including general counsel of the Global Consumer Group and deputy general counsel of Citigroup. Along the way, she has earned a reputation as an accomplished manager.

"The management challenge in a large company is figuring out how to make decisions relatively quickly and inclusively. At Citigroup we encourage entrepreneurial thinking and want our people to feel that they're making a difference," Mudick says.

Citigroup, which employs more than 1,000 lawyers, hires its share of Cardozo graduates, she says. But internships at Citigroup are relatively few because, as a business, it hires mostly experienced lawyers.

But for Mudick, legal and business success must always be balanced with her personal life. Mudick, 46, takes advantage of her company's family-friendly environment by working at home one day a week to spend more time with her 3-year-old twin daughters, Lily and Dahlia, and her husband, David, a photographer.

Practical experience—internships and work opportunities—"really makes a difference," she says. "People create their own opportunities. To some extent, the opportunistic, risk-taking ones are those who will direct their own careers successfully."

For DAVID P. SAMSON '93, president of the Florida Marlins baseball team, sudden opportunities have led to some surprising career twists.

Samson took over the baseball club in February 2002, about the same time spring training began. The fourth Marlins president in 10 years, Samson, 35, has inherited the problems of guiding a team with sagging attendance, huge financial losses, disenchanted fans, and negative press coverage, as well as six consecutive losing seasons after its 1997 World Series championship.

"When I lived in New York, I rarely missed a Knicks game," Samson says, admitting that when he started with the Marlins he was a bigger fan of basketball than baseball.

Becoming a baseball team president after starting his own business and then working at an investment bank just means he's following his own advice to law school grads: "Opportunity will knock for everyone. You just have to recognize it when it comes along."

After failing to get a coveted job with the Manhattan district attorney's office, and knowing that he didn't want to be a corporate lawyer in a big firm, Samson pursued an idea he developed while on a high school summer vacation in Europe. He started News Travels Fast,
the first company to deliver *The New York Times* to Europe the day it is published.

Three years later, successful but weary of being a "one-man show," he joined Morgan Stanley, the investment bank in New York. Then his stepfather, Jeffrey H. Loria, asked him to put together a deal to help him buy the Montreal Expos. In 1999, Samson became the club's executive vice president. Less than three years later, Loria sold the Expos and bought the Marlins, and Samson became the Marlins' president.

Beyond daily business operations, Samson also oversees sales and marketing: to achieve improved attendance and fiscal stability. "Every day, legal issues come up in a company that's so public like this—lawsuits, contracts, real property issues, every type of law. Having a legal background lets me properly interact with our counsel to make the big decisions."

He deems the real-world experience he gained at Cardozo, especially through his work in the Criminal Appeals Clinic, invaluable. He tries to return the favor by mentoring Cardozo students and graduates, fundraising, and participating on panels about sports and business law.

"A law degree opens up every door to you," Samson says. New graduates should not despair, as he once did, about not getting the perfect first job. "I believe you can do anything during law school, during your summers and after. The most important thing is you have to outwork everyone else. Then outperform—by outperforming you will succeed."

Joining a large law firm can be a means to an end as well, says ALAN BARAL '87, president and co-owner of New Wave Entertainment in Burbank, CA. After graduation, Baral worked for Cahill Gordon & Reindel in New York, where he specialized in corporate finance and real estate.

"A big-firm practice is like boot camp," he says. "It's a regimented, disciplined, and high-energy experience that provides training. I worked with some of the smartest people I have ever known. When I first got into the entertainment business, the pedigree of law school and a big-firm practice eased my acceptance into that world."

New Wave is a diversified multimedia company that has become the entertainment in-
dustry's largest creator of DVD added content—the games, behind-the-scenes looks, and commentaries by cast and crew at the end of a DVD or on a separate disc. New Wave also has a theatrical advertising division that produces movie trailers and television advertising for movies and television, as well as a print division to create movie posters, and billboard and newspaper advertising.

Although he doesn't practice law now, Baral, 46, says his legal background helped him tremendously when he and his partner, Paul Apel, bought New Wave in 1993 and then expanded it from 17 employees to 200. In 1999, they bought their current building, gutted, and renovated it. "Without that experience, we wouldn't have had the sophistication to do some of the deals," Baral says.

