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Benjamin N. Cardozo School of Law

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Cardozo Students on the Front Lines

Defending Detainees at JFK Airport and on the Texas Border
Protecting Prisoners’ Rights in Louisiana
“We live in a world that is changing much faster than humans and human culture have evolved to adapt. All serious legal and moral thinkers in the 21st century, therefore, will inevitably need to reckon in sophisticated ways with the encounter between tradition and contemporary reality. I envision these discussions taking place in a variety of ways across YU—and Cardozo, with its legal scholars and thinkers, will be absolutely essential in that effort.”

—RABBI DR. ARI BERMAN
PRESIDENT, YESHIVA UNIVERSITY
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After a yearlong global search for a new leader, Yeshiva University proudly appointed Rabbi Dr. Ari Berman as its fifth president in June.

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“If we’re training our students to utilize the highest level of transactional skills to represent filmmakers working in social justice arenas,” said Director of the Independent Film Clinic Michelle Greenberg-Kobrin, “that allows our students to further the cause of social justice.”

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“What makes the Innocence Project effective is that it taps into something on a very spiritual level,” says Cardozo Clinical Professor of Law Barry Scheck, co-director of the Innocence Project. “It is this whole struggle that our clients and their families engage in, which is to overcome injustice.”

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A Message from the Dean

CARDozo LAW SCHOOL IS ON AN UPWARD TRAJECTORY, and our community remains as remarkable and engaged as ever. Our mission is to ensure that our graduates are in the best possible position to meet their responsibilities as lawyers—both to their clients and to the greater society we serve.

This edition of Cardozo Life magazine is dedicated to the passion and drive that defines us, with stories of inspiring students helping people caught up in a broken immigration system (page 24), innovative professors working together to create a new course to analyze legal issues generated in the first days of the Trump administration (page 16), and a tribute to the 25th anniversary of the Innocence Project (page 34), one of the truly pioneering clinics through which Cardozo has helped transform legal education and the justice system.

It is no surprise that the National Jurist recently listed Cardozo as the number one law school in New York City—and the 14th in the nation—for practical training. Cardozo has one of the most robust clinical programs in the country, offering 12 in-house clinics taught by full-time faculty members. Clinic students represent real clients, and in doing so acquire the professional and practical skills necessary for successful practice. This year our students have advocated for clients held in detention in Dilley, Texas, and at JFK airport, and in solitary confinement in the Angola Prison system in Louisiana. They have represented the elderly, the poor and have spent semesters working in the Manhattan DA’s office. Cardozo also offers two clinics—the Tech Startup Clinic and the Indie Film Clinic—that teach students transactional skills. We have expanded the number of skills courses that we offer by creating new courses in contracting drafting, financial literacy and corporate deals.

We have expanded programs and created new ones to better prepare our students for careers in law and business. Our renowned Intellectual Property and Information Law Program is ranked second in New York City and is consistently ranked as one of the best in the country. Our expanded IP offerings include the FAME Center for fashion, art, media and entertainment law, which brings high-profile speakers to the law school and helps students land internships in these industries; the Cardozo/Google Patent Project, which seeks to increase the number of patents held by women and minorities; and the Fashion Law Practicum, in which Cardozo Law students help graduate students at the Fashion Institute of Technology bring their projects to the marketplace. These programs are unique in legal education, teaching our students to think creatively to solve problems and to build strong business connections in these industries. And this summer we hosted the 17th Annual Intellectual Property Scholars Conference—the largest annual gathering of IP scholars in the nation.

Strengthening connections to firms and to the workplace has been a driving force for us, and our strategies are working. We have seen a jump in our employment numbers, and the National Law Journal lists Cardozo as 36th in the nation for 2016 graduates hired in "gold standard jobs"—meaning full-time, long-term jobs that require bar passage and are not funded by the law school.

These accomplishments are the result of an active Board of Overseers, an incredibly supportive alumni network and a dedicated faculty—ranked 29th in the nation for scholarly impact, and yet dedicated to teaching and always accessible to our students.

I hope you enjoy this edition of Cardozo Life and use these stories to celebrate our community and the spirit of this great institution.

With Warm Regards,

MELANIE LESLIE
Dean
Dr. Samuel Belkin Professor of Law
YESHIVA UNIVERSITY proudly appointed Rabbi Dr. Ari Berman as its fifth president in June. His appointment ended a yearlong, global search for a new leader and marked the beginning of a new era for the university. Dr. Berman is a distinguished scholar of medieval Jewish studies and modern Jewish thought with deep ties to Yeshiva and the entire YU community. Former President Richard Joel, who served with distinction as Yeshiva's president since 2003, stepped down after Dr. Berman's appointment in June.

Dr. Berman, whose official investiture took place on September 10, 2017, is an accomplished writer, scholar and instructor who has lectured widely throughout the U.S. and Israel and has written numerous articles on subjects including current trends in Jewish thought and the future of Orthodoxy.

“So much of who I am and how I view the world stems from my many years of formative experiences as both a student and teacher at Yeshiva University,” Dr. Berman said. “In many cases, my first encounter with disciplines that would become the objects of lifelong intellectual pursuits occurred here.”

Dr. Berman has been a part of Yeshiva University's educational system since his high school years at Marsha Stern Talmudical Academy in Queens. He then earned his B.A. from Yeshiva College, his M.A. in Medieval Jewish Philosophy from the Bernard Revel Graduate School of Jewish Studies and his rabbinical ordination from the Rabbi Isaac Elchanan Theological Seminary (RIETS). Following ordination, he was selected as a fellow in RIETS' post-ordination study program, which included two years of learning at Yeshivat Har Etzion in Israel. Dr. Berman completed his higher education with a Ph.D. in Jewish Thought at the Hebrew University of Jerusalem.

Dr. Berman's return to Yeshiva University, after nearly 10 years living in Israel, is a homecoming of sorts. “Returning to YU, I have noticed an energy and passion that exists here at all levels of the institution,” he said. “My challenge as university president will be to grow and channel that energy as we work together to educate the leaders of tomorrow who will transform the world for the better.”

As Dr. Berman takes on leadership of the full university, he maintains specific goals and ideas for the future of Cardozo Law. “Cardozo exemplifies YU’s mission in several pivotal ways,” Dr. Berman said. “There are few places throughout Yeshiva University that exhibit kindness towards others, especially the underprivileged or oppressed, more than Cardozo.

“Another striking feature of Cardozo is its nimble pedagogical approach, expertly blending theory and practice. Cardozo features first-rate scholars and a wide range of cutting-edge clinical offerings. From the Civil Rights Clinic to the Human Rights and Atrocity Prevention Clinic and more, faculty and students at Cardozo are leading the way in infusing the world with care and compassion.”

The new president describes Cardozo as having its own unique standing while also playing an essential role as part of the university community. “Cardozo already features many commonalities with YU’s other schools, including an emphasis on learning not just through study but through service; a robust commitment to helping the disadvantaged; a commitment to cultivating curiosity; and more.” Dr. Berman describes the future vision as organically integrated into the broader YU community, saying, “since YU exists as an interlocking community of communities, I look forward to the development of a variety of opportunities for Cardozo to both influence and learn from the broader YU community.”

Asked where he sees the law school integrated into his vision of the university, Dr. Berman had this to say:

“We live in a world that is changing much faster than humans and human culture have evolved to adapt. All serious legal and moral thinkers in the 21st century, therefore, will inevitably need to reckon in sophisticated ways with the encounter between tradition and contemporary reality. I envision these discussions taking place in a variety of ways across YU—and Cardozo, with its legal scholars and thinkers, will be absolutely essential in that effort.”
A Conversation with Senator Claire McCaskill

On April 3, Senator Claire McCaskill of Missouri participated in a lively and informative conversation with Dean Melanie Leslie before students and others from the Cardozo community. Their dialogue focused on how to bridge the political divide now facing the country. The senator talked about the role congressional women from both sides of the aisle are playing to try to keep the government moving forward and discussed the political battle over the nomination of Neil Gorsuch to the Supreme Court, which was coming to a head as this event took place. She described how her career as a prosecutor broke down barriers in a male-dominated field—and how forging that path helped prepare her for her long career in politics. The session ended with the senator responding to questions from the audience on topics including immigration, NAFTA and the investigations into Russian interference with the 2016 U.S. Presidential election.

WHAT TO EXPECT IN THE TRUMP YEARS WITH MSNBC’S CHRIS HAYES

Chris Hayes, journalist, commentator and host of the MSNBC show All In with Chris Hayes, was interviewed by Professor Kate Shaw in January 2017 about what to expect in the Trump years. The interview was part of Cardozo’s Public Service Law Week seminar offerings. Professor Shaw, who teaches constitutional law at Cardozo and is the Supreme Court analyst for ABC News, is married to Hayes. She worked in the White House counsel’s office during the Obama administration and served as a law clerk for Supreme Court Justice John Paul Stevens.

International Law and National Security: A View from Abroad on Current Trends in Targeting, Detention and Trials

The Cardozo Law Institute for Holocaust and Human Rights (CLHHR), the Floersheimer Center and the American Red Cross hosted the panel International Law and National Security: A View from Abroad on Current Trends in Targeting, Detention and Trials. The discussion explored international experts’ perspectives on the applicability of international law to national security issues in the United States. Panelists included Joanna Harrington, professor of law at the University of Alberta; Kevin Jon Heller, professor of criminal law at SOAS, University of London and University of Amsterdam; Noam Lubell, professor in the School of Law at University of Essex; and Marko Milanovic, associate professor at the University of Nottingham School of Law. The discussion was moderated by Beth Van Schaack, Leah Kaplan Visiting Professor in Human Rights at Stanford Law School.

Vanita Gupta, former deputy assistant attorney general for civil rights in the Obama administration, addressed Cardozo’s graduating class of 2017 at the 39th commencement ceremony on May 24. Gupta lead the U.S. Department of Justice’s Civil Rights Division from 2014–2017. In her speech she urged young lawyers to be faithful to continuing the fight to ensure voting rights for all and protect the hard fought gains made in advancing civil rights.
Cardozo and Google Launch the Project for Patent Diversity to Help Women and Minority Entrepreneurs Obtain Patents

With the support of a $200,000 grant from Google, Cardozo announced the launch of the Cardozo/Google Project for Patent Diversity, with the goal of becoming the go-to destination for women and other underrepresented entrepreneurs in need of patent assistance.

Roughly one-third of all businesses in the U.S. are owned by women, and the number of women receiving undergraduate and graduate degrees in STEM fields is growing. Yet the percentage of women-owned patents remains stubbornly low. Today 81% of all patents do not involve women inventors, and even among filings that include women, fewer than 8% of patents list women as the primary inventor. Although these numbers have been slowly improving, at current rates, women will not hold as many patents as men for nearly a century—until 2092.

The story for U.S.-born minority members (including Asian Americans, African Americans, Latino Americans, Native Americans and other ethnicities) is largely the same. These groups make up just 8% of U.S.-born patent holders, despite constituting 32% of the total U.S.-born population.

The Cardozo/Google Project for Patent Diversity will systematically address these problems by building and maintaining a network of in-house counsel, private law firms and pro-bono legal clinics to help provide patent assistance to female and minority group members in need of representation. Professor Aaron Wright, the Director of Cardozo’s Tech Startup Clinic, will oversee the project.

The Cardozo Blockchain Project, created under the direction of Associate Clinical Professor Aaron Wright, is a groundbreaking initiative and the first of its kind at any law school in the country. Blockchain technology is revolutionizing finance, and law students who have training in legal agreements that rely on “smart contracts” will have a huge advantage in coming years. The technology is “doing to finance, corporate governance and law what the Internet did to communications and media 25 years ago,” said Aaron Wright.

Blockchain is creating new possibilities for the world’s financial and legal systems as well as for new, more secure government applications, new virtual organizations, and machine-to-machine interactions governed primarily or exclusively by code. The Blockchain Project, co-directed by Wright and Professor Jeanne Schroeder, explores the legal questions that surround blockchain technology in areas such as payment systems, securities law, corporate governance, property law and intellectual property.

The Cardozo Data Law Initiative continues its groundbreaking work for students at the law school. Designed to prepare law students for careers in the rapidly expanding legal fields of information governance, e-discovery, data privacy, social media law and cybersecurity, the program supports Cardozo’s concentration in data law. The CDLI board of advisors—chaired by Ariana Tadler, one of the leading authorities in e-discovery—provides expanded business opportunities for students through externships.

The CDLI Hosted the Following Events During the Spring 2017 Term:

Electronic Information in Criminal \textit{wwCases} took place Feb. 28 and focused on the significance of electronically stored information, which is becoming as important in criminal cases as it is in civil litigation.

World IP Day was held April 26. This year’s opening panel, Digital Creativity: Culture Reimagined, addressed the ways in which
The FAMıE Center for Fashion, Arts, Media and Entertainment Law

The FAMıE Center is part of Cardozo’s IP program. The Center provides coursework, externships, clinics and symposia in fashion, art, music, sports and media law under the leadership of Barbara Kolsun, one of the fashion world’s top lawyers. Cardozo, a leading law school for producing lawyers in creative industries, began offering an LL.M. in fashion law this year.

The FAMıE Center hosted several blockbuster events in 2016–17. In January, the school welcomed legendary music producer and innovator Clive Davis, who was interviewed by alumna Julie Swidler ’82, general counsel for SONY Music Entertainment.

Davis started as the general counsel for Columbia Records and ultimately became one of the most successful producers of the modern age. He spoke about his professional journey, beginning when he completed law school at Harvard, through his work as a lawyer in the recording industry, and on through his eventual shift over to the creative side of the field after a “life-changing” visit to the Monterey Pop Festival in 1967. Shortly after that festival, Davis bought the contract for one of the performers who impressed him. Janis Joplin’s first album went on to sell five million copies. Davis would later shape the careers of Whitney Houston, Carlos Santana, Alicia Keys, Aretha Franklin, Rod Stewart, Aerosmith, and many others.

Davis has two children who are Cardozo graduates, and he said that the discipline of being a lawyer is what gave him a great background for success—that, and a great ear for music. Cardozo School of Law was named one of the top ten law schools in the nation for preparing lawyers for the music industry by Billboard Magazine.

