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Alexander Fellows: The Experience of a Lifetime

It is generally agreed that one of "the most beneficial clerking experiences is in the Federal judicial system," according to Cardozo School of Law's Assistant Dean Norma D'Apolito, "and employers see it as some of the best experience for future attorneys."

Cardozo School of Law's Alexander Judicial Fellowship program brings the best of all possible post-graduate fellowship programs into the pre-graduation law school arena. "As far as I know," says Clerkship Committee Chairman Professor Richard Friedman, "we're the only law school in the New York Metropolitan area, and one of a very few in the entire nation, which gives full time credit for these student internships."

The program provides continuity - for the judges, who value the full-time help, and for the students, who devote a full semester to what amounts to a junior law clerkship. "Our students get much the same intimacy as a post-graduate law clerk," according to Dean D'Apolito.

The program is faculty-intensive. The Faculty Clerkship Committee spends a great deal of time evaluating applicants - weighing grades, writing ability, faculty references, and performance on a 'hypothetical' question fielded by each applicant without benefit of prior preparation. "We strive for a high degree of 'customer satisfaction,' " says Professor Friedman. And that extra care has paid off for Cardozo. "We get a good sense of the student," explains Dean D'Apolito, "and then we match each student to a particular judge. We're building great credibility in chambers. In fact, we've begun to get unsolicited calls from judges asking for an Alexander Fellow. Word has gotten around. Judges who last year accepted one Fellow this year are asking for two."

Students selected for the Fellowship have the opportunity for a unique clinical and educational experience. They develop their analytical skills, writing and research abilities, and at the same time watch the progress of cases through the court system. They witness arguments and trials and, perhaps most importantly, work closely with a judge who is resolving a variety of legal disputes. "Many of our students describe it as their most worthwhile experience in law school," says Professor Friedman. "They do judicial work themselves, they play a role in the decision of cases. It's very exciting."

"It's terrific," says Deborah Arnowitz, an Alexander Fellow this Fall in the Chambers of Judge Goettel in the United States Court for the Southern District. "I don't just do research. The Judge and the other law clerks have given me a great deal of responsibility. I write drafts of decisions, hear oral arguments, submit questions for those arguments and, when appropriate, the Judge will even read my decision from the bench. I've worked on larger projects - the judge knows I'll be here all semester and he can depend on me for ongoing work."

"Personally, my experience has helped me most in my writing and thinking skills," says Andrew Kramer, working in the Chambers of Judge Walker of the Southern District. "You really have to think about your writing, and your decision. It makes you conscientious, you don't start with an opinion, you work towards one."

The Alexander Judicial Fellowship has gained national recognition. Fellows have been placed in Chicago, Washington, D.C., California, even as far away as Alaska. Closer to home, Alexander Fellows are placed in the federal courts for the Southern and Eastern Districts of New York and the District Courts in Newark and Trenton. "Just about every federal judge in New Jersey has had an Alexander Fellow," says Dean D'Apolito.

The Fellows meet regularly for a lecture series, run by Professor Jonathan Silver. There they discuss common experiences and meet with special speakers such as Chief Judge Lord of Pennsylvania and Leo Levin, an expert on the federal appeals system.

"The program," says Alexander Fellow Deborah Arnowitz, "gives me a chance to view the whole judicial process in action. It's been invaluable."

The experience of a lifetime, one might say.
"The expanded International and Comparative Law Program this Spring," says Dean Price, "will accomplish a number of things — provide our students with a setting for the development of theoretical approaches to law and society, expose our students to issues of importance in relations between nations, and provide our students with skills in the area of public and private international law. It's an important basis for developing leadership potential in our students."

The program includes:

**Law and the Changing Society of China** by Hugh T. Scogin, Jr. of Paul, Weiss, Rifkind, Wharton & Garrison. Currently working in China, Professor Scogin says "This course will consider China both as a case study of United States investment abroad and as an example of a traditional legal system's response to modernization. Attention will be devoted to the indigenous background of the current revolution in Chinese law, to the emerging legal framework for foreign investment in China, and to the forms of transactions used in such investment."

Cardozo professors John and Eva Hanks will be participating in this course which is part of Eva Hanks' work to strengthen the study of Chinese law at Cardozo.