After earning his B.A. in 1979, Baral worked as a cartoonist and magazine writer. At Cardozo, he intended to pursue entertainment law. He dedicated himself to his studies, joining the Law Review and becoming an Alexander Fellow, clerking for the Second District Court. "I was working with a very experienced, brilliant judge. I would recommend anyone who has the opportunity to do it."

Also deeply involved in the entertainment industry is LAWRENCE BARTH '84, a litigation partner in the Los Angeles office of Munger, Tolles & Olson. With 130 lawyers in Los Angeles and 25 in San Francisco, MTO is a legal force on the West Coast beyond its numbers. Since joining the firm in 1985 on the recommendation of
Monroe Price, then Cardozo's dean, Barth has represented plaintiffs and defendants in jury trials, bench trials, and arbitration proceedings.

"My work is all over the map in terms of clients," Barth says. "In the last few years, I've represented entertainment companies in all manner of disputes, some newsworthy, some sexy, some business disputes, and everything in between."

Barth brought what he calls a "funny, checkered background" to law school. While still an undergraduate design student at The Cooper Union, he got an offer to be an art director at The New York Times, which led to similar jobs at magazines. After a few years, he considered law school. Most of those he contacted told him to save his application because he lacked a bachelor's degree—but not Cardozo.

"They took a chance—they were young and adventurous," he says about the school's faculty and staff. They must have seen beyond Barth's missing B.A.: he received the Samuel Belkin Prize for ranking first in his class each of his three years and served as articles editor of the Law Review. After graduation, he was a law clerk for the U.S. Court of Appeals, Second Circuit.

"The work on the Law Review for two years was probably most helpful in terms of preparing me for clerkships and then practice," he says. The Law Review's "demanding and exhausting" duties helped him become a generalist, Barth says, which is what he enjoys most about his current job.

"I might spend one year learning about processing video signals and cost overruns in the acquisitions of a defense contractor, and the next year have to become an expert on atomic force microscopy and 15th century Dutch paintings."

Barth enjoys the courtroom as well. "There's nothing like trying a case in front of a jury in terms of experience. It's wonderful. It's dynamic, it changes every five minutes, and calls for judgment every 30 seconds."

Barth has a special interest in the visual arts and represents photographers, artists, publishers, and galleries regarding First Amendment rights and copyright and trademark infringement. "The arts occupy about 5 to 10% of my time [on the job] and about 50% of my interest. The firm has been great about indulging me in it."

He encourages young lawyers to find ways to synthesize their special interests with their law practice. "That's the way to stay engaged."

AVERLYN ARCHER '93 has combined her interests in the Internet and art to carve out careers in both.

Archer is a manager at Advance Internet, a technology support provider for online news and information sites. She describes her role as that of a trouble-shooter who is a sales manager for consumer sales and classified advertising programs for more than 30 newspapers nationwide and 10 affiliated Web sites. NJ.com is one of the sites, drawing news and classified ads from publications including the Newark Star-Ledger and the Trenton Times.

That's her day job, anyway. Archer, 39, is also passionately interested in art, and was an Internet pioneer of sorts in 1996 when she cofounded Genesis Art Line Inc. (www.genesisartline.com), an online art gallery and resource for Web surfers interested in African-American art. At the time, it was the largest Web site devoted to images by black artists. She and her husband, Donald Clayton, operated Real World Gallery for two years from their apartment in Harlem, mounting a weekend show every six months. Archer also has started a business representing artists and helping them with legal and accounting services. "I've had an interest in art for a number of years," Archer says. "For me, it's like breathing."

After earning her bachelor's degree from City College and a law degree from Cardozo, she worked for two years at a New York City law firm in corporate securities

SPRING 2003
and transactions. In her current job, she does some contract review, but values her law background for its general aspects. "The neat thing about a law degree is that it trains your mind to be open to various possibilities," Archer says. "I would do it over again in a minute."

At Cardozo, Archer had internships in bankruptcy law and banking law. She represented unemployment claimants for a year: "You can make an immediate impact. When people who are unemployed have representation, they have a better outcome in their cases," she says.

Her best advice to students and new graduates is to network. "I know the word is overdone," she says, "but I have networked into more jobs—it's amazing. You just have to keep making contacts, going out to the bar association and bar groups. Keep your expertise fresh; stay on the cutting edge."