TECH talks

Cardozo hosts a wide variety of lectures and conferences on technology and law. The following Tech Talks were held during the 2016–17 academic year:

**Video Games:**
- Legal Issues in Virtual Reality
  - Oct. 20, 2016

**eSports:**
- The Interdependence of the Legal Sector and Industry
  - Oct. 26, 2016

**Symposium:**
- Legal Issues with eSports
  - Nov. 1, 2016

**Smart Contracts as Legal Contracts**
- Feb. 22, 2017

OTHER FAMıE CENTER EVENTS:

- A Conversation with Fashion Icon Isaac Mizrahi about fashion, law and business
  - September 12, 2016

- Online Art Auction Market
  - September 15, 2016

- Art Law Day
  - November 11, 2016

- A Conversation with HBO President of Documentary Films Sheila Nevins, one of the most influential filmmakers in the country
  - November 30, 2016

- Legal Aspects of the Jewelry Industry
  - March 15, 2017

- Fashion Law in Latin America
  - March 23, 2017

- Artificial Intelligence & Creative Works
  - March 23, 2017

- Confront or Conform?
  - Broadcast Deals with New Media
  - April 20, 2017

TOP NEWS & events

current IP and cyber law affects and is influenced by the creation, distribution and enjoyment of various cultural works in digital media including film, TV, music, books and fashion.

Implementing the New DFS Cybersecurity Regulation, held April 28, focused on a new statewide cybersecurity regulation that requires regulated entities to “establish and maintain a cybersecurity program designed to protect consumers’ private data and ensure the safety and soundness of New York’s financial services industry.”
an event titled Federal Judges’ Panel: Costs and More Costs. The event was conceived by Professor David Rudenstein. He invited the judges to focus their insights on Judge Victor Marrero’s 2016 Cardozo Law Review essay “The Cost of Rules, the Rule of Costs.” The forum provided a rare opportunity to hear the views of distinguished federal judges on ways to reduce costs, improve efficiency and bring justice for all. The panel of judges included:

**Hon. Robert A. Katzmann,**
Chief Judge of the U.S. Court of Appeals for the Second Circuit

**Hon. Richard M. Berman,**
United States District Judge, Southern District of New York

**Hon. John G. Koeltl,**
United States District Judge, Southern District of New York

**Hon. Loretta A. Preska,**
United States District Judge, Southern District of New York

**Hon. Jed S. Rakoff,**
United States District Judge, Southern District of New York

In September the law school celebrated professor and former dean David Rudenstein’s latest book, *The Age of Deference: The Supreme Court, National Security, and the Constitutional Order.* A panel of distinguished experts debated the book’s thesis that the Supreme Court has abdicated responsibility on national security issues by all-too-frequently deferring to the executive branch. The September 19 event was co-sponsored by the Floersheimer Center, the Cardozo Law Review and the Center for Rights and Justice. The discussion centered on the Supreme Court’s approach to the executive branch in cases involving national security over the past seven decades. Legal scholars on both sides of the issue traded arguments surrounding everything from the Founding Fathers’ penchant for secrecy to the practices and legal challenges at the U.S. detention center in Guantánamo Bay, Cuba. In addition, the speakers discussed issues of enhanced interrogation, preventative detention and the National Security Agency’s metadata-collection program.

On February 23, the Cardozo Law Review hosted Personhood and Civic Engagement by People with Disabilities, a daylong symposium dedicated to the struggles of people with disabilities and the barriers they face in civic and social activities. Panelists included Cardozo professor Leslie Salzman, who oversees all clinics at Cardozo, and her Bet Tzedek clinic co-director, Professor Rebekah Diller. Bet Tzedek is one of Cardozo’s oldest and most renowned clinics, and the work of its students has helped elderly clients and clients with disabilities every year since its inception.

**HATE SPEECH AND THE CULTURE WARS**

On September 18th Cardozo hosted a lively debate about the causes and possible legal responses to the present worldwide surge in racism, xenophobia, Islamophobia and anti-Semitism. Panelists included:

Prof. Kate Shaw (moderator)
Susan Benesch
The Center for Internet and Society, Harvard
Prof. Stanley Fish
Floersheimer Distinguished Visiting Professor of Law
Robert C. Post
Dean, Yale Law School
Prof. Michel Rosenfeld
Yeshiva University Professor of Law and Comparative Democracy
Prof. Ekow N. Yankah
Sponsored by the Floersheimer Center, The Cardozo Law Center on Holocaust and Human Rights (CLIHHHR), and the Program on Global and Comparative Constitutional Theory.
The Heyman Center’s mission is to raise public and academic awareness of pressing corporate and securities law issues, to produce and disseminate research on a broad range of topics in these fields, and to educate and train students and professionals. The Heyman Center sponsored and organized public symposia and lectures by leading legal scholars as well as prominent law and business figures during the 2016–17 academic year:

- **Compliance Roundtable and Networking Reception**
  - September 20, 2016

- **Show Me the Money: Lending in Bankruptcy**, with Leonard Klingbaum, Willkie Farr (Heyman Lunch Speaker Series)
  - October 5, 2016

- **Compliance: A Former Prosecutor’s Perspective and Compliance Oversight at the NYPD** (Compliance Speaker Series)
  - October 31, 2016

- **Raymond Mouhadeb, U.S. General Counsel of Lombard Odier** (Heyman Lunch Speaker Series)
  - November 7, 2016

- **Corporate and Securities Law: The Practitioner’s Perspective** (Heyman Lunch Speaker Series)
  - February 6, 2017

- **Flash Boys: High Frequency Trading** (Compliance Speaker Series)
  - February 22, 2017

- **Volkswagen: Representing a Multi-National Corporation in Criminal and Civil Regulatory Investigations**
  - March 6, 2017

- **Ethical Considerations for the Business and Corporate Attorney**
  - March 7, 2017

- **In-House Legal Careers in the Corporate World**
  - March 30, 2017

- **The Current State of Insider Trading Law**
  - April 3, 2017

- **Transformation of Compliance in the Financial Industry: Heightened Standards**
  - April 5, 2017

- **The European Way to Banks’ Bail-in**
  - April 25, 2017

Public Service Law Week

Cardozo Law is deeply committed to public service law, instilling in students an understanding of the critical role lawyers play in providing access to justice for those in need. The Public Service Law Center provides guidance and support to students wishing to pursue careers in public service.

**Public Service Law Week (P*LAW)** is a weeklong intensive that takes place each year as part of January Lawyering Skills Month. Approximately 100 students participate as legal practitioners, and community advocates and organizers address important issues such as youth representation, prisoners’ rights, immigration, and environmental law. The week culminates with Cardozo’s Inspire! Awards ceremony, which honors outstanding achievements in public service.

This year’s P*LAW Week included a visit from **Chris Hayes**, journalist, commentator and host of the MSNBC show All In with Chris Hayes, who spoke with Professor Kate Shaw about President Trump’s agenda, rhetoric and unconventional style and the public concerns they have inspired.

**The Honorable Asher Dan Grunis**
Former President, Supreme Court of Israel

**Arye Edrei**
Professor of Law, Tel-Aviv University

**Ronit Irshai**
Helen Gartner Hammer Scholar-in-residence, Bar-Ilan University; Research Fellow, Shalom Hartman Institute

**Riki Shapira**
Helen Gartner Hammer Scholar-in-residence, Hadassah Brandeis Institute; Attorney, Israeli Religious Action Center; Legal Advisor to Kolech; Lecturer, Ono Academic College

**Rivka Weill**
Israel Institute Visiting Professor, Cardozo School of Law; Professor, Interdisciplinary Center
The Dean's Speaker Series Helps Students Look to the Future

The Dean’s Speaker Series allows students to meet and spend time with prominent alumni and friends of the law school who generously share their experience, expertise and insights on building a professional life. This year, students enjoyed lunchtime talks with this diverse list of guests:

Marc Simon ’01
Partner, Entertainment Cowan, DeBaets, Abrahams & Sheppard

Shelly Paioff ’06
Deputy General Counsel & Head of Legal, U.S. Taboola

Ziel Feldman ’83
Chairman and Founder, HFZ Capital Group

Amanda Wolfe ’04
Senior Vice President, Legal & Business Affairs, Comedy Central

Jason Starr ’10
Assistant Counsel to the Governor, New York State Executive Chamber

Ashley Antler ’09
General Counsel, Castle Connolly Private Health Partners

Stephanie Mazepa ’06
Vice President, Business and Legal Affairs, TechStyle

Segal Blakeman ’94
Senior Matrimonial and Family Law Counsel Law Offices of Jill C. Stone Acting Judge, Village of Cedarhurst

John LaBarre ’05
Senior Counsel & Head of Patent Transactions, Google

Todd Soloway ’91
Partner, Real Estate Litigation, Pryor Cashman

Amanda Bassen ’10
Associate, White-Collar Defense Litigation, Duane Morris

Kathryn O. Greenberg Immigration Justice Clinic Wins Freedom for Client Facing Deportation

Students in the Kathryn O. Greenberg Immigration Justice Clinic celebrated a big victory in May when one of their clients, “Mr. L.,” a Jamaican national, won his quest to avoid deportation. He was facing the possibility of torture or death if he returned to Jamaica.

Alexandra Jarymowycz ’18 and Steven Ashur ’17 worked on the case beginning in September 2016. They appealed the deportation order that Mr. L. had received when represented by his previous attorney and won the appeal of that decision from the Board of Immigration Appeals in December 2016.

Mr. L’s case was remanded to the Varick Street Immigration Court, and after litigating the case during the spring semester, the students won his protection from removal.

The immigration judge concluded that Mr. L. had established a claim under the United Nations Convention Against Torture. The clinic students had demonstrated that it was more likely than not that Mr. L. would be tortured in Jamaica and that the Jamaican government would acquiesce in that torture.

Mr. L. was released in May after 17 months of detention.

“It feels pretty awesome to get my freedom back,” Mr. L. said. “I always had faith in the team. I always said, ‘You guys are the dream team.’ If it wasn’t for this school ... maybe I wouldn’t have my freedom today.”

CARDozo LAW NAMED BEST LAW SCHOOL IN NEW YORK, 14TH-BEST IN NATION, FOR PRACTICAL TRAINING

Cardozo School of Law was named the 14th-best law school for practical training in the nation, receiving an “A” grade in the Spring 2017 edition of The
Civil Rights Clinic Students Travel to Angola Prison During Investigation of Solitary Confinement Case

On March 29, the Cardozo Civil Rights Clinic, along with co-counsel, filed a class action lawsuit on behalf of death row prisoners at Louisiana State Penitentiary at Angola in Louisiana. Death row prisoners at Angola spend 23 hours every day in extreme isolation. They are kept in windowless cells that measure eight feet by ten feet and are allowed out of their cells for only one hour each day. The named plaintiffs have been kept in solitary confinement for between 25 and 31 years. The lawsuit, which was covered in The New York Times, alleges that placing these men in solitary confinement violates their rights to due process and to be free from cruel and unusual punishment.

In preparing the suit, Cardozo Civil Rights Clinic students Hasnaa El Rhermoul ’18 and Lekha Menon ’18 traveled to Angola alongside their co-counsel to meet with their clients. “After meeting our clients, I was able to truly get a better feel for what solitary confinement was like—though of course not fully,” said El Rhermoul. “Hearing their stories about the degradation they are subjected to on a daily basis concretized the horrors of the prolonged isolation they endure, horrors that are ignored because of the prisoners’ sentence.”

The Civil Rights Clinic filed the case along with co-counsel Nicholas Trenticosta, partner at New Orleans firm Herrero & Trenticosta, and lawyers from the New York City-based law firm Hogan Lovells. The Hogan Lovells team includes Elizabeth Seaver ’13, an associate at the firm and a former student of Civil Rights Clinic Director Professor Betsy Ginsberg.
**FALL 2017**

**ATROCITY HUMAN RIGHTS AND ATROCITY PREVENTION CLINIC WINS TWO ASYLUM CASES**

The Benjamin B. Ferencz Human Rights and Atrocity Prevention Clinic won asylum for clients in two notable cases.

Class of ‘18 students Bridget Larson and Daniel Sinoahm won asylum on behalf of a Russian client who suffered persecution related to sexual orientation.

A second student team, consisting of Divya Ramaswamy ’18 and Rachel Azarow ’17, gained asylum for a client at a removal hearing in Newark before Judge Alberto Riefkohl. Ramaswamy and Azarow, clinic students since fall 2016, represented a woman who suffered severe persecution for her membership in and activities in support of an opposition political party in her native Cameroon.

**Atrocity Prevention Clinic Contributes to Report Advising Sri Lanka on Missing Persons Investigations**

In December 2016, the South Asian Centre for Legal Studies (SACLS) in Sri Lanka published Operationalizing the Office on Missing Persons: Manual of Best Practices, a report on conducting missing persons investigations in postconflict Sri Lanka. Cardozo Law students Daniel Koburger ‘16 and Thomas Laverty ‘18, as part of the Benjamin B. Ferencz Human Rights and Atrocity Prevention Clinic, contributed research support to the report, outlining how Sri Lanka’s newly established Office on Missing Persons (OMP) can most effectively locate, identify and return those who disappeared during the nation’s 26-year civil war.

“An estimated 16,000 Sri Lankans remain missing today, and their families cannot move on until they know the fate of their loved ones,” Laverty said. “The emotional, legal and financial toll of having a family member disappear is overwhelming.”

The report surveys a range of tasks the OMP will undertake in the years to come. These include staffing the office, developing a witness protection program, conducting mass grave investigations, and launching family outreach efforts.

“We hope that this guidance can help the OMP bring a measure of closure to some of the families and help Sri Lankan society move forward,” Koburger said.

**CRIMINAL DEFENSE CLINIC TEAM LITIGATES HARASSMENT CASE**

Cardozo’s Criminal Defense Clinic was called to action in fall 2016, and a trio of 3L students lead the charge in response. Ivette De Moya, Sylvan Jaspen and Emily Pelz, under the leadership of clinic’s director, Professor Jonathan Oberman, and Clinical Fellow Kendea Johnson, took on the task of defending a man accused of harassment and contempt.

The team started preparing in September 2016, doing legal research, fact gathering and conducting interviews of possible witnesses. Pelz said the group “used every tactic we could to try and win, and the leadership of our mentors and training really paid off. Doing a trial is an incredible experience for a student.”

The client was found guilty, but despite this, team members were proud of their work. All three students are looking to embark on careers in public defense and agreed that the value of having firsthand experience in the courtroom at this stage was beyond measure.