**The Soviet Legal System** by John Hazard, Nash Professor Emeritus at Columbia School of Law and one of the country's recognized experts in Soviet law. "The course focuses," says Professor Hazard, "on a consideration, in comparison with American legal institutions, of the effect upon law of the emergence of Marxist-oriented societies, as exemplified in the theory and practice of Soviet jurists and courts."

**Terrorism and the Law** will be taught by Malvina Halberstam, CSL professor, member of the American Bar Association's "Terrorism Working Group", and former Counselor on International Law to the U.S. Department of State. "I will focus on international and U.S. laws against terrorism," says Halberstam, "including, among others, the Hostage Convention (used by the U.S. as a basis for the indictment of the Achille Lauro hijackers.) We will also examine extradition and the political offense exception, use of force against terrorist bases, the possibility of civil remedies against terrorists, and the role of the U.N."

**The South African Legal System** by Visiting Professor Jan H. van Rooyen, professor in the Department of Criminal Procedural Law at the University of South Africa will focus on the study of a "legal system with roots in Roman Dutch law and a British colonial heritage. It is a system that has been shaped by attitudes toward race and is a system where the very institutions of law are under significant stress and challenge." The course materials include a treatment of the civil and criminal law systems and discussions of the way in which institutional change is implemented.

**Law and Social Change in Africa** by CSL professor Minasse Haile, former Ambassador from Ethiopia to the U.S. and former Chairman of the Council of Ministers of the Organization of African Unity, focuses on the legal scene in Africa south of the Sahara from the early 1960's, comparing legal and legislative structures in independent, anglophone, and francophone Africa in terms of traditional and modern law; response to the challenges of independence and modernization; law as an instrument of development; social and political forces shaping the development of law and legal institutions in the Third World.

**Comparative Constitutional Law Problems** by Visiting Professor Amos Shapira, Professor and former Dean of the University of Tel Aviv Law School, "will examine a series of problems in comparative constitutional law," says professor Shapira, "including comparative approaches to new reproductive technology; religion and state; defining national identity; responses to racism; and freedom of speech."
Cardozo Bet Tzedek Legal Service Clinic has announced the opening of its first satellite office. Older adults living on Manhattan’s Lower East Side can now avail themselves of Bet Tzedek’s services in its new office at the Educational Alliance at 197 East Broadway.

Bet Tzedek has also recently been chosen as a finalist in the Governor’s Eleanor Roosevelt Community Service Award Competition, out of a field of 400 nominees.

Known since its inception in 1985 as an innovative service to the elderly in need of legal assistance on matters involving entitlements, Medicare/Medicaid reimbursement, and other health care issues, Cardozo’s Bet Tzedek has always made a point of “bringing our services out to those in need,” says Bet Tzedek Director Toby Golick. “We provide a service to the home-bound elderly and disabled who would otherwise remain isolated and without recourse. With the opening of the Educational Alliance office, we will be able to reach those who can leave their homes, but who were unable to make the trip up to our headquarters in the Brookdale Center at 55 Fifth Avenue.”

Cardozo School of Law’s Bet Tzedek Legal Services Clinic is a privately-funded program bringing together Cardozo law students, supervising legal professionals, and one of the city’s most vulnerable and under-served populations in need of health care. Bet Tzedek was begun in August of 1985 with a $25,000 seed grant from the Federation of Jewish Philanthropies’ Brookdale Endowment Fund. Realizing that $25,000 was not enough, Cardozo’s then-Chairman of the Board, Charles Ballon, set about raising additional funds. “I simply could not imagine a way for a contributor to get better value for his philanthropy — Cardozo Bet Tzedek is doing so much for so many,” Mr. Ballon, senior partner with the New York law firm of Phillips, Nizer, Benjamin, Crim and Ballon, also serves on the Yeshiva University Board of Directors. To date, Bet Tzedek has received nearly $200,000 in contributions, including a prestigious grant from the American Bar Association.

The Staff
Cardozo Bet Tzedek Director Toby Golick, a 1969 graduate of Columbia University School of Law, brings 15 years of legal experience to the program. She has worked as an attorney with the Queens Legal Services, Brooklyn Legal Services, and the Center for Social Welfare Policy and Law. In addition to 10 years as senior attorney at Legal Services for the Elderly she has taught at Rutgers Law School and in the clinical program at Harvard Law School. She is well known as an expert on the legal problems of the elderly poor.