The Cardozo network is alive and well at Debevoise & Plimpton in New York, where PAUL BRUSILOFF '91 is one of several alumni who are partners there.

Brusiloff comes from a musical family "going back to my great-grandfather," who was a professional violinist. After earning a B.A. from Harvard in 1986 and taking jobs in a brass quartet, pickup orchestras, and a blues band, his musical ambitions began to wane. He picked Cardozo, though, because of its strong program in entertainment law and its influential Arts & Entertainment Law Journal.

"As I made it through law school, I discovered that rather than use the degree to go further in the music industry, I found I had a passion for law," Brusiloff says.

He was editor in chief of the AELJ and thrived with guidance from professors and advisors, including Suzanne Stone, Eva Hanks, David Rudenstine, and Paul Shupack. After graduation, he clerked for two years for the US Court of Appeals, Third Circuit.

Brusiloff, 39, joined Debevoise as an associate in 1993, doing equipment finance work. Eventually he developed his practice in finance and securities offerings, which he finds challenging and demanding. "You have to have a commitment to top-quality advice and accessibility to clients. It's fascinating and complicated."

Debevoise employs 550 lawyers, including 450 in New York. Bill Regner '94 and Rebecca Silberstein '93 are also partners there and several Cardozo graduates are associates. Debevoise recruits each year at Cardozo, and its large summer associates program hired four Cardozo students last year.

"I have found myself in an institution where mentoring and collegiality are important," Brusiloff said.

Susan Schwab '00 is an associate at Debevoise, where she does corporate transactional work for the insurance team. She was a summer associate in 1999, and recently finished a clerkship in New Jersey District Court. The clerkship and her stint on the Cardozo Law Review were especially helpful to her, Schwab says.

"My experience at Cardozo helped me adjust easily into a large, corporate firm, partly because of my journal experience. The clerkship really increased my reasoning skills. I got to see how judges reason and how public policy plays into the decisions judges make."

Debevoise was ranked first in New York for pro bono hours and sixth nationwide in 2001. Brusiloff encourages new graduates to pursue public service throughout their careers: "It's part of the Cardozo philosophy, and an important part of every professional's career." But mostly, he says, "I would tell a student just entering school to seek out parts of their education that they are most interested in and to enjoy it. To those just graduating, I would say be passionate about what you are doing."
Dean Takes Cardozo on the Road

A new initiative, Cardozo on the Road, provides Dean David Rudenstine the opportunity to meet alumni living outside New York. Since the program started last January, the dean has logged thousands of miles and met with hundreds of alumni.

While regional events in New Jersey, Connecticut, and Long Island help the Law School reach out to alumni who can not easily attend events at Cardozo, trips to California and Florida allow Dean Rudenstine to build Cardozo's reputation from coast to coast. In addition to alumni, Dean Rudenstine visits parents of current students, hiring partners at local law firms, and prospective students. As an ambassador for admissions, career services, alumni, and development, the dean is able to better promote the Law School in the cities he visits. With a national rise in law school admissions and Cardozo's growing reputation, more students outside New York are applying to the Law School, broadening the demographic make-up of the student body.

For many years, Cardozo's admissions staff has recruited across the country. Now the dean is greeting prospective students, too. He also takes the opportunity to remind alumni of their important role for prospective students, new graduates, and as representatives of the School's excellent legal education.

In the fall, Dean Rudenstine traveled to Princeton, NJ to a luncheon with 20 graduates hosted by Lisa Presser '85, a partner at
September and January graduates of the Class of 2003 celebrated at a cocktail reception held at the Salmagundi Club. A festive mood prevailed as 29 J.D. and 22 LL.M degree candidates toasted their future. Dean Rudenstine spoke and presented graduates with a copy of The Nature of the Judicial Process by Justice Benjamin Cardozo. The well-attended event included spouses and many members of the faculty and administration.

Alumni Add to Cardozo’s New Look

To help alumni participate in the Law School’s transformation, the Alumni Association is spearheading an effort to have a graduate’s name on every moot court room seat by the time construction of the room is complete. Since graduates were invited to name the seats in the new Jacob Burns Moot Court Room, more than two dozen of the 144 seats have been reserved.