**Cardozo’s Bet Tzedek Clinic Represents Children in Need of Speech-Generating Devices in Suit Against NY Health Dept**

A lawsuit filed in fall 2016 by Cardozo’s Bet Tzedek Clinic stated that the New York State Department of Health wrongly denies speech-generating devices and access aids to Medicaid-eligible children and adults who need these devices to treat their expressive communication disabilities.

Speech-generating devices, or SGDs, have typically been covered and provided as Medicaid benefits since the 1980s. There are currently between 100 and 200 individuals in New York State who seek an SGD from Medicaid each year. However, the lawsuit states that the New York Health Department has started to deny SGD requests on the basis of a policy that lacks objective standards and consistency in determining SGD eligibility.

This standard, according to minor plaintiffs BZ and JT and their parent/guardian representatives, violates federal law. The plaintiffs sought a declaration that the New York Health Department’s use of its “functional and proficient” standard is unsupported by federal and state Medicaid laws, the ADA, and Section 504 of the Rehabilitation Act.

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© Benjamin B. Ferencz, legendary prosecutor of Nazi war crimes in the Nuremberg Trials, at the naming ceremony for the Benjamin B. Ferencz Human Rights and Atrocity Prevention Clinic in October, 2016.
The Independent Film Clinic: Lights, Camera, Transaction!

BY JULIE SCHNEYER

Cardozo’s Independent Film Clinic is a one-of-a-kind blockbuster, providing unique transactional legal training and hands-on experience that allows students to witness the entire creative business of making and distributing a film. The clinic is part of the next wave of Cardozo’s robust intellectual property offerings coming out of the FAME Center for fashion, art, media and entertainment law.
Cardozo’s Independent Film Clinic is leading the way as the only one of its kind in the country, providing unique training that is transactional—unlike typical law school clinics, which are litigation- or impact-based.

And, in keeping with Cardozo’s dedication to social justice, the Independent Film Clinic’s new director has found a way to link the clinic with the public service legacy of Cardozo Law and Yeshiva University. Clinic Director and Assistant Clinical Professor of Law Michelle Greenberg-Kobrin came to Cardozo having served as the dean of students at Columbia Law School, where she also taught transactional courses. Over the past year she has worked to bring students into the film selection process in order to align the business aspects of client representation with the broader social justice mission of the law school.

“If we’re training our students to utilize the highest level of transactional skills to represent filmmakers working in social justice arenas,” Greenberg-Kobrin said, “that allows our students to further the cause of social justice.”

Greenberg-Kobrin began to reshape the clinic’s focus when she started at Cardozo in August 2016. “I wanted our students to work with filmmakers who have a social justice or public interest focus to their work and use the clinic to further that impact,” she said. “I love thinking about the way that lawyers can partner with other folks doing work in the public interest and thinking about how they can bring their skill sets to bear,” she said. And students love that too.

In addition to her work as the director of the clinic, Greenberg-Kobrin is the director of the Leadership Program and Senior Heyman Fellow at the Heyman Center for Corporate Governance, where she teaches a class on negotiations and has developed an innovative Leadership for Lawyers curriculum.

The transactional quality of the work the students do is unparalleled—they become dealmakers, document drafters and negotiators of intellectual property and music rights. “That we’re located in the center of the filmmaking universe in downtown Manhattan is an added benefit,” Greenberg-Kobrin says.

Greenberg-Kobrin guides the students prior to and following client meetings, but she said, “students then do the whole range of work, from entity formation to the specifics of agreements for directors, actors, licensing, distribution, releases, locations and fair use opinions.”

The clinic is funded by generous support from the Laurie M. Tisch Illumination Fund, which seeks to help students provide critical legal resources to the New York City film community of Filmmakers who apply to the clinic for services must come with a film that addresses a social justice issue and is pedagogically appropriate for the students to work on.

The clinic accepts eight students each semester, and Greenberg-Kobrin guides the students toward projects that speak to them. They choose about 20 films each semester in a collaborative process. Joseph Fielding ’17 was part of the clinic team during his 3L year.

“Apart from learning the nuts and bolts of transactional lawyering, the clinic also gave me invaluable experience with client management,” said Fielding. “For a transactional lawyer, it is just as important to understand who your client is and what they care about as it is to have the legal know-how to help them achieve their goals. But you can’t learn how to interact with clients in a classroom—you have to learn through experience and mentorship. That, in my mind, is what made my experience with the Independent Film Clinic so invaluable.”

This year, Greenberg-Kobrin said, the clinic took on several films about immigration, race, the role of the United States in the world, and the inequities in the criminal justice system.

One film chosen by the clinic, *For Ahkeem*, was about a young woman who gets expelled from public school, is sent to reform school, and continues to struggle with both personal life and the criminal justice system amidst the turmoil of the events in Ferguson, Missouri, in 2014. The students provided a range of legal services for the film, which went on to win the Grand Jury Prize for Best Feature Documentary at the Independent Film Festival Boston and a Special Jury Mention for Best International Film at the Doc Edge Film Festival in New Zealand.

“For Ahkeem is an amazing commentary on the intersections

“*I wanted our students to work with filmmakers who have a social justice or public interest focus to their work, and use the clinic to further that impact.*”

—MICHELLE GREENBERG-KOBRIN,
CLINIC DIRECTOR AND ASSISTANT CLINICAL PROFESSOR OF LAW

of the criminal justice system and race and education and access to justice—the kind of project that’s really meaningful for us to take on,” said Greenberg-Kobrin.

The clinic also represented the Middle East Film Initiative, a nonprofit that worked to diversify voices in front of and behind the camera; Greenberg-Kobrin said though the clinic didn’t work on a film directly with the initiative, the students helped the organization achieve tax-exempt status, which will allow them to make more movies. The organization is now putting together a submission for a project about war-torn Syria.

Greenberg-Kobrin’s goals for the clinic involve extending its reach. “I would love for us to be able to think about developing resources to help more filmmakers, and to continue our core work of being excellent lawyers and at the same time,” she said. 

*For Ahkeem is an amazing commentary on the intersections...*
Professor Deborah Pearlstein Receives Tenure

Cardozo is proud to announce that Professor Deborah Pearlstein was awarded tenure after having served as an associate professor since 2011. Professor Pearlstein’s classes in constitutional law and international law have been greatly enhanced by her previous work as a clerk for Supreme Court Justice John Paul Stevens, her experience in international humanitarian law, and by her work in government as a speechwriter for President Clinton.

“Professor Pearlstein is a widely respected national security scholar, a dedicated teacher and a vital member of the Cardozo community,” said Dean Melanie Leslie.

Professor Pearlstein is a leading legal expert on national security and the separation of powers. She has been a research scholar at the Woodrow Wilson School for Public and International Affairs at Princeton University. She is a prolific writer, and her works have appeared in numerous law journals including University of Pennsylvania Law Review, University of Michigan Law Review, University of Texas Law Review and Georgetown Law Review. An expert on the law and counterterrorism, she has also written frequently in the national press, including in The New York Times, The Washington Post and Foreign Policy.

Pearlstein served as the founding director of the Law and Security Program at Human Rights First from 2003–07, where she led research, litigation and advocacy efforts surrounding U.S. detention and interrogation operations and served on the first independent military commission of monitors to visit and report on conditions at the U.S. Naval Base at Guantánamo Bay.

A magna cum laude graduate of Harvard Law School, Professor Pearlstein brings enormous expertise and value to the tenured faculty of the law school.

Professor Christopher Buccafusco Named Associate Dean for Faculty Development

Dean Melanie Leslie has appointed Professor Christopher Buccafusco to a newly created position to work closely with faculty to advance scholarship and mentor junior members of the faculty. He will play a central role in coordinating and communicating the intellectual life of the law school to all members of the community and beyond.

Professor Buccafusco is a prolific legal writer and scholar. He is also the director of Cardozo’s renowned Intellectual Property and Information Law Center. One of his works posed an interesting question that recently captured a wave of interest in the media, including The Economist and elsewhere. The article asked the question, “Who Owns the Space Between Reclining Airline Seats?” With co-author Christopher Jon Sprigman, Buccafusco used economic theory and social testing to propose putting a monetary value on the reclining space that cuts into passengers sitting behind. The authors argued that if that small but important space on airplanes was valued and available for purchase, it would decrease tensions between passengers wanting to recline their seats and those sitting behind them. And getting to “who should pay?” made for entertaining reading.


At the heart of the law school is Cardozo’s inspiring and dedicated faculty, which have made Cardozo the 29th ranked school in the nation for scholarly impact, according to the Leiter Report. This year Cardozo continues to grow, and our community is proud of the newly appointed faculty members who will strengthen the law school’s IP, human rights, property and business law offerings.

Aman Gebru, Visiting Assistant Professor
Professor Aman Gebru specializes in intellectual property law, innovation policy and international trade and development. He has a doctorate in juridical sciences from the University of Toronto and completed a Global Postdoctoral Fellowship at New York University School of Law. He received an LL.M. in intellectual property law and policy from the University of Washington in Seattle and an LL.B. from Haramaya University in Ethiopia.

Jocelyn Getgen Kestenbaum, Assistant Clinical Professor of Law
Professor Jocelyn Getgen Kestenbaum joined Cardozo’s Human Rights and Genocide Clinic in 2013 and most recently was the Telford Taylor Visiting Assistant Professor of Law. Her extensive background in international human rights includes supervising litigation projects for indigenous peoples in Columbia, in-country research throughout Latin America, and reporting on gender-based violence and access to justice in Bangladesh, India and Cambodia. In July she became the director of the Benjamin B. Ferencz Human Rights and Atrocity Prevention Clinic, named for the renowned Nuremberg trial prosecutor and friend of Cardozo. She is also the faculty director of the Cardozo Law Institute in Holocaust and Human Rights. She holds a B.A. from Cornell University, a Masters from Johns Hopkins University and a J.D. from Cornell Law School.

Michael Pollack, Assistant Professor of Law
Professor Michael Pollack’s areas of specialization include property law, land use regulation, local government law and administrative law. He comes to Cardozo after serving two years as a Bigelow Fellow at the University of Chicago Law School. His research focuses on property and land use decisions by local and state governments and how institutional choices affect participation, outcomes and satisfaction levels for people in communities. A graduate of Swarthmore College, he earned his J.D. from New York University School of Law.

Samuel Weinstein, Assistant Professor of Law
Professor Samuel Weinstein comes to Cardozo from the University of California, Berkeley, School of Law, where he was a fellow at the Center for Law, Business and the Economy. His research interests include antitrust, financial regulation, business law and the history of the regulatory state. He will teach contracts and corporations. A graduate of Haverford College, he received his J.D. and a Ph.D. in American history from Berkeley.

Lela Porter Love, Named Scholar-in-Residence at the International Academy of Mediators
Professor Lela Porter Love, director of the Kukin Program for Conflict Resolution and the Cardozo Mediation Clinic, has been named a Scholar-in-Residence at the International Academy of Mediators (IAM). Her two-year appointment runs from 2017 to 2019. IAM is an invitation-only society of professional mediators. Its mission is to define standards and qualifications for the professional mediator of commercial disputes and to promote the mediation process as the preferred means of resolving disputes. Professor Love is a pioneer in the area of mediation and will continue her work as director of the Kukin Program throughout her appointment at IAM.

In March, a new international edition of Professor Love’s groundbreaking book, Stories Mediators Tell, World Edition, was released. The book features stories by 24 top international mediators about “moving, successful, un成功, happy, sad and funny mediations.” This...
FACULTY briefs

Cardozo Faculty Design Course to Untangle Legal Challenges of the Trump Administration

A dozen Cardozo professors joined forces to offer a ten-week class to students in the spring semester called The First 100 Days: The Trump Administration and the Rule of Law. Each class covered one area of law and was taught by a professor with expertise in government policy in that area. “Our faculty has stepped up,” said Dean Melanie Leslie. “The class was never intended to provide a place to attack or defend the administration but rather to provide a solid legal understanding of the many issues we are seeing as constitutional as well as statutory challenges that occur within immigration law, health care law, environmental law and elsewhere.”

Faculty members teaching the course included Michelle Adams, Rebekah Diller, Myriam Gilles, Betsy Ginsberg, Michael Herz, Peter Markowitz, Deborah Pearlstein, Alex Reinert, David Rudenstine, Leslie Salzman, Kate Shaw and Julie Suk. Topics included the environment, regulatory structure, Supreme Court nominations, criminal justice, voting rights, international affairs, civil rights enforcement, public benefits and immigration.

Through the Blockchain Project, Cardozo Law will be the first law school in the country to provide practical training to students and lawyers about blockchain technology and how to develop blockchain-based legal agreements that rely on “smart contracts.” The project will bring together academicians, technologists, policymakers and members of the private sector for symposia, workshops and events and will issue policy papers and research that explores blockchain’s potential impact on law, government and society.

The Blockchain Project extends Cardozo’s longstanding commitment to exploring legal issues related to law and technology, complementing its nationally ranked Intellectual Property and Information Law program and Cardozo’s Data Law Initiative. The project will provide students with cutting-edge practical skills, enhancing Cardozo’s roster of innovative, practice-focused programs like the Tech Startup and Indie Film Clinics.

Professor Wright also has a forthcoming book about blockchain technology slated to be published in 2018.

Professors Aaron Wright and Jeanne Schroeder Launch The Blockchain Project, a Unique Legal Program Focused on Revolutionary Changes Expected in Business Technologies

Professor Jeanne Schroder and Associate Clinical Professor Aaron Wright created and launched the Cardozo Blockchain Project, which explores the legal questions that surround blockchain technology in areas such as payment systems, securities law, corporate governance, property law and intellectual property.
Edward Zelinsky Publishes New Book
Professor Zelinsky will release his book, *Taxing the Church*, in November. The book explores the legal and tax policy issues that arise when churches and other religious institutions are taxed or exempted. His work on this subject will provide the centerpiece for a major symposium at the law school on Nov. 8. Professor Zelinsky’s previous book, *The Origins of the Ownership Society*, describes the defined-contribution revolution that has changed the tax landscape as Americans save for retirement, health care and education through IRAs, 401(k) accounts, 529 programs, FSAs, HRAs and HSAs, which did not exist a generation ago.


Professor Michel Rosenfeld Publishes Three Books
Professor Michel Rosenfeld, a prolific scholar, recently co-edited two books and co-authored a third. Late 2017 will see the publication of both *The Conscience Wars: Rethinking the Balance between Religion, Identity, and Equality*, co-edited by Susanna Mancini (Cambridge University Press) and Economies of Interpretation, with Professor Michel Rosenfeld. The book is scheduled to be released in late 2017.