Throughout the Law School’s extensive renovations, graduates have been encouraged to view Cardozo as their professional home, to feel connected to the School as its physical look is enhanced to match its growing prestige. By permanently adding their own name to the court room or the name of a faculty member or loved one who played a significant role in their law school experience, alumni become a physical part of the Law School.

When future Cardozo students sit in the moot court room, they will read the names of former students, many of whom were pioneers during Cardozo’s early days.

“This opportunity provides us with a personal way to recognize our unique role in Cardozo’s history,” said Mark Yagerman ’79, member of the first graduating class.

For only $2,500, payable over five years, alumni can participate in Cardozo’s capital campaign. “It is important that alumni realize that participation in the campaign should not replace their unrestricted donations to the annual fund,” says Yagerman. The annual fund provides funding for scholarships, technological improvements, and other areas of need. For information about purchasing a seat, call 212-790-0293.

Dean Names Development Director

Amy Gillenson, former New York regional director for the Dartmouth College office of development, was named Cardozo’s director of development in February. Prior to her position at Dartmouth, Ms. Gillenson worked for more than five years at The Johns Hopkins University, where she was associate director of development for the school of arts and sciences and, more recently, director of development for the school of medicine.

Ms. Gillenson worked for Governor Mario M. Cuomo as his regional representative in Syracuse from 1986 to 1991 and in 1994 was the statewide campaign manager for the Campaign for Cuomo-Lundine. From 1991 to 1994, she was executive director of the Loretto Foundation in Syracuse.

Ms. Gillenson holds a B.A. magna cum laude in government and environmental studies from Dartmouth, an M.A. in public administration from Syracuse University, and did graduate studies at the University of Wisconsin.
Class of 1979
Susan Kassapian has been promoted to assistant commissioner and general counsel of New York City's department of consumer affairs where she oversees the legal division, investigating thousands of licensed and unlicensed businesses on behalf of consumers. John Marks was elected family court judge in Nassau County, NY after serving in district court since 1996.

Class of 1980
Edward Fagan was profiled in the October 7 issue of The American Conservative for a lawsuit he brought against banks and corporations for funding or financing equipment or products that enabled crimes against humanity in South Africa during the apartheid government. Steven Goldenberg, partner at Greenbaum Rowe Smith Ravin Davis and Himmel, is included in the 2003-2004 edition of The Best Lawyers in America in the public utility category. He is chair of the firm's energy and public utilities practice group. William Herbert's article "Balancing Test and Other Factors Assess Ability of Public Employers to Exercise Free Speech Rights" was published in the Journal of the New York State Bar Association in September 2002.

Class of 1981
Lois Lipton has been appointed a superior court judge in Bergen County, NJ. She sits in the family division and adjudicates domestic violence and post-judgement matters. Douglas Stanger has been named general campaign chairman for the Jewish Federation of Atlantic and Cape May Counties, NJ. He is vice president of the Jewish Federation and an active leader in professional and community organizations.

Class of 1982
Barbara Kolsun, general counsel for Kate Spade, was profiled in The New York Times for her work tracking down counterfeiters. Abby Noterman was profiled in the July issue of Corporate Legal Times for overseeing online crime investigation as in-house counsel at Internet Crimes Group, Inc.

Class of 1983
Steven Grant was appointed village justice of Dobbs Ferry, NY by Mayor Brian Monahan in January.

Class of 1984
Shirley Kaplan, with Amy Mosery '99 and Esther Schonfeld '01, has founded Kaplan Mosery & Schonfeld, PLLC, with offices in Cedarhurst and New York, NY. The firm concentrates in matrimonial and family law, criminal law, and general business matters.

Class of 1985
Rabbi Robert Summers has returned to The Conservative Synagogue in Westport, CT as its spiritual leader. He was the congregation's founding rabbi 15 years ago.

Class of 1986
Dana Mitchell Jaffe was reelected district court judge in Nassau County, NY, where she has sat since 1996.

Class of 1987
Gerald Balbalatt, president of Parker Allen & Co., was named one of the New York Resident's Top 100 New Yorkers of 2002 for financial consulting.

Class of 1988
Robert Greenbaum became a partner at Budd Larner Rosenbaum Greenberg & Sade in Short Hills, NJ. He practices in the firm's litigation group, which specializes in land use, environmental law, and toxic tort. Robert Seiden was elected to the board of education in Port Washington, NY.

Class of 1989
Michael Wildes opened political offices in Englewood, NJ. Senator Chuck Schumer addressed the opening crowd of more than 300.
Class of 1990

Monica Dugot was profiled in the February 2003 issue of Art News for her efforts on behalf of Holocaust survivors and their heirs to recover artwork seized or looted by the Nazis. She is deputy director of the Holocaust claims processing office of the New York State banking department.

Adam Ennis has joined the Pittsburgh, PA law firm of DKW Law Group as a senior attorney in the litigation practice.

David Huntley has been named vice president of SBC Southwestern Bell in Houston, TX. He is responsible for regulatory, legislative, governmental, and external affairs in the Houston and southeast Texas areas.

Jeffrey Rubin and his wife, Rona Letters Gross Rubin (SSSB ’94), announce the birth of their son, Elazar Moshe. Scott Zemser joined the New York office of Paul Hastings Janofsky & Walker as a corporate partner and will head the firm’s New York banking and institutional finance group.

Class of 1992

Amy Berlin was profiled in the Richmond Times-Dispatch for acting in and directing theater productions in Richmond, VA. She is a staff attorney at the 4th US Circuit Court of Appeals.

Class of 1993

Ronald Spinn became a partner at Vincent J. Russo & Associates, P.C., with offices in Westbury, Islandia, and Lido Beach, NY. He is a certified elder law attorney.

Class of 1994

Mary Chang Dianiska has been named partner at the New York office of Bryan Cave. She is a member of the commercial litigation and product liability client service groups and a member of the firm’s recruiting committee.

Class of 1995

David Slotkin became a partner in the Washington, DC office of Hogan & Hartson. He works in the firm’s corporate securities and finance group representing publicly and privately held companies in mergers and acquisitions.

Mary Chang Dianiska has been named partner at the New York office of Bryan Cave. She is a member of the commercial litigation and product liability client service groups and a member of the firm’s recruiting committee.

Class of 1996

Mary Chang Dianiska has been named partner at the New York office of Bryan Cave. She is a member of the commercial litigation and product liability client service groups and a member of the firm’s recruiting committee.

Wendy (Lane) Dworkin, principal at LLD Enterprises, a commercial real estate company, was profiled in the November issue of the Rochester Business Journal. She was also named a 2002 “40 Under 40” honoree.

Evan S. Seideman joined the Stamford, CT office of Edwards & Angell LLP. He concentrates his practice on venture capital, and mergers and acquisitions.

Letters

THANKS AND A CORRECTION

Dear Editor:

I am writing for two purposes. The first is to thank you for reporting on the work done by Cardozo graduates in the wake of September 11th. It was interesting to read about the experiences of Joseph A. Inzerillo, Sarah F. Warren, Donald Scherer, and Andrew D. Leftt. When so many people wanted to help but could find no outlet for their efforts, all of the volunteers with whom I have spoken seem to be as grateful as I am to have had the opportunity to contribute.

The second reason for this letter is that a quote was incorrectly attributed to me in the article discussing my September 11th-related work. I never said, upon watching events unfold, “It just as easily could have been my building.” This statement, erroneously attributed to me, gives the impression that my first thoughts were of myself and my building, and that simply was not the case. The truth is that what happened in lower Manhattan on September 11th happened, to varying degrees, to everyone, not only those who were in the World Trade Center buildings. It happened to every one of us who love this great city. Rather than focusing on my proximity to the disaster, my feelings about September 11th, and the effect that it had on me, have best been articulated in a letter sent to the Family Assistance Center in late September by D.J. Dixon of Tulsa, Oklahoma. She wrote to express her solidarity with New York, having lived through the bombing of the Murrah Federal Building half a continent away in 1995. The letter said, “Although the very souls of Oklahoma and the nation were rocked in 1995, we have come away with the understanding that life is precious, as is our freedom, and the knowledge that we, as a great nation, will overcome. Please know that whatever we have is yours, and our love, prayers, and support are with you now and forever. I will someday soon bring my grandbaby to see the most beautiful city in the world and walk the streets with her, unafraid and full of awe.”