Professor Peter Goodrich Publishes New Book: *Economies of Interpretation*
Professor Peter Goodrich co-edited a new book, *Economies of Interpretation*, with Professor Michel Rosenfeld. The book is scheduled to be released in late 2017.

Vice Dean Myriam Gilles Submitted Comments to Congress Critical of Class Action Reform Bill
The “Fairness in Class Action Litigation Act of 2017” (H.R. 985), introduced by Congressman Bob Goodlatte (R-Va.), seeks to maximize recoveries by victims while eliminating unmeritorious claim. In comments submitted to Congress, Vice Dean Gilles said, “The bill would radically restrict access to justice for injured consumers, employees and small businesses by, among other things, imposing requirements upon class plaintiffs that are both unrealistic and unnecessary.”

The bill was passed by the House but as of publication has not been taken up by the Senate.

Gilles was also quoted in USA Today on the matter.
Professor Alexander Reinert Published in the Harvard Law and Policy Review
Professor Alexander Reinert’s article, “What to Do with an Alt-Right White House: The Present Need for, and Future Challenges to, Suing the Federal Government for Discrimination,” was published in the Harvard Law and Policy Review on March 15, 2017. The piece addresses the Trump administration’s restrictions on immigration and the role litigants and judges have played in at least temporarily halting those restrictions. Reinert suggests that the challenges have been successful in achieving what is unusually rare: articulating and demonstrating when federal action is motivated by unconstitutional bias.

Professor David Rudenstine Publishes Op-Ed in New York Law Journal
Professor and former dean David Rudenstine published an op-ed, “ Gorsuch’s Adherence to Originalism Should Keep Him from SCOTUS,” in the National Law Journal on March 13, 2017, reflecting on his opposition to Neil Gorsuch’s nomination to the U.S. Supreme Court. In the article, Rudenstine wrote, “I would vote against any nominee to the Supreme Court who stated that he or she adhered to originalism in construing the U.S. Constitution.”

Kathryn O. Greenberg Immigration Justice Clinic Makes an Impact Amid Presidential Travel Ban
The faculty and students of Cardozo’s Kathryn O. Greenberg Immigration Justice Clinic made an impact earlier this year in its fight against the Trump administration’s executive order on immigration. The clinic’s achievements were highlighted in three news outlets for the breadth of their work.
- A February 17 article in The New Yorker cited the IJC and Center for Constitutional Rights’ complaint to the Department of Homeland Security, detailing 26 accounts from lawyers and family members who were prevented from seeing clients and relatives being held by border patrol agents at airports the weekend after the executive order was issued.
- Professor Peter Markowitz, director of the IJC, wrote an op-ed in New York Daily News critiquing the Trump administration’s continued aggressive anti-immigrant policies, with what Markowitz called “not just [the President’s] disdain for immigrant communities, but also for the most basic precept of our constitutional democracy.”
- Luis Mancheno, an IJC teaching fellow who was part of the team that provided assistance to families whose loved ones weren’t allowed in the country after the executive order was implemented, was profiled in The New York Times on Feb. 27, in the newspaper’s “People of the Year” feature. Mancheno, an Ecuadorian immigrant who escaped a dangerous environment in his home city of Quito, sought refugee status in the United States in 2009 and began guiding low-income people through deportation proceedings and representing them in immigration court. He became a U.S. citizen less than a year ago.

See our feature article on page 24 for more.

Professor Kate Shaw Writes about Presidential Speech
Professor Kate Shaw has been widely quoted with respect to President Trump’s statements on the campaign trail and whether they can be cited in legal cases about the administration’s policies. Her scholarly article “Beyond the Bully Pulpit: Presidential Speech in the Courts,” is set to be published in the Texas Law Review. In it Professor Shaw provides analysis into what she calls “the first systematic examination of presidential
speech in the courts.”

Professor Shaw says judges and scholars have not grappled with how to weigh presidential speech in any sustained fashion even though presidential speech is cited with some frequency in judicial opinions. “Some of these citations are no more than passing references; at other times, presidential statements play a significant role in judicial assessments of the meaning, lawfulness, or constitutionality of either legislation or executive action,” she wrote.

*The National Law Journal* published an interview with Professor Shaw on the subject.

*The New York Times* published Professor Shaw’s work on its opinion page under the title “Should the President’s Words Matter in Court?”

Professor Shaw is the ABC News correspondent for the Supreme Court and is a frequent commentator on NPR. Her recent scholarly articles include “The Lost History of the Millionaire’s Amendment,” 16 *Election Law Journal* (2017); and Chapter, “Guns, Interpretation, and Executive Branch Constitutionalism,” in *Guns in the Law* (Austin Sarat, ed.) (forthcoming 2017).

Professor Martin Stone co-edited *Freedom and Force: Essays on Kant’s Legal Philosophy* Professor Martin Stone’s collection of essays takes as its starting point Arthur Ripstein’s *Force and Freedom: Kant’s Legal and Political Philosophy*, a seminal work on Kant’s thinking about law that also treats many of the contemporary issues of legal and political philosophy. Prominent themes include rights in the body, the relation between morality and law, the nature of coercion and its role in legal obligation, the role of indeterminacy in law, the nature and justification of political society, and the theory of the state. This volume will be of interest to a wide audience, including legal scholars, Kant scholars, and philosophers with an interest in Kant or in legal and political philosophy.

Professor Stone is a leading scholar on law and philosophy. He recently assumed the position of book review editor for the peer-reviewed journal *Law and Philosophy*.

Professor Edwin Rekosh Authors Report on Human Rights Business Model Visiting Professor and Director of Human Rights Initiatives Edwin Rekosh wrote “Rethinking the Human Rights Business Model,” a report published by the Center for Security and International Studies (CSIS) in June. The study investigates opportunities to diversify and broaden support for non-governmental approaches to realizing human rights and highlights innovative strategies that NGOs and others can pursue—and structures they can adopt to pursue them—to enhance their impact, sustainability and resilience. Rekosh, a nonresident senior associate of CSIS, is also a member of the new CSIS initiative, the International Consortium on Closing Civic Space (iCon).

Professor Rekosh was the lead speaker at NYU’s Bernstein Institute for Human Rights’ Annual Symposium, Defending Dissent: Civil Society and Human Rights in the Global Crackdown, on April 13–14. The conference drew together leading human rights activists, lawyers and scholars to spotlight tactics to safeguard crucial spaces for dissent. The opening panel, Global Crackdown on Dissent, can be viewed online.

Additionally, Professor Rekosh curated a series of short articles on New Models for Human Rights as a collaborating editor of *openGlobalRights/openDemocracy*, starting with an opinion piece entitled “To Preserve Human Rights, Organizational Models Must Change.”

Richard Weisberg cited in Prominent French newspaper *Libération* Professor Richard Weisberg’s book *Vichy Law and the Holocaust in France* was featured in an op-ed regarding the French election that was concerned with the Marine Le Pen candidacy in particular. The article notes, “[as] the American historian Richard H. Weisberg has shown, legal continuity between the Third Republic and Vichy is real.”
TWO OF CARDozo’s FOUNDING FACULTY members announced their retirements this year.

Professor Malvina Halberstam and Professor Peter Lushing both joined Cardozo’s faculty in 1976 when the law school first opened its doors. Having taught generations of students over a 41-year span, their contributions to the law school have been enormous.

Professor Halberstam received her J.D. from Columbia Law School. She clerked for Judge Edmund Palmieri, served as an assistant district attorney under Frank Hogan, was a reporter for the American Law Institute (Model Penal Code Project), and was a counselor on international law for the U.S. Department of State, Office of the Legal Advisor. She supervised the State Department’s comments on what became the Restatement (Third) of U.S. Foreign Relations Law and headed the U.S. delegation in the negotiations on the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, adopted in Rome in 1988. She is co-author of Women’s Legal Rights: International Covenants an Alternative to ERA? and has lectured widely and published articles on international law, U.S. foreign relations law, human rights, women’s rights, the Arab-Israeli conflict, and criminal law and procedure. She serves on the board of the International Association of Jewish Lawyers and Jurists, is a member of the American Law Institute and serves on the select committee for the A.B.A. standing committee on national security.

Professor Lushing received an LL.B. from Columbia Law School. Prior to working at Cardozo, he was a trial attorney in the criminal division of the Legal Aid Society; administrative assistant district attorney in the New York County District Office and chief of its Appeals Bureau; an associate with a New York City law firm; and a private practitioner specializing in appellate litigation. He was a member of the Eastern District Criminal Litigation Committee and executive director of the New York Council of Defense Lawyers.

Professor Lushing’s passion for the justice system was reflected in his letter to the editor, published in The New York Times in July 2013, commenting on President Obama’s remarks about the acquittal of George Zimmerman in the Trayvon Martin murder case. “As a former lecturer in constitutional law,” Lushing said, “the president engaged in a stunning diminishment of American judicial process, the jewel in our legal system, which would rather acquit many guilty people than convict one innocent person. Americans who attend to President Obama’s remarks will feel vindicated in a belief that the court system is just another fixed game, fueling the cynicism of those who would rather control outcomes than preserve the protections that are the envy of the world.”

AFTER A TOTAL OF 22 YEARS OF SERVICE to Cardozo School of Law, Dean Judy Mender retired on August 1. Having spent her last 16 years at the school in the position of dean of students, Judy leaves behind a vibrant legacy of valued service, thoughtful counsel and deep concern for the Cardozo community.

Judy began her career at Cardozo in 1995 as a counselor in the Office of Career Services, where she was able to combine her interests in law and education. She took on the role of acting director of students in 2000, and soon after she was promoted to associate dean.

As head of the Office of Student Services, Judy counseled thousands of Cardozo students, providing constant support and helping them cope with the challenges and demands of law school.

Seven Cardozo classes honored her with awards at their commencement ceremonies, including Administrator of the Year and Best Service to Students.

A New Jersey native, Judy brought a wealth of experience to her work at the law school. Her career in higher education began after she spent several years working as a teacher and director of a school music program and then as a lawyer. She earned her B.A. from Williams College, an M.A. in education from Columbia Teachers College and a J.D. from Fordham University.
An Equal Rights Amendment for the Twenty-First Century: Bringing Global Constitutionalism Home

An overview of an article by Professor Julie Suk published in the Yale Journal of Law and Feminism

The Equal Rights Amendment (ERA) was on the platform of the 2017 Women’s March on Washington. Oregon added a sex equality guarantee to its state constitution in 2014, joining 22 state constitutions and most constitutions around the world. The last few years have seen a renewed push to constitutionalize sex equality in the United States, even though the courts have already interpreted the Fourteenth Amendment to prohibit sex discrimination. Feminist coalitions, Hollywood celebrities, and members of Congress are vocally endorsing an ERA revival. In March 2017, Nevada became the first state to ratify the ERA after the 1982 deadline for ratification. If two more states ratify the ERA, and Congress repeals the 1982 deadline, it is possible that a sex equality guarantee will become part of the U.S. Constitution soon.

The article shows how the constitutional right to sex equality can promote gender balance in positions of political and economic power, combat practices that disadvantage mothers in the workplace, and shift family care policies to increase fathers’ participation in childcare.

Today’s ERA proponents want the Constitution to do something about the problems that Equal Protection law has not solved: women’s continued economic disadvantage, the unfair treatment of pregnant women and mothers in the workplace, women’s underrepresentation in leadership positions, and the inadequate responses to violence against women. Yet, the legal functions that ERA advocates attribute to the proposed sex equality amendment—such as strict scrutiny for sex distinctions—are unlikely to respond to these post-industrial problems of gender inequality, Suk argues.

Constitutional sex equality must move beyond scrutinizing sex distinctions in the law, which the Fourteenth Amendment already does well. Taking inspiration from global constitutionalism, and recognizing the potential of state constitutionalism, this Article identifies the emerging new infrastructure of social reproduction—rather than anti-discrimination—as the normative core for the 21st century ERA. A new ERA ought to guide legislatures, courts, and regulators to adopt and uphold real public policy solutions to the current causes of women’s disadvantage. In the 21st century, women remain disadvantaged largely because they continue to do the lion’s share of work in raising children, often while also attempting to be employed full-time. New institutional infrastructures are needed for a post-industrial economy in which mothers and fathers, including same-sex couples and single parents, all work and raise children at the same time. A constitutional guarantee of sex equality should engender public policies like paid parental leave, pregnancy accommodations, and school and work schedules that are compatible with egalitarian parenting. The sex equality amendments added to European constitutions over the last three decades address these issues. As the march towards sex equality in the U.S. Constitution moves forward, Suk puts forth an ambitious and bold vision of its legal potential.
Is Now a Good Time to Talk About Syria?

BY PROFESSOR DEBORAH PEARLSTEIN

While our ongoing war in Syria regularly gets lost amidst other also-pressing news, the growing set of clashes between U.S. military and forces allied with Syrian President Bashar al-Assad led Congress this summer to begin asking whether the President actually has legal authority to start a new kind of war in the Middle East. The U.S. military has of course been engaged in anti-ISIL operations in Syria since 2014. But violence in recent months—including an incident in June in which the U.S. military shot down a Syrian jet, as well as multiple U.S. efforts to defend its creation of a “de-confliction zone” in Syria, an area surrounding a garrison used by U.S. Special Forces to train partner forces there—involved the United States far more directly in state-to-state conflict with Syria (and its allies, Iran and Russia) than we have previously been. Apart from the serious policy implications of this kind of escalation, it is far from apparent what domestic legal authority supports it.

One possibility the Administration has advanced is that the anti-Syria actions are impliedly authorized by the 2001 Authorization for the Use of Military Force (AUMF), a statute that gave the President the power to use “all necessary and appropriate force” against those nations, organizations or persons he determines were responsible for the attacks of September 11. The Obama Administration indeed relied on the 2001 AUMF for its operations against ISIL in Syria. And while scholars and policymakers alike have written critically about the plausibility of relying on a 2001 AUMF to attack a group that did not come into existence until years after 2001 and is indeed today the sworn enemy of Al Qaeda, the group that was responsible for the attacks of 2001, we might set those arguments aside at least initially to consider the new claim on its own—that is, to the extent the AUMF supports U.S. operations in Syria at all, it surely also must include implied authority to defend U.S. forces operating there against any attack.

The notion that the AUMF contains some implied authority for U.S. troops operating under its auspices to defend themselves against foreign attack is in one sense entirely plausible. If, as the Supreme Court held in 2004’s Hamdi v. Rumsfeld, the AUMF contains implied authority to detain war prisoners because such detention was a recognized incident of the use of force under international law, then surely self-defense of one’s own forces (at least to the extent permitted by international law) should also be within the realm of implied statutory authority. The problem is, U.S. self-defense is not what most of these recent incidents have involved. By the United States’ own account, the Syrian SU-22 we shot down was firing on local anti-Assad fighters the United States supports, but U.S. forces were not at risk. CENTCOM rather explained that the move was in “collective self-defense” of coalition-partnered forces—a concept that appears pulled from Article 51 of the UN Charter (a treaty we are obligated to observe as supreme law of the land under our own Constitution’s Article VI) providing in relevant part: “Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations.” But Article 51 by its terms limits the right of “collective self-defence” to UN member states. Local anti-Assad forces, whatever their merits, aren’t states. More, especially to the extent our establishment of a “de-confliction zone” is effectively seizing an area inside Syrian territory for our use and defending it from incursion by Syrian forces, we are not engaging in defense (self or otherwise) at all, but rather in the partial armed occupation of another country—which is, to put it mildly, the opposite of a recognized incident of force under international law.

So what about finding implied authority in the AUMF under principles of statutory interpretation unrelated to international law—based on text, context or legislative history? To pursue this theory, it is impossible to look just at the Administration’s latest interpretive move, but rather at the set of inferences one would have to draw from the AUMF itself. For buying the notion that the 2001 AUMF authorizes U.S. bombing of Syrian or Syrian-allied forces requires us to embrace not just one dicey inference, but...
three: (1) that a statute limited by its text to authorizing force against the groups that attacked us in 2001 extends to a group that did not exist in 2001 (and is itself at war with the group that did attack us in 2001); (2) that the statute includes some implied authority to defend our own forces from attack not only against those groups the statute authorizes us to fight, but as against any nations and organizations anywhere worldwide our AUMF operations extend; and (3) that the statute further authorizes us to “defend” any local group with which we might ally in the course of global AUMF operations—including by excluding a sovereign state from its own territory in order to secure training space for the local group.

It is implausible that the Congress that passed the 2001 AUMF thought it was authorizing all this. The textual limitation of the 2001 AUMF to the groups responsible for the attacks of 9/11; long-standing canons of statutory interpretation that would favor reading a statute to accord with our binding treaty obligations where possible; and the total absence in legislative history of any intention to authorize force against Syria and Iran—all weigh against any such construction. Which leaves us with the President’s power under Article II of the Constitution.

It is certainly true that the President has constitutional authority to act in defense of U.S. facilities and troops overseas without first waiting for Congress to act, a necessary extension of the President’s well settled power to “repel sudden attacks.” From this principle, one scholar has suggested that the President may also attack Syrian aircraft (or Iranian drones or any non-ISIS force in Syria)—in the interest of defending U.S.-allied Syrian government rebels. As the argument goes, the President’s self-defense authority should be understood to extend to the defense of certain organized third parties (whether a state like Britain or our allied non-state Syrian forces) operating “in close coordination with the U.S. military in a combat setting.” In such a setting, our interests are closely enough aligned, and our forces closely enough entangled, that an attack or threatened attack on a third party ally is effectively the same as an attack on us.

This “third party self-defense” theory of Article II is in one sense quite a bit narrower than the currently prevailing position of the Justice Department Office of Legal Counsel (OLC)—which, under President Obama, took the view in striking Libya without prior congressional authorization in 2011 that the President has authority to use military force on his own so long as an important U.S. interest was at stake, and so long as the degree of contemplated force didn’t actually amount to “war” within the meaning of the Constitution’s “declare war” clause. Under this OLC view—based in part on OLC’s assessment of post-World War II presidential practice—one need not develop any specialized theory of third party self-defense to justify the use of executive power here. The current President could assert one of several U.S. concerns in Syria as the important interest at stake (say, protecting the interest of regional stability), and so long as the strikes were limited in scope and duration (i.e., less than “war”), all of these counter-Syria actions could be said to fall within the scope of Article II, whether in defense of allies or not.

Yet there are at least three ways in which this “third party defense” notion may be said to go beyond even the earlier broad OLC conception of presidential power. First, there is no previous practice in which the President has asserted the interest of defending battlefield allies as such as a justification for authorizing the use of force abroad. It is surely one of the difficulties with the Obama OLC opinion that it leaves so open-ended the question of what counts as a “national interest” sufficiently important for the President to use force, but if we are to take seriously the notion that past practice matters here, it would seem important to identify some at least analogous illustration on which to rely. Second, again to the extent such practice matters, the case for using force to protect a zone in a foreign country within which our own military might train opposition forces seems vastly less persuasive than the interest in, for instance, ridding the world of the scourge of chemical weapons. Indeed, the “de-confliction” zone we are now using force to protect is just over the border from Iraq, where we have every right to operate militarily (thanks to Iraqi consent) and, presumably, train anti-ISIL forces all we like.

Above all, in the 2011 Libya strike (and almost all previous post-World War II operations), the unilateral executive use of force abroad was taken in concert with UN authorities. Both our downsing of the Syrian jet and other recent U.S. strikes appear to be in violation of the UN Charter. Whether one considers that an Article II problem, an Article VI problem, or simply a violation of international law—the United States’ legal position here is as precarious as it gets.

“Both our downsing of the Syrian jet and other recent U.S. strikes appear to be in violation of the UN Charter. Whether one considers that an Article II problem, an Article VI problem, or simply a violation of international law—the United States’ legal position here is as precarious as it gets.”
When President Trump’s executive order banning travel from seven Muslim-majority countries was announced Friday, January 27, the Kathryn O. Greenberg Immigration Justice Clinic at Cardozo School of Law sprang into action. Within hours, faculty and students had mobilized at JFK Airport, where a drama of historic proportions would unfold over the two days that followed—a drama in which Cardozo students were center stage.
We sent an email to all of our students asking them if they wanted to volunteer,” said Luis Mancheno, a teaching fellow at the clinic. “In less than an hour we had five students arrive at the airport to help … this country has a future, and its future lies on the attorneys defending our community.”

Students congregated at the arrivals terminal at JFK throughout that weekend and worked to identify family members with loved ones who were being detained in accordance with the travel ban; other students sought details of those cases; still others sat on the terminal floor with laptops, writing habeas petitions.

On Saturday night, January 28, Cardozo professor and Immigration Justice Clinic Director Peter Markowitz was attending an ACLU-initiated hearing in a Brooklyn courtroom when he received a text from a clinic member at the airport. The text informed him that passengers were being detained without the opportunity to inform family members who were waiting for them, and immigration agents were refusing to allow attorneys to have access to clients.

Professor Markowitz continued to receive text updates from clinic students reporting that passengers were being screened and then put back on planes to return to the country they had traveled from. When it became clear that one client, an elderly woman, was being put back on a plane to war-torn Syria despite holding a valid green card, Professor Markowitz interrupted the hearing to notify the ACLU attorneys of the events unfolding at the airport.

Judge Donnelly heard Professor Markowitz’s report, and citing a need for more facts and more time, issued the first of several court injunctions staying the executive order. Professor Markowitz exited the courtroom to a massive, cheering crowd, a moment he said he will remember for as long as he lives.

The Immigration Justice Clinic won the freedom of five detainees that weekend.

“It became clear that lawyers and activists are going to have to be working together in this,” Professor Markowitz said. “The lawyers will play a key role, but the power is with the people, and that is truly what is at the heart of our democracy.”

Eric Pilch ’18 was one of the clinic’s students who made the trip to the airport on the afternoon of January 29. He spent most of the day there and ultimately saw the release of two clients, a father and son, who had valid tourist visas and had traveled from Iran to visit another relative who had recently had a baby. Pilch said he found out after talking with them that they were detained for 30 hours without access to a lawyer during the ordeal and had never slept during that time.

“It was a real opportunity to apply what we were learning in the classroom in a real way, and to me, it’s a means to an end,” said Pilch. “The end is being able to defend those who don’t have access to lawyers. It feels fantastic to see someone released as a result of work in the clinic.”

The aftermath of the executive order was a call to action for the clinic’s students and faculty and a prime example of the kind of impactful lawyers Cardozo is helping to create.

Professor Markowitz commented, “the opportunity for students to be engaged in a moment in history like this—to be able to leverage the power of the law to address discrimination and injustice—is clinical education at its best. That weekend our constitutional checks and balances worked exactly as they should, and our students had a front-row seat.”

The Immigration Justice Clinic continued its quest to help immigrants in need in February 2017 when a team of students, led by Professor Lindsay Nash, traveled to a family detention center in Dilley, Texas.

The center was built in 2014 to accommodate the growing number of Central American refugees who were arriving in Texas after crossing the border through Mexico. Many asylum seekers—including women with children who are seeking asylum—are forced to wait long periods in detention before a decision is made. Some asylum-seeking families have been detained almost two years.

Professor Nash had visited Dilley before and knew how desperately help was needed there. A generous donation from Kathryn O. Greenberg ’82, former chair of Cardozo’s Board of Trustees and the clinic’s namesake benefactor, paid the expenses for the nine-person team to go to Dilley.

“Kathy Greenberg had long been interested in this issue and wanted to know what we could do,” Nash said. “I knew Dilley depended on these volunteers, and Kathy made it possible for us to take action. She sees injustice and wants to do something to change it in a practical way; that’s an amazing environment for students to work in.”

Nash, along with Class of 2017 students Sophia Gurulé, Noquel Matos and Ana Gabriela Urizar; and continued on page 30
“The lawyers will play a key role, but the power is with the people, and that is truly what is at the heart of our democracy.”

Professor Peter Markowitz, Director, Kathryn O. Greenberg Immigration Justice Clinic
“(The students) succeeded here in a big way and got to see how much it made a difference—if you work hard, often times you can change somebody’s life.”

Professor Lindsay Nash, Visiting Assistant Clinical Professor, Kathryn O. Greenberg Immigration Justice Clinic
“Because of my upbringing (with an immigrant mother), I really don’t know how to remove the influence of immigrant perspectives from my endeavor to learn about the world around me. It is such a part of me that there is no way I can think about my life without considering immigrants’ issues.”

Claudine-Annick Murphy ’17
Class of 2018 students Emily Echeverria, Stephanie Alvarez-Jones, Eric Pilch, Jessica Stertzer and Elizabeth Wu, spent a week getting to know the women at Dilley, hearing their stories and working to prevent them from being deported.

Professor Nash painted a grim picture of life at Dilley, a facility that costs the U.S. government over $200 million per year to operate. The nation’s largest family detention center, Dilley houses 2,400 people seeking asylum, most of whom, Nash says, are families fleeing violence. Most of the women being held at Dilley have made long, arduous journeys from such places as Guatemala, Honduras and El Salvador and are often victims of gender-based violence.

“They come here from their home countries when their children are at risk,” Nash said. “Detaining people who come to our borders seeking protection—and on a scale like this—is fundamentally wrong. But, as if that isn’t enough, we are seeing children detained before they can even walk, some spending half of their lives in detention, simply because their parents sought to protect them.”

A pro-bono legal services agency near Dilley has a small staff that provides assistance to the women year-round, but according to Nash, their resources aren’t nearly enough to help everyone in a timely fashion, which is why the clinic’s visit was even more important.

The women at Dilley are in “expedited removal proceedings,” meaning they must pass a cursory screening to determine if they have a “credible fear of persecution”—a prerequisite for them to even get an asylum hearing in immigration court.

The eight students on the trip were involved in a range of representation work, from helping mothers and children preparing for interviews with asylum officers learn to better explain their reasons for seeking asylum, to helping families get negative credible fear findings reversed and thereby avoid summary deportation. The asylum officers overseeing the cases have the power to make instantaneous decisions post-interview. The women are expected to tell the officer the personal, intimate details of their experiences in their home country and are also expected to understand the law, which is often a challenge for them.

The Cardozo clinic team met with over 105 families. “The students had to jump in, problem solve...” continued on page 33

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**FERENCZ HUMAN RIGHTS CLINIC WINS ASYLUM CASES**

Students in the Benjamin B. Ferencz Human Rights and Atrocity Prevention Clinic achieved success on multiple fronts. They won two important asylum cases for clients fleeing persecution; traveled to Europe to attend an international human rights conference; and protected indigenous groups in Brazil from being forced off the land where they live.

The clinic is inspired by the work of human rights pioneer Benjamin Ferencz, one of the key prosecutors at Nuremberg, where Nazi war criminals were tried and convicted at the end of World War II. Last year Ferencz donated $1 million to support the clinic—not only because he strongly believes in its mission, but also because he had worked closely with Cardozo founding faculty member Telford Taylor at the Nuremberg trials. Ferencz was instrumental in the building of the International Criminal Court and waged a lifelong campaign against global genocide.

Jocelyn Getgen Kestenbaum, Assistant Clinical Professor of Law, was appointed director of the Benjamin B. Ferencz Clinic on July 1, 2017, by Dean Melanie Leslie.

“Our clinic represents individuals seeking asylum and are either applying for asylum or defending deportation proceedings,” said Kestenbaum.

Clinic students Bridget Larson ’18, Divya Ramaswamy ’18, Daniel Sinasohn ’18 and Rachel Azarow ’17 had the opportunity to work on two notable cases this year, and they emerged with two important legal wins in March 2017. Their work helped grant asylum for two clients—a Russian man and a Cameroonian political activist. Daniel Sinasohn, who helped defend the Russian man, said, “working with the asylum client was the most profoundly impactful experience that I had at Cardozo ... (I was) able to apply everything cumulatively that we learned in law school to this case.”

The student teams prepared directs and redirects; prepped witnesses; and made opening and closing statements. Rachel Azarow commented, “it became important to me to transition, through this clinic, to use the law to help people who are affected by atrocities now.”

That sense of immediacy is palpable in an asylum hearing, which Kestenbaum describes as “the last real opportunity for the clients to tell their stories.”

Also in March, clinic members took their work to Europe, as another student team traveled with Kestenbaum to Bielefeld, Germany, to attend the first international conference addressing crimes against Yazidi women: “Genocidal Attacks Against Yazidi Women and the Means of Resistance and Struggle.” The conference focused on the genocide, sexual enslavement and violence occurring in Northern Iraq, especially against Yazidi women, part of the Kurdish population who primarily reside there. Kestenbaum and the clinic’s students are continuing to combat these crimes and to find criminal accountability for them. The students worked with Patty Sellers, an expert in international criminal law, and helped contribute to Sellers’ case prosecuting crimes against Yazidi women and girls.