JACQUELINE HABERFELD ’91

MORE ABOUT CARDOZO’S FIRST DEAN

Dear Editor:

Gary Goldenberg’s recent article describing Cardozo’s very early formative years was remarkably successful in conveying the excitement, drama, difficulties, and successes of those first years. Goldenberg vividly paints the personality, style, and contributions
of Cardozo's astonishing first dean, Monrad Paulsen. As admirable as Mr. Goldenberg's account is, though, it may be that one had to experience Monrad first hand to appreciate the full impact of the larger-than-life figure. I met Monrad in the late winter of 1979, a few months before Cardozo graduated its first class. I was being considered for a faculty position, and he suggested that we have lunch at his apartment. Of course, I was completely knocked out at the thought of having lunch with this legendary figure at his Manhattan home. If I told you that I carefully picked out my suit that day, it would be a quiet understatement of my earnestness, but you might begin to feel the throbbing pulse I had that day. When I arrived at Monrad's apartment, I thought I was early or had the wrong day since I seemed to have caught him by surprise. Nonetheless, he offered me lunch—canned pork and beans—and a soda. It was surely not what I anticipated, but there was nothing about the encounter that was disappointing. From beginning to end, Monrad was all substance with a take-no-prisoners intellectual disposition.

What Monrad most wanted to know about me was whether I was a thinking person. He expressed concern that my views about important legal and public policy matters might be artificially muted because I was at the time the acting executive director of the New York Civil Liberties Union. Thus he probed: what did I think about this or that? And no matter what I answered there were follow-up questions, and then a new topic.

My responses must have been adequate because eventually Monrad's intellectual starch began to run out and he relaxed. As he did, he talked more about himself and his hopes for Cardozo. I can still recall our walk up Fifth Avenue as Monrad began to reveal his deep and emotional commitment to an inquiring and unhampered mind. Although he surely had his preferences and values, he did not care much what I thought as long as I thought at all. In me, as in all the faculty applicants I observed him assess, Monrad was looking for something quite intangible, perhaps a spark that ignited an energetic response, an openness of mind, a freshness of spirit, or an imagination that surprised. Whatever it was, I felt during my time with him that Monrad was hunting for something that could not be easily defined.

I am not sure what it was that Monrad thought he found in me. I am sure that in Monrad I found a most unusual person whose strengths, convictions, and commitments ran as deep as they were rare. Monrad was inspirational, ambitious, and courageous. He threw himself into his work and his people. He was determined to leave a powerful imprint on Cardozo and the people who filled its classrooms and hallways, and he did. Without Monrad, Cardozo would not have been or become the law school that it was or became. And with Monrad, we have memories and a tradition that are joyful and uplifting.
ous positions for the SEC and then at the law firm of Morgan, Lewis & Bockius in Washington, DC and New York.

Pamela Katten '86 died in September. She was a public defender in New York and deputy attorney general for the State of New Jersey.

Stephanie Thea Shatkin '79 died in December. She was assistant general counsel for the New York State Transit Authority.

LLM NEWS & NOTES

Class of 2000

Ruth Hay (UK) is contract manager at Computer Sciences Corporation.

Class of 2001

Romilda Pia Crocamo (US) works at Weg and Myers, PC. She is also a committee chair of the Cardozo Alumni Association. Jasper Hagenberg (Germany) is teaching intellectual property law at New York University while he practices law with Buse Heberer Fromm in Berlin. Elina Koci (Albania) works for the resident legal advisor at the United States Embassy in Tirana. Carla Moreschi (Brazil) works in the law department of Safra Bank. Christa Ostertag (Germany) is an associate at Allen & Overy in Frankfurt. Michelle Purri (Brazil) is an associate at Richards and Folansky PA, an international tax law firm in Miami. Suzanne Weerasinghe (Switzerland) returned to Zurich to work at Rinderknecht Klein & Stadelhofer, a law firm that concentrates on international commercial law. Nili Weitzman (Israel) is general counsel of Technion Research and Development Foundation Ltd.