Yet another team of students from the Ferencz Clinic traveled to Brazil to work on cases involving indigenous groups being evicted from their land. Finally, in collaboration with the Auschwitz Institute for Peace and Reconciliation, students helped prepare the human rights training component of a pilot training program in atrocity prevention.
“The work we were doing was amazing. It's a different kind of work than what we were used to in the clinic. Each one of the women and the children truly need your help; each has a story and wants to be heard. I was in awe when I heard what many of them went through.”

Stephanie Alvarez-Jones '18
and triage in a way that they don’t have to when they first start working in the clinic,” said Nash. “They succeeded here in a big way and got to see how much it made a difference—if you work hard, often times you can change somebody’s life.”

Having clinic students work at the detention center, Nash said, “where every case is an emergency, they had to learn really quickly. They were able to turn around cases we thought were definitely gone.”

Stephanie Alvarez-Jones ’18, who wants to be an immigration attorney, looks back on the trip with pride. “The work we were doing was amazing. It’s a different kind of work than what we were used to in the clinic. Each one of the women and the children truly needs your help; each has a story and wants to be heard. I was in awe when I heard what many of them went through.”

Alvarez-Jones recalled her first day in Dilley as a frustrating one. “I was assigned a reconsideration case—where a woman who has already been denied once asks the asylum officer to look at the case again, the last step before getting deported—and she ended up getting deported two hours later. It set the tone for the week. But it also made me feel like I wasn’t going to let this happen again.”

Alvarez-Jones continued, “My last day at Dilley, I submitted another reconsideration for a client. I told her I didn’t know if this would work, and I had to leave that day to go home. A week later, I got an email from the care coordinator at Dilley that the reconsideration was granted, and [the client] had left to live with family in Florida. It was amazing to hear she was able to stay.”

Alvarez-Jones hopes to go back to Dilley. “There’s still so much to be done,” she said.

The students and faculty of the Kathryn O. Greenberg Immigration Justice Clinic are continuing to do groundbreaking work, ensuring that government policies do not trample individuals’ rights to fair treatment and legal representation.

As this magazine was going to press, The Kathryn O. Greenberg Immigration Justice Clinic was preparing a return trip to Texas to continue their work. In a remarkable display of creative collaboration within Yeshiva University, the Wurzweiler School of Social Work will also send a faculty member and student to provide support and counseling for detainees who are suffering from trauma.

TWO CARDozo STUDENTS AWARDED IJC FELLOWSHIPS

Danelly Bello ’17 and Claudine-Annick Murphy ’17 were among the notable Cardozo graduates this spring, both of whom won appointments to the Immigrant Justice Corps fellowship class starting this fall.

Bello and Murphy were among 25 graduates from top law schools around the country who were chosen for the fellowships at IJC, a program founded by Robert A. Katzmann, Chief Judge of the U.S. Court of Appeals for the Second Circuit, in 2013. Since its inception, IJC has served 28,000 immigrants and their families.

Bello and Murphy will begin their fellowships in September, embarking upon a two-year commitment to help immigrants who face deportation in and around New York City.

Murphy said, “Mostly what inspired me to pursue a career as an immigration advocate was growing up with my mother [a German immigrant] and being reminded every day of her nostalgia for her home and her struggle in navigating the United States as an outsider despite living here for almost 26 years. Because of this upbringing, I really don’t know how to remove the influence of immigrant perspectives from my endeavor to learn about the world around me. It is such a part of me that there is no way I can think about my life without considering immigrants’ issues.”

“I pursued a law school that had a strong immigrant rights department,” said Murphy. “I had heard about Cardozo’s Immigration Justice Clinic. And I’m so grateful for the experience I got there.”

Murphy, who will be working directly with the Immigrant Justice Corps, specifically chose to work with families who are facing deportation.

Bello states that, “It is difficult to pinpoint what my ‘inspiration’ is. Everything about my existence is tied to the immigrant experience. I was born to Dominican-immigrant parents and grew up in the Bronx, so I always felt the vibrancy and love in my community. It was not until I stepped out of it and pursued higher education that I realized just how anti-immigrant this country could be. Frankly, I am motivated by sheer love for my people and a mutual hatred for policies that separate our families.”

Bello said being part of the Immigration Justice Clinic was “the reason I came to Cardozo. It taught me how to think creatively and navigate the law, even when the law seems not to be in our favor.”

Bello will work with Brooklyn Defender Services, one of three organizations providing services under the New York Immigrant and Family Unity Project—the first public defender program in the country that provides representation for noncitizens in immigration detention. Bello said, “I want to stand with immigrants with criminal convictions because they are often blamed and targeted, both nationally and even within their own communities. It is preposterous that people with extensive ties to their communities are being deported for old and minor criminal convictions. They have families, too.”

Murphy said an internship with a nonprofit organization that provides immigrant legal services connected her to a young girl from Honduras who had been sold into prostitution at the age of thirteen. Her drive to get an education and become an engineer was inspirational, Murphy said. “My experience speaking with her showed me that by helping immigrants achieve stability and the opportunity to direct their own lives, we can have an impact not only on their lives but on the lives of their children and their children’s children and many future generations to come, which can spark exponential positive change.”
Michael Morton with his mother on the day of his exoneration.
FALL 2017

Thirty-five years after the Innocence Project began its groundbreaking work, the use of DNA evidence to reanalyze convictions has become a widely accepted practice; one that has led to the exoneration of wrongly convicted people throughout the United States.

Professor Barry Scheck and Peter Neufeld met at the Bronx Legal Aid Society in the 1980s and co-founded the Innocence Project at Cardozo in 1992. Their passion for social justice merged with the development of DNA identification technology to spark a revolutionary development in the legal world. This exciting courtroom innovation, developed right here at Cardozo, created an unparalleled opportunity for law students to gain hands-on experience with the new science as well as with the process behind using the technology to free innocent people who had been wrongly convicted.

Evidence obtained from DNA testing was first allowed in court in 1987. Scheck and Neufeld learned the value of this new technology shortly thereafter, while working on the case of Marion Coakley—a man wrongly convicted of rape and robbery. Although the biological material in Coakley’s case had been lost after his conviction, they were able to prove his innocence using traces of DNA found on pieces of material evidence—something that would have been impossible without the breakthrough DNA technology.

Since then, some 550 Cardozo Law students have worked with the Innocence Project, helping to win exonerations and using that clinical experience to build their legal careers.

Working with the wrongly convicted population is an experience students never forget, according to Rachel Pecker ’13, who volunteered with the project during the 2011–12 school year.

“The Innocence Project exposed me to the work I do now with the Legal Aid Society, which I love, and set me on my career path. For that, I will be forever grateful. I learned the very best of lawyering from my Innocence Project supervisor, Nina Morrison; Barry Scheck; and from our tremendous co-counsel in Texas during Michael Morton’s exoneration and the depositions we took thereafter.”

She credits the experience of bringing justice to her wrongly convicted clients with changing her life. “I also learned the best of how to lead life with grace, resilience, love, and laughter from Michael Morton himself, as well as my other clients. No matter how many exonerations I read about or touch, I never get over the horror, injustice, as well as the unfathomable strength and faith that Innocence Project clients, their parents and their families endure and embody.”

In its first five years, the Innocence Project became a model for how a nonprofit law clinic should operate, freeing five wrongly imprisoned death row inmates. To date, 350 people in the United States have been exonerated by DNA testing, including 20 who served time on death row. Prisoners exonerated by the Innocence Project served an average of 14 years behind bars before their release.

Before the Innocence Project takes on a new client, staff members first conduct extensive research into the case as part of an intake-and-evaluation process that is aimed at determining whether DNA testing can be conducted and whether it can be used to prove innocence.

Cardozo’s clinical students then work with prisoners, crime labs, prosecutors and defense lawyers to review case histories, including transcripts, medical reports and appellate briefs. They also litigate in trial and appellate courts across the country on complex procedural and constitutional issues that arise when getting access to evidence, testing and proving innocence.

What started 25 years ago as a small shoestring nonprofit clinic at Cardozo School of Law has expanded to a nationwide network of 56 organizations helping those who have been wrongly convicted.

Ian Dumain ’04 began working with the Innocence Project in the fall of 2002. “At the first meeting of the clinic we met Eddie Joe Lloyd, who had just been released from prison after 17 years of wrongful imprisonment. Eddie Joe’s conviction arose in large part because of a false confession—one of the many systemic problems that the Innocence Project has worked to address over the years. Eddie Joe’s case highlighted for me the Innocence Project’s complementary objectives—doing justice in individual cases and reforming the criminal justice system. I’ve always taken pride in having made a small contribution to the achievement of both of those objectives.”

Lauren Kaeseberg ’07 is the legal director of the Illinois Innocence Project’s Chicago office. She said she “chose to attend Cardozo because of the Innocence Project clinic opportunity, and it exceeded every expectation I had. The education, legal training and real-life lawyering skills that I learned at the Innocence Project clinic are still with me today. Now I put the skills I learned at the Innocence Project to use on a daily basis. I am incredibly fortunate to have played a role in exonerating close to ten innocent people, and one of the joys of my life has been the friendships forged with clients and exonerees. The Innocence Project has not only changed the course of my life and led to a truly fulfilling career; it has changed the world.”

The 25th anniversary of the founding of the Innocence Project honors the clinic’s tremendous achievements in science, justice and the legal system. The Cardozo students that have been involved in the Innocence Project’s work over the years have gained invaluable experience, and students of the future have a world of opportunity that awaits them.
When Mark S. Yagerman ’79 arrived at Cardozo, the school didn’t even have a law library. “Oh, we had the library,” he says. “We just didn’t have any books!”

That’s just one of the challenges Yagerman embraced as a member of the school’s first graduating class. But, he says, it was a challenge he relished. “It was more than just a challenge—it was an opportunity.”

That was 40 years ago, and in that time, the Cardozo experience has shaped generations of lawyers with its unique blend of practical and theoretical education. As Cardozo’s 40th anniversary celebrations come to a close, Yagerman, who today is an executive member at Smith Mazure, sat down with the president of Cardozo’s Student Bar Association, 2L Reginald Greene, to talk about the ways the school has changed over the last four decades, as well as how it’s stayed very much the same.

Mark, what prompted you to apply to a brand-new law school, one without the benefit of a reputation or a history behind it?

MARK YAGERMAN I found out about it through a judge who said, “Yeshiva University is starting a law school in Greenwich Village.” And I said, “Why not?” It had a great name behind it: Cardozo. And the thought was that you grow with the school—and the school is definitely going to grow. It was really unbridled enthusiasm. You had a great faculty. And as it turned out there were a lot of other people like me who said why not. People who had other careers who wanted to go to law school and gave it a shot.

REGINALD GREENE I absolutely would have done it, too. I always felt like I wanted to be a part of something. I wanted to build something. I imagine you had to feel like you were you against the world. You’re a small school. You’re in New York City. You know who the big hitters are.

YAGERMAN We had great start-up faculty. Dean Monrad Paulsen, he came from the University of Virginia. He was a great educator. I had him for Family Law. But you also had Telford Taylor, who was a professor at Columbia, and he was the chief prosecutors at Nuremberg; Eva Hanks, who was renowned in real property; Lester Brickman on professional responsibility and contracts; Peter Lushing, who taught Civil Procedure and Evidence. I had him for Conflicts—he was a terrific professor who made you stand on your feet and think as a lawyer while he was grilling you.

GREENE Did you envision that it would become so big?
YAGERMAN We thought that it would do well. And it did. But it took a lot of work and a lot of growth—and great classes and a great faculty. Today, just think about the things you have that we didn’t have, like the Innocence Project or the Immigration Clinic.

You were in Austria for moot court. We didn’t have that. We had in-house moot court where we were competing among ourselves.

GREENE Actually, [the Austria trip] wasn’t a moot court—it was alternative dispute resolution, which is another thing we’re doing now. It grew out of our Mediation Clinic, which led to our Alternative Dispute Resolution Society, which then led to the Conflict Journal, and now we have an ADR Team, which is an honor society. And that’s how I got to go to Vienna. (See page 39.)

So things really have changed, but I think it’s that entrepreneurial side that I enjoy about the school. It’s also the experience—being able to work in the Mediation Clinic and then go to help lead a criminal defense the next year: That’s what’s really awesome about this place.

Was that something you were able to take advantage of when you were here?

YAGERMAN We didn’t have the ability to have clinics. But we did have a very hungry group of students, a lot of whom had second careers. Many of the people in my class had multiple degrees. They were either teachers or rabbis or had master’s degrees, PhDs, and they wanted to go into the law. So it was a very mature class.

And for the time, it was a very progressive class. I think we had 51 percent women in our class, which was unheard of back in 1976. So you had a great faculty, and you had students that were mature, that were hungry, that wanted to succeed.

We had some very nice success stories in our class. I think of my class: Twelve people were recruited to the Brooklyn District Attorney’s office. We had one student clerk for Judge Jack Weinstein, one of the most renowned federal court judges, in the Eastern District in Brooklyn. One student actually went on to clerk in the United States Supreme Court for Justice Brennan. It was an unheard-of thing for a new law school to have someone come out of school and in a very short period of time clerk in the Supreme Court. I myself had a job at the New York City Transit Authority trying cases right out of law school.

Reg, what is it like today? Is that spirit still here? Is it different?

GREENE I’ve got to be honest. I’m inspired hearing Mark talk because there is a sense of that here. I’m an older student. People are nervous about going to law school. A lot of folks’ parents have debt. And so they’re scared of debt. They’re scared of taking those risks. And being scared of taking those risks turns this process of going to law school, at least for some of my peers, into a purely economic decision.

I think that kind of kills some of the heart; if it’s a purely economic decision, then the relationships that you’re making with each other become economic, too.

And what I’m proud of my class for is that we really have tried to move off of that a bit. We really want to get back to having an ethos. It’s been an effort by everybody in my class, 40 years later. Maybe it’s the 40th anniversary; maybe it’s just some karma in the air.