Class of 2002

Lyle Bogosd (US), works for Gale P. Easton, Esq.; he first became associated with the firm through Cardozo's intellectual property externship. Daniel Biene (Germany) was named to the executive board of the DAJV, the German American Lawyers' Association. Lisa Digernes (Norway) works at Cowan, DeBaets in New York. Zohar Efroni (Israel) wrote "The Anti-Cybersquatting Consumer Protection Act and the Uniform Dispute Resolution Procedure: New Opportunities for International Forum Shopping," soon to be published in the Columbia Journal of Law and the Arts. Zohar and Sarah Flaccus (Germany) are moving to Berlin, where Sarah will complete her referendaat (post-graduate internship) and Zohar will learn German. Lisandro Frenc (Argentina) returned to Buenos Aires and works at Richards, Cardinal, Tutzer, Zabala & Zaeflerer. Claudia Hoeft (Germany) is working at the Jewish Claims Conference of the Claims Resolution Tribunal in New York. Vasundhra Prasad (India) is an intern at the World Intellectual Property Organization (WIPO) in New York. Kampanat ("Boat") Seelasorn (Thailand) works in the legal division of the Electric Generating Authority of Thailand. Erica Schlesinger Wass (US) is the editor of Addressing the World (Roman & Littlefield, forthcoming), the first book to examine Internet domain names from a political, historical, and sociological vantage point. Erica was a panelist at the Internet Lawmaking conference at Cardozo this March.

Tavern on the Green was the place. A record crowd of nearly 150 alumni, current students, faculty, and administrators attended the annual Law Review Alumni Reunion. (From left) David Loretto '02, Christopher Van de Kieft '02, and Jennifer Hudson '02.

Larry Cunningham '88, Vivien Naim '88, and Allen Applbaum '88

Claudia Hoeft (Germany) is working at the Jewish Claims Conference of the Claims Resolution Tribunal in New York. Vasundhra Prasad (India) is an intern at the World Intellectual Property Organization (WIPO) in New York. Kampanat ("Boat") Seelasorn (Thailand) works in the legal division of the Electric Generating Authority of Thailand. Erica Schlesinger Wass (US) is the editor of Addressing the World (Roman & Littlefield, forthcoming), the first book to examine Internet domain names from a political, historical, and sociological vantage point. Erica was a panelist at the Internet Lawmaking conference at Cardozo this March. Caty Stamate (Romania) completed her internship at the World Intellectual Property Organization (WIPO) in New York and now works for the Office of Harmonization of the Internal Market, the trademark office for the European Union, in Alicante, Spain. Mark Wilson (US) worked last summer for the Pennsylvania Supreme Court and is now teaching Criminal Procedure and Legal Writing at the Dickinson School of Law. Yoko Yamamoto (Japan) works at Jaffe & Nohavicka where she focuses on arbitration and motions practice. Brent Yonehara (US) wrote "Enter the Dragon: China's WTO Accession, Full Piracy and Prospects for Enforcement of Copyright Laws," the lead article in 7 DePaul Journal of Arts and Entertainment Law 63 (2002). Another article, "Big Brother: Government as Service Provider and the Electronic Communications Privacy Act's Provider Exception," will be published in the Journal of Internet Law.

Wayne Liu (China) founded AceLong International Advisors and Managers, a business, legal, and public relations company for the Sino-American business community.
Alumnus Donates $500,000

Last June, Nate Kacew ‘98 gave Cardozo the largest gift ever received from a graduate, with the hope of seeing his vision of the Law School as a nationally recognized, first-rate institution become a reality. Nate believes that through participation and financial support of Cardozo, alumni can help the Law School achieve a national reputation, improve its programs and facilities, and have a superior student body and faculty.

Nate designated his generous gift to the building fund, helping to pay for renovations currently being completed. His timely contribution enabled the Law School to make some critical progress with regard to the physical plant. Nate also recognizes the need for annual unrestricted support of the Law School and encourages alumni to participate in the annual fund at the level they are able.

“Cardozo needs to offer students more scholarship funds, enhanced academic programs and opportunities, and a strong alumni network,” says Nate. “We can achieve this if alumni are committed to helping the Law School succeed and actively contribute their time and money to ensure that Cardozo can meet its growing needs.”

Nate was elected to Cardozo’s Board of Directors, where he expects to find a platform to discuss fresh, new ideas that will help propel Cardozo forward. He has also volunteered his entrepreneurial expertise, looking forward to using his marketing and negotiating skills to benefit the institution.