YAGERMAN You know, whenever you build an institution, you have to have an initial foundation. And from the foundation you build a solid edifice. Something that’s going to stand strong for years. And I think it’s something that we wanted to happen, and I think it has happened. The school started with being named for Justice Cardozo. And Justice Cardozo stood for justice and fairness. Fairness to litigants, fairness to people that used the court system, and fairness under the law. The programs that are now at Cardozo embody what Judge Cardozo stood for.

We try to better the climate for our clients and society in general. And what you learn in law school—what Cardozo taught me—is how to present yourself on behalf of your client. How do you try and get your client’s position to a judge, a jury, to your adversary? That’s your job. Your job is to persuade and get your point across on behalf of your client, and make your best case.

GREENE As an institution I think that’s what is important. I mean, we’re in New York City. We’re surrounded by two other Top 10 schools; this is a tough market. Everybody’s scrappy.

But we’re also so collegial. People help one another, and friends at other law schools tell me that’s not always the case. It sounds like you didn’t have a problem with people helping each other out, either.

What are some of the words you think would describe your class best?

YAGERMAN When I think of my class, I think we were collegial, scholarly, energetic and incredibly hardworking. I think those ideals embodied my class. People tried to help each other when I was at law school, and I’m glad to hear
that people still have the same mindset.

**GREENE** For me, I think collegial, definitely. Gritty. Hardworking. Creative. And then above all, I think it's about community.

**YAGERMAN** That's great. I think you hit it on the head. We had community, and I think that it's continued to this day. I've seen it through my son, who also was a Cardozo grad—he was the class of 2008. And I remember when you, Reg, came to the Alumni Executive Committee meeting and you gave a really eloquent speech about what your plans were for the student body. And that was Cardozo. That really was Cardozo community. And I really appreciated it.

**C** Has that community from those days stayed with you?

**YAGERMAN** Friendships that I made early on are still my friends to this day. Some of my best friends are from Cardozo. It was a great thing. I think back to those days and there are very warm feelings.

**GREENE** I think I'm hoping for that, too. Some of my friends and I, we were in the trenches. You know, when you get that first semester, that kind of uncertainty about who you are, you're clinging to those folks that keep you grounded. It's just something I can't explain, that camaraderie and that feeling that you're fighting toward the same goal. And yeah, you're competing, but it's not really the same thing. I feel it here—it's a very collegial environment.

Watch the full video interview at: cardozo.yu.edu/cardozothenandnow
**Moot Court Honor Society Claims Two Wins**

Court was in session over the weekend of February 24, and Cardozo Law students won their cases—taking home trophies from national moot court competitions at both Tulane Law School and NYU Law School. Students from the Cardozo Moot Court Honor Society took first place in sports law, besting 25 other teams in Louisiana, while their classmates won the immigration law competition in New Orleans. This marks the team’s fourth championship in a row. Team member Alex Stolls also won Second-Place Oralist.

Cardozo also achieved a first-place win in the NYU National Immigration Law Competition. The team included oralists Danelly Bello ’17, TaLona Holbert ’17, Elizabeth Wu ’18 and Samantha Hamidan ’18.

**LL.M. TEAM WINS TOP HONORS AT MOOT COMPETITION**

Cardozo’s LL.M. team took first place out of 20 teams from around the country at the 2017 LL.M. International Commercial Arbitration Moot Competition in Washington, DC. The competition, held March 23–25, consisted of five rounds and focused primarily on oral advocacy skills before panels of arbitration experts. The winning team included LL.M. students Simon Allal, Diane Caron-Laviolette, Pauline Weess and Fabiana Zangara. Professor Curtis Pew coached the team with assistance from LL.M. Program Director Joshua Epstein.

**Reginald Greene ’18 Receives Honorable Mention at Vis Moot in Vienna, Austria**

Reginald Greene ’18 received an Honorable Mention for the Martin Domke Award for Individual Oralists at the 2017 Willem C. Vis International Commercial Arbitration Moot on April 13, 2017. The competition is held annually in Vienna, Austria. At this year’s Vis Moot, three people tied for first place, while 64 out of the 3000-plus student participants received honorable mentions.

**CONGRATULATIONS TO THE WINNERS OF THE MONRAD G. PAULSEN MOOT COURT COMPETITION**

The following students won awards during the 2016 Monrad G. Paulsen Moot Court Competition:

- Cealagh Fitzpatrick ’17, Best Oralist
- Amanda Coleman ’17, Best Brief
- Michael Ricottone ’18, Second-Place Oralist & Second-Place Brief

The Monrad G. Paulsen Moot Court Competition is an intramural competition for which 2Ls and 3Ls earn academic credit. Students must write a brief based on a criminal law problem written by members of the Moot Court Honor Society and then compete in oral arguments.
A year after the artist died—without a will—Cardozo alum and attorney for his estate, Jason Boyarski ’00, urges creatives to “consider careful planning.”
Throughout his career, Prince was a champion of artistic freedom. But in a horribly ironic twist, when he died on April 21, 2016, without a will, he hadn’t put in place a legal, financial or creative road map that would allow his estate to follow a direct, clearly delineated vision.

Last summer, I was brought in by the then-special administrator, Bremer Trust, because of my experience in music publishing, when it was looking to do a global deal for Prince’s entire catalog. Prince had signed individual contracts with dozens of sub-publishers around the globe, and there was some clean-up involved; it wasn’t about opening a vault and having to blow off the dust, but it still was complicated because of a web of various arrangements.

When I first looked at the music deals, I was surprised at their complexity. Prince didn’t just control his own rights; he also controlled those of other writers, including members of his band, The Revolution, and Sheila E.

Here’s an example of the challenges that met the estate. As was widely reported, in 2014 Prince withdrew from the American Society of Composers, Authors and Publishers (ASCAP) without joining a new performance rights society. That left his performance rights collection without a home. Adding to the complication, his staff had taken over the administration of his music-publishing catalog—but in foreign territories, deals were about to expire at the time of Prince’s death. When it was discovered that a vault of unreleased material (kept under lock and key in his Minnesota compound) hadn’t been archived or even given a formal valuation—as was the case with the rest of his intellectual property assets—that posed yet another hurdle.

Valuation is crucial. Successful artists such as Prince have various income streams from all sorts of places—music publishers, performance-rights organizations, record labels, name-and-likeness royalties and a host of other sources—and their correct valuation helps determine estate-planning strategy.

Non-lawyers might not realize that there are dozens of potential deal structures, ranging from outright asset sales to short-term administration or distribution agreements, the choice of which should take into account the duration and scope of rights in existing deals, as well as the required income-flow needs. Knowing the correct value of the assets can help guide strategy in choosing the right deal.

As with Michael Jackson's estate, which faced ongoing tax battles after his untimely death in 2009, the greater the value of the assets, the more important it is to have them assessed, so that estate planners can make appropriate suggestions for structuring such things as post-death tax bills. Deals were set in motion by Bremer Trust months after Prince's death; their tax implications could impact the decision to sell an asset outright or bet on its long-term value. Retaining ownership may in turn mean seeking an administrator or distributor to operate the assets.

Without a contractual strategy and financial plan in place, legal and financial decisions often end up being made by third parties, and that can have a lasting effect on heirs and linger for years.

When it comes to music catalogs, prices and “multiples” (the factor by which net annual profit is multiplied to determine a purchase price) have continued to fluctuate over time, and these issues also have to be weighed. Market conditions and new economic components—such as the recent evolution of music streaming services—can have an effect on the value of catalogs, because as revenues increase, so do sale prices. It takes research and professional insight into all these matters to determine the best timing of an asset sale.

On the music-publishing front, in Prince's case the estate chose to have one single global music-licensing partner to administer his assets. While there are pros and cons to choosing a global music partner over an independent company (Prince previously had a host of independent representatives), a global partner helped ensure that the music could be pitched, placed and monetized in a centralized fashion.

More than ever, music monetization is a worldwide game, with administrators and distributors in foreign territories capable of activating market exploitation at the flip of a switch. Global performance rights have become the leading income stream in music publishing, and neighboring rights have grown by leaps and bounds.

Under Bremer Trust, I focused primarily on the music-publishing and performance rights associated with Prince's vast catalog, along with the digital rights landscape. Following the appointment of Comerica Bank & Trust N.A. as the estate's personal representative, I'm now focusing on all of Prince's entertainment and intellectual property rights.

As I dive further into helping to preserve and protect Prince's immense artistic legacy—which was guarded by him so carefully while he was alive, and will continue to influence pop culture for generations to come—it's a paradox that his creative rights are influenced by the void of legal or financial arrangements. Other artists, icons and emerging stars alike, should consider careful planning, which can make all the difference.

“Knowing the correct value of the assets can help guide strategy in choosing the right deal.”

After receiving his J.D. at Cardozo Law in 2000, Jason Boyarski went on to a successful career in entertainment law. He is currently a partner with the law firm Boyarski Fritz LLP in New York.

This story first appeared in the April 26 issue of The Hollywood Reporter Magazine.
“I specifically attended Cardozo knowing I wanted to go into intellectual property, and the law school’s reputation in that area was key to my enthusiasm in attending. Cardozo absolutely lived up to its considerable reputation as having great instructors and programs focused around IP.”

John LaBarre ’05, Head of Google’s Patent Transactions Team

Last year when John LaBarre ’05 was promoted to head up Google’s patent transaction team he began a conversation with Cardozo professor Aaron Wright, director of Cardozo’s Tech Startup Clinic.

In August 2017, those discussions led to the law school launching the Cardozo–Google Project for Patent Diversity. The goal of the project is to increase patents for women and minority members who are severely underrepresented when it comes to gaining patents for their inventions. The unique program is funded by a $200,000 grant from Google.

LaBarre’s story is one of a young lawyer taking his education and shaping an entirely new and developing business area. LaBarre, who started working at Google in 2009 as senior counsel, credits his Cardozo education for much of his success.

“I specifically attended Cardozo knowing I wanted to go into intellectual property, and the law school’s reputation in that area was key to my enthusiasm in attending,” said LaBarre. “And—understatement alert—Cardozo absolutely lived up to its considerable reputation as having great instructors and programs focused around IP.”

LaBarre says that he appreciated many of the practical IP courses he was exposed to as a second and third-year student. “Most memorable for me was Professor Wolf’s class on patent litigation,” he said. “I honestly believe that this class better prepared me for my early career in litigation than probably any other experience.”

After four years as an associate at Darby & Darby, and then Gibson, Dunn & Crutcher, LaBarre took the position of associate counsel at Google in 2009. Now senior counsel and head of Google’s patent transactions team, he oversees nearly all inbound, outbound and cross-licensing deals for Google as well as divestitures and strategic acquisitions.

As a leading provider of various technologies relating to search, artificial intelligence, networking and computing, Google’s patent transactions team maintains a large, diverse patent portfolio.

Prior to joining Google’s transactions team in November 2014, John was a member of Google’s patent litigation team for over five years. There he helped defend the company from a large number of patent cases, including various matters that went to trial. Before attending Cardozo, LaBarre earned his B.A. in Economics from Haverford College and his M.S. in Information Science from the University of North Carolina at Chapel Hill.

“It is incredibly gratifying to know that John has done so well, and that our IP program has generated alumni who are leaders in the technology sector and bringing that leadership back to Cardozo,” said Dean Melanie Leslie. “The Cardozo–Google Project will help us find ways to increase the number of women and minority inventors that hold patents. With Google’s help we will break down barriers.”

Cardozo School of Law has one of the most robust Intellectual Property programs in the country, boasting a faculty with expertise in blockchain technology, Internet privacy, entertainment, fashion and music law and more. Cardozo’s IP program is currently ranked second in New York City and among the top 12 in the nation by U.S. News and World Report.

And with alumni like John LaBarre that leadership is bound to grow and grow.
This year, the Alumni Association Annual Dinner became the Alumni Association Gala, and the name was just one of many changes. A less formal meal featured tasting stations that included foods popular during each of Cardozo’s first four decades. A video retrospective of Cardozo showed how far we have come and what the law school has meant to some of its alumni and, for the first time, four alumni were honored, each representing one of those first four decades.

The honored alumni represented the best of Cardozo, chosen for their ability to achieve high marks while helping to shape this special school: Mark Yagerman ’79, Stephen Breitstone ’82, Ira Dizengoff ’92 and Emily Tisch Sussman ’08.

Yagerman has long been one of Cardozo’s most active alumni, serving as the chair of the Alumni Association Executive Committee from 2010–2014, and then assuming the role of chair of the Parents’ Council in 2015—a position he still holds. He also chaired the Alumni Association Dinner Committee in 2015 and has mentored current students on their career potential. Outside Cardozo, Yagerman is an equity owner of Smith Mazure, Director, Wilkins, Young & Yagerman and was named a Super Lawyer each of the last four years. He is also featured on page 36 of this issue.

Breitstone has served Cardozo as an adjunct professor, mentored students and alumni and endowed a scholarship. He has also been featured as part of the Dean’s Speaker series and is a member of the Dean’s Advisory Council. In his professional life, he is a partner and vice chairman of Meltzer, Lippe, Goldstein & Breitstone, where he heads the firm’s private wealth & taxation group. His expertise on tax law is widely respected, and he has been interviewed by media outlets including CBS, ABC, Fox and Fox Business News.

Dizengoff, a partner at Akin Gump Strauss Hauer & Feld, has been a featured speaker at Cardozo many times and is a regular interviewer for on-campus interview week. He is currently a member of Cardozo’s Board of Overseers. At Akin Gump, he specializes in corporate restructuring, and he has played a role in some of the most complex restructurings in history. Fittingly, he has been listed in Chambers USA: America’s Leading Lawyers for Business as a leading lawyer in the area of bankruptcy/restructing for each of the last eight years.

Tisch Sussman may have been the most recent graduate honored this year, but her resume would be the envy of many who have been out of law school far longer. After leading the Young Democrats of America during the 2012 election cycle, she became the campaign director for the Center for American Progress and the CAP Action Fund. She regularly contributes to CNN, Fox News, MSNBC, CBS News and others. She was on the inaugural list of 40 under 40 Emerging Leaders in Politics by the New Leaders Council. Tisch Sussman has also been a featured speaker at Cardozo.

With close to 400 attendees, the evening was a great success, raising over $485,000 for scholarships—none of which would have been possible without the hard work of the Gala Committee members led by Ken Weiss ’88 and Parvin Aminolroaya ’08. The entire Cardozo community extends its warm thanks to them.