“Nate is just the type of person our Board is looking for,” says Dean David Rudenstine. “He’s a smart businessman offering his advice on how to make Cardozo stronger and an alumnus who wants to invest in his law school and see it thrive.”

Nate came to Cardozo in 1995 after selling his corporation, The Corporate Presence. Complete with a three-year, no-compete clause, the final contract offered him the perfect opportunity to pursue a J.D—the educational challenge he passed up when he chose instead to pursue an MBA at Stern School of Business. Upon graduation from Cardozo, Nate took advantage of the dot-com craze in full swing at the time and started a new company, The Gifted Portfolio. As founder and CEO, he provides leadership for the boutique, mid-sized CARDOZO TREASURER RECEIVES HONORARY DOCTORATE

Barry A. Shenkman, treasurer of Cardozo’s Board and president of the Jacob Burns Foundation, a private charitable organization founded by and named for Mr. Shenkman’s grandfather, received an honorary doctor of humane letters degree at Yeshiva University’s 78th Annual Hannukah Dinner in December. New York City Mayor Michael M. Bloomberg, who also received an honorary doctorate that evening, gave the keynote address. Rachel Warren ‘92, Cardozo Board vice chair, was vice chair of the dinner.

Mr. Shenkman continues the philanthropic tradition begun by his grandfather, a founder of Cardozo and a chairman of the Board, who provided the vision and support for the establishment of the Jacob Burns Institute for Advanced Legal Studies, the Center for Ethics in the Practice of Law, the moot court room, and the merit scholarship fund, all named for him. Through Mr. Shenkman’s leadership, this extraordinary partnership has grown. Most recently, the Jacob Burns Foundation provided major funding for the expansion of the Jacob Burns Moot Court Room. Mr. Shenkman was instrumental in creating the Jacob Burns Film Center in Pleasantville, NY, a non-profit cultural arts center affiliated with the Film Society of Lincoln Center.

Barry Shenkman talks with students at a luncheon held for Jacob Burns Scholars.
company, which works with financial institutions to promote and publicize their transactions.

Nate's reputation in the financial community is stellar. A partial listing of his impressive roster of clients includes Goldman, Sachs & Co., Wasserstein Perella and Co., Allen and Company, Credit Suisse First Boston, and Lazard Freres. He has played a role in some of the largest corporate mergers and acquisitions and financings of the past two decades.

"Having a law degree keeps me in-the-know with regard to the many business decisions we face on a daily basis," says Nate. "I am more aware of when I need a lawyer and when litigation would be frivolous."

Nate wants to see Cardozo be the best it can be and he has committed to that goal with his generous support. His dedication serves as a model for alumni, whose involvement will help Cardozo achieve its ambitions and bring greater recognition to the Law School as one of the best in the country.

IN MEMORIAM
Siggi B. Wilzig, a founding director of the Cardozo Board, died in January at the age of 76. Wilzig was an influential business and community leader, a philanthropist, and a Holocaust survivor. He was chairman of The Trust Company of New Jersey, a member of the National Israel Bond Cabinet of the US, and held the Prime Minister's Medal of the State of Israel. In 1980, Wilzig was appointed by President Jimmy Carter to the US Holocaust Memorial Council, and in 1998 he received the Ellis Island Medal of Honor for outstanding contributions to the United States. His son, Ivan Wilzig, graduated from Cardozo in 1980.

Lautenberg Wins in NJ
Senator Frank R. Lautenberg of New Jersey, a member of Cardozo's Board since 2001, was elected to a fourth term in the US Senate, ending a two-year retirement. Senator Lautenberg was, until his recent election, chair of the Board's nominating committee and has participated as a speaker at several Law School events. He was named recently to the Senate committees on commerce, science, and transportation and governmental affairs. His daughter, Ellen Lautenberg Hendel, is a graduate of Cardozo's class of 1993.

(Below) Ruth Katz, Earle Mack, Fran Spilke (mother of Gary Nitsberg '94), and Steve Katz. Mr. and Mrs. Katz are the parents of Hillary Katz '04.
Cardozo Calendar of Events

MAY 4-5
Floersheimer Conference: Emergency Powers in War Time

MAY 19-20
Cardozo Dispute Resolution Institute

JUNE 11
Benjamin N. Cardozo School of Law Commencement

JUNE 12