The Eleventh Annual Gala will be held in early 2018 and promises to build on this year’s success. Please watch the mail for your invitation or contact the Alumni Affairs office if you have any questions.
This year’s reunions, held in a stunning new venue, were like none that had come before. Drawn by the chance to catch up with classmates, over 200 alumni from classes ending in 2 or 8 attended this year’s reunions on June 8.

The move to the Diamond Horseshoe, a playful space in a former speakeasy, only increased the festive atmosphere this year. Glittering bronze, striking lighting and velvet banquettes created a setting that was both elegant and fun.

As a band made up of current Cardozo students played, attendees reminisced over old yearbooks and photos, shared memories and celebrated each other’s successes since their days as students. Over and over, the air was punctured by exclamations of joy as friends met for the first time in years. Even in an age when so many are connected on social media, whether it be Facebook or the Cardozo alumni group on LinkedIn, meeting face-to-face is a cherished experience—a sentiment shared by all who attended a reunion this year.

The next reunions will be held in the spring of 2018 for classes ending in 3 or 8. If you are interested in working on your class’ reunion committee, contact Inez Lano, director of alumni affairs, at Inez.Lano@yu.edu.
8th Annual BALLSA Dinner Honors Eddie Huang ’08 and Professor Ekow N. Yankah

The Eighth Annual BALLSA (Black, Asian, Latino Law Students Association) Alumni Dinner celebrated Cardozo’s history of diversity and honored Eddie Huang ’08 and Professor Ekow N. Yankah with an elegant evening of cocktails, dinner and speeches that raised over $18,000 for the BALLSA Alumni Scholarship Fund.

Huang has charted a unique career since graduating from Cardozo. He opened the Taiwanese restaurant Baohaus, where he is both chef and owner, in the East Village, establishing his talent for bridging cultures with food. His memoir, Fresh Off the Boat, was adapted as a sitcom for ABC that will begin its fourth season this fall. Eddie also hosts the Cooking Channel’s Cheap Eats and MTV’s Snack-Off and has appeared on numerous other shows.

Yankah is a popular and well-respected professor at Cardozo. His work explores the intersection of criminal law, political theory and analytical jurisprudence. He has been recognized as one of the Top 50 Influential Law Professors under 50, and he has received the Inspiration Award from Cardozo students. He also serves as the faculty advisor for a number of students.

Thank you to the BALLSA Alumni Dinner Committee, chaired by Andrew Hannibal ’12 and Maurice Q. Robinson ’09, for all their work on this important event.

CLASS notes

1979
Thomas Benigno published his second novel, The Criminal Lawyer. Kirkus Reviews called it a ‘surprising thriller’ with an ending ‘relentless in its ferocity.” Both this and Thomas’s previous novel, The Good Lawyer, contain many references to Cardozo.

1981
Ellen Greenberg was reelected as a Family Court judge in Nassau County and was named supervising judge of Nassau County’s Family Court in December 2016.

Bruce Horowitz was appointed a special advisor to the Provectus Biopharmaceuticals Board of Directors. Provectus is a clinical-stage oncology and dermatology biopharmaceutical company headquartered in Knoxville, TN.

1987
Elliott Scheinberg authored a treatise, Contract Doctrine and Marital Agreements in New York. The third edition, 2,200+ pages, was just released by the New York State Bar Association.

Michael Schloss became the Philadelphia regional director for the U.S. Department of Labor’s Employee Benefits Security Administration and is responsible for protecting pension, health and other employee benefits in six states and the District of Columbia. In 2016, Michael and his wife Elise Bayuk Schloss became the grandparents of a beautiful baby girl born in Jerusalem, Israel.

1989
Eric Sherby was appointed by the Tel Aviv Magistrates’ Court to supervise the process of obtaining evidence from four Israeli witnesses for use in a patent case pending before a federal court in California. Eric was also the author of two chapters in International Aspects of U.S. Litigation, a book published by the Section of Litigation of the American Bar Association. Eric was the only author not based in the United States and the only author to contribute more than one chapter.

1990
Kenneth H. Amorello joined the firm of Montgomery McCracken Walker & Rhoads as an associate in their New York real estate practice focusing on cooperative and condominium law.

1991
Barbara Klotz Silverstone became the executive director of the National Organization of Social Security Claimants’ Representatives (NOSSCR). Todd Soloway published a column, “Efforts by Agents to Disclaim Their Fiduciary Duties,” in the New York Law Journal. Todd is a partner at Pryor Cashman, where he advises clients in the hospitality, real estate and real estate finance industries.
CLASS OF 2017 RAISES
THE BAR FOR ANNUAL GIFT TO CARDOZO

Cardozo School of Law’s 3L Class Gift is one of our most cherished traditions, and this year our graduating class broke records with a $4,000 gift. This year’s 21-member Class Gift Committee secured participation from 130 members of the 2017 class. In addition to strong financial support, this was a great show of appreciation to Cardozo School of Law as the class of 2017 approached graduation day.

During this year’s Awards and Honors ceremony, 3L Class Gift Committee members Emma Guido (left) and Sarah Ganley (center) presented Dean Melanie Leslie (right) with a mock check representing their fundraising efforts. The class of 2017 will be added to a plaque in the Kathryn O. and Alan C. Greenberg Center for Student Life that highlights participation in the 3L Class Gift and helps promote school spirit.

1992

Tanya R. Kennedy was sworn in as president-elect of the National Association of Women Judges (NAWJ). She assumes the presidency in October 2017.

1993

David M. Feldman received the Cornerstone Award from the Lawyers Alliance of New York, which recognizes the outstanding pro bono work of business and transactional attorneys throughout New York City. David is a partner at Gibson, Dunn & Crutcher and is co-chair of the firm’s international business restructuring and reorganization practice group.

1994

Mark A. Treitel was elected president of the Los Angeles Intellectual Property Law Association. Mark is a patent litigation attorney with Quinn Emanuel Urquhart & Sullivan.

1995

Christopher Serbagi won a major trademark victory for his clients, clearing the way for the Fight Network to enter the United States market. Christopher is the founding partner at The Serbagi Law Firm in New York City.

1996

Daniel Bernstein joined the firm of Rosenberg & Estis, where he is of counsel with the firm’s administrative department. His practice involves affordable housing and urban development issues in New York.

1998

Vincent Roldan became the vice president/president-elect of the Filipino Lawyers Association of New York.

1999

Sonya del Peral and Morgen Bowers co-founded the firm of Bowers & del Peral. The firm works on all aspects of business law, copyright, trademark, real estate and wills, trusts and estates in Chatham, NY.

Michael Freimann joined the firm of Brownstein Hyatt Farber Schreck as a Shareholder in their Employment Group and Litigation Department. Michael is based in the Denver office.

2000

Iddo Arad was named one of Hollywood’s Top 100 Attorneys by The Hollywood Reporter. Iddo is a partner in the entertainment group at New York City-based Frankfurt Kurnit Klein & Selz, where he focuses on transactional entertainment, media and intellectual property matters.

2004

Naya K. Pearlman joined Norris McLaughlin & Marcus as a member in the firm’s taxation group, where she concentrates her practice on matters relating to tax planning, compliance and controversies in their Bridgewater, CT, offices.

Tiffany Tant-Shafer joined the staff of the Legal Aid Society of Middle Tennessee and the Cumberlands in their Tullahoma office. Tiffany focuses her Legal Aid practice on family, health and benefits and juvenile law.

Regional Clubs News

For the many alumni who do not live near New York City, regional clubs provide an important opportunity to reconnect with Cardozo and meet fellow graduates. In 2016–2017, Cardozo events were held in Los Angeles; Westchester/Fairfield counties; San Francisco; Washington, D.C.; northern New Jersey; and Long Island.

Dean Leslie hosted receptions for regional clubs in several cities; alumni in other areas enjoyed social or networking events sponsored by their local clubs. For example, the Washington, D.C., club hosted its annual Meet the Interns event—to which alumni and the Office of Career Services invite students interested in learning more about jobs in the District—and the Los Angeles club gathered alumni for a happy hour. In January, Cardozo by the Bay, the San Francisco alumni club, hosted a satellite dinner in conjunction with the Alumni Association Gala for the fifth year in a row.

Wherever Cardozo alumni are, they form strong connections and maintain a sense of community, both to help each other professionally and to socialize. You can learn more about the regional clubs, and perhaps find one near you, at cardozo.yu.edu/RegionalClubs. If you are interested in getting involved, please reach out to them or contact Inez Lano at Inez.Lano@yu.edu. Regional events are often held at the offices of local Cardozo alumni, so if you would like to volunteer to host an event in your area, please contact Inez.
2005
Seth R. Henslovitz was promoted to partner at Schulte Roth & Zabel in the firm’s real estate group in New York City.

Tracy L. Lechner joined Brownstein Hyatt Farber Schreck in their Intellectual Property Department as a Shareholder. She heads the firm’s Cybersecurity and Technology Transactions, Licensing, Advanced Media and Privacy practice groups and is based in Denver office.

Howie Weisel was hired as staff counsel, employment law and benefits, for Fiat Chrysler Automobiles at Chrysler’s World Headquarters in Auburn Hills, MI. Howie previously served as a federal law clerk to the Honorable Arthur J. Tarnow in the U.S. District Court for the Eastern District of Michigan.

2006
Mario Sturla was appointed a U.S. Immigration Judge in September. Prior to that appointment, Mario was in the Office of the Chief Counsel, Immigration and Customs Enforcement, Department of Homeland Security in Boston, serving as a deputy chief counsel from 2015 to September 2016 and as an assistant chief counsel from 2008 through 2015.

2008
Carrie Maylor DiCanio was promoted to shareholder at Anderson Kill, where she is a member of the firm’s insurance recovery and corporate and commercial litigation groups and is co-chair of their Women’s Network. Carrie practices in the firm’s New York office.

Lara Stolman directed and released her first feature documentary, Swim Team. The film follows the rise of a competitive swim team made up of children and teens on the autism spectrum.

2009
Noam Lipshitz was elevated to shareholder at Greenberg Traurig. Noam is a member of the tax practice group in the firm’s Fort Lauderdale office. He focuses his practice on tax matters with an emphasis on corporate transactions.

Anusree (Anu) Nair spoke at two conferences in China in 2016. At the Overseas Investment and International Wealth Management Forum in Beijing, Anu discussed “Source and Path of Funds, Requirements to Maintain Green Card.” At the Shanghai Investment & Immigration Expo, she moderated a panel on “Advanced Source of Funds Issues.”

2010
Lee Licata became the father of Simon in February.

Randi Nelson was selected a 2016 Top 10 Under 40 Attorney in Connecticut by the National Academy of Family Law Attorneys and a Connecticut 10 Best Family Law Attorney for Client Satisfaction. He also received a 2017 America’s Most Honored Professionals Award. Randi is an associate at Nusbaum & Parrino in Westport, CT.

2011
Kristen Centre joined Pro Bono Partnership as staff attorney, where she is responsible for nonprofit client outreach and representation; support and oversight of matters; and development and delivery of innovative webinars. Pro Bono Partnership provides free business and transactional legal services to nonprofit organizations serving the disadvantaged or enhancing the quality of life in neighborhoods in New York, New Jersey and Connecticut.

2012
Adam Namoury was named vice president, general counsel and corporate secretary for the Nitron Group.

Hirsch Neustein was appointed to the Jewish Federations of North America’s National Young Leadership Cabinet. In this six-year role, Hirsch will participate in the organization’s retreats, conferences and missions, learn about the many programs supported by JFNA, and develop community leadership and philanthropic skills.

2013
Akil Alleyne had an essay, “Black Conservatives Should Blaze Their Own Path,” published in The Hill.

Brian Farkas had an essay, “Teaching Negotiation in the Age of Trump,” published in Inside Higher Ed.

Pamela Kaplan joined the firm of Tanenbaum Keale as an associate. Tanenbaum Keale is a litigation boutique, and Pamela focuses her practice on asbestos, environmental and toxic tort litigation in the firm’s Newark office.

Christina K. Ng joined Goldberg Segalla’s workers’ compensation practice group as an associate in Garden City. Christina also serves as a volunteer lawyer with New York State Courts’ Access to Justice program, which provides pro bono representation to low-income individuals.

Scott Novakowski joined the New Jersey Institute for Social Justice as the inaugural Judge Dickinson R. Debevoise Social Justice Legal Advocacy Fellow.

2015
Matthew F. Chakmakian joined Sherman Wells Sylvester & Stamelman as litigation associate in the firm’s Florham Park, NJ, offices. Matthew recently completed his clerkship with Justice Lavecchia at the New Jersey Supreme Court.

Benjamin P. Mark became engaged to Laura Rachel Marder, and they will be married in November. Benjamin is an associate at Hогuet Newman Regal & Kenney in New York City.

IN MEMORIAM
Wayne A. Rodney ’92 passed away in 2015. Wayne had been living in Philadelphia, where he had started his practice, The Law Office of Rodney and Associates, and maintained a 99% win rate in jury trials.
Christine Arrozal is the director of Academic Affairs and the director of the Office of the Dean. She holds an M.A. in higher and post secondary education.

Vice Dean Myriam Gilles is a professor of law and an expert in consumer protection. She took on the role of vice dean in 2016.

Dean Melanie Leslie ’91 is the first alumna and the first woman to serve as dean.

Crystal Jones has served as executive secretary of the Office of the Dean since 2005 and is an invaluable member of the Office of the Dean, and the greater Cardozo community.

The Office of the Dean is the heart of Cardozo Law. Each one of the women on this team help keep the school moving forward, while making monumental tasks look easy.
OCTOBER 16
Jacob Burns Speaker Series:
Michael Bosworth former White House Deputy Counsel & former FBI Special Counsel

OCTOBER 19
The Bauer Lecture:
The Hon. Rosalie Silberman Abella of the Supreme Court of Canada, on Freedom from Hate

OCTOBER 25
The Talmud and Western History, Politics and Law
A Conference on the Translation of the Talmud into Italian

OCTOBER 30
Jacob Burns Speaker Series:
Gillian Hadfield, Author of Rules for a Flat World: Why Humans Invented Law and How to Reinvent It for a Complex Global Economy

NOVEMBER 8
Panel Discussion on Professor Ed Zelinsky’s New Book Taxing the Church: Religion, Exemptions, Entanglement and the Constitution

NOVEMBER 13
Jacob Burns Speaker Series:
Bradley Wendel, Author of Lawyers and Fidelity to Law

For a complete list of events: cardozo.yu.edu/calendar