Frances Pantaleo has joined Bet Tzedek this year as Assistant Director. A 1979 graduate of New York University Law School, she has worked with Advocates for Children of New York and the civil division of the Legal Aid Society, spending the past year in its Brooklyn Office for the Aging. Ms. Pantaleo also teaches a course in law to social workers at N.Y.U.

The Cases
Cardozo Bet Tzedek focuses its efforts in two areas: directly helping individuals with unique legal problems and, through test litigation and advocacy, trying to change unfair rules and procedures that deny help to the elderly.

For example: Cardozo Bet Tzedek is representing all applicants for Social Security disability benefits in New York State who are awaiting administrative hearings before the Social Security Administration. In May, 1986, a Federal District Judge issued a decision with nationwide impact holding that Social Security must advise applicants of their right to a prompt hearing and of procedures to invoke if the hearing is delayed. Cardozo Bet Tzedek is lead counsel in a class action in a State Supreme Court challenging the Medicaid administration’s procedures for determining eligibility for (Continued on page 7)
Our purpose is twofold — and intertwined,” says Cardozo Alumni Association’s new president, Noel Ferris ('80). “We are here to serve our fellow CSL alumni — and the law school. As I see it, a stronger school, and a stronger alumni association, is better for all of us.”

And so the Alumni Association, and the Law School, have begun to reach out into new areas of service. In addition to the traditional alumni employment bulletin board and monthly jobs newsletter, there is now a Jobs Hotline which provides a recorded announcement of all alumni job opportunities listed with the School’s Center for Professional Development during the past week. The Hotline is updated twice each week and is in operation 24 hours a day. Alumni who are seeking first jobs or lateral moves are encouraged to contact the Center for Professional Development on the 10th floor at the law school to obtain the Hotline phone number.

The Association supports student placement endeavors through its Mentor Program (a one-on-one program of alumni working with second-year students, now in its second successful year); participates in the Alumni Ambassador Program run by the Admissions Department; has prepared a soon-to-be-published updated Alumni Directory, and sponsors continuing education and social events. Alumni also play an important role — that of interviewers — in the Center for Professional Development’s Video Mock Interview program, assisting currently-enrolled students in honing their job search and interview skills. Alumni Scholarship monies raised from alumni donations are directly awarded to currently enrolled students. The Association and the alumni are having substantial impact.

“But we want to be more than that — we want to learn in what ways we can assist our alumni with their professional lives. Should we develop better networking with alumni in specialized fields of law? How can we help? I’d really like to hear from you.” Graduates are encouraged to write to Noel Ferris, CSL Alumni Association, Room 10009, Cardozo School of Law, 55 Fifth Avenue, New York, NY 10003. “CSLife” will be published quarterly. Future issues will feature an “Alumni News” column similar to the “Faculty News” column which appears in this issue. Let us know what you’re doing. Visibility will do us all a great deal of good.

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**Dean’s Counsel**

The Dean’s Counsel, a new group of alumni donors, is being founded to take an active role in supporting the law school and its activities. The group, formed by Dean Price, consists of alumni who give $250 or more annually to Cardozo. The leadership committee of alumni hope that the group will number 100 in its first year.

of loyal alumni is just more testimony to the transition of Cardozo from a ‘young’ law school to an increasingly powerful and prestigious institution,” said Dean Price in announcing the establishment of the association.

For information on joining the Dean’s Counsel, call 790-0289.

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**What’s News?**

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Visiting Faculty Bring Wealth of Scholarship

Visiting faculty members to CSL this Fall bring a wealth of scholarship and experience in a number of important arenas:

**Anthony D'Amato**, a professor of law at Northwestern University, is a nationally-recognized legal expert in many fields, primarily Jurisprudence and International Law. He earned his J.D. from Harvard Law in 1961, his Ph.D. from Columbia University in 1968, and was a postdoctoral research fellow in statistics at the University of Michigan. He is a well known teacher, scholar, and advisor on major human-rights litigation. He was counsel for the defendants-appellants in *U.S. v. Baranski*, in which a Vietnam-related conviction was reversed and a portion of the Military Selective Service Act was held unconstitutional. He has published widely on a broad range of topics.

**Michel Rosenfeld**, a professor of law at New York Law School, combines a civil law and common law education and adds the ability to write melding the two fields. Having had a distinguished practice in the corporate law field, Professor Rosenfeld brings to CSL the unusual combination of a fine legal teaching talent and the experience of working in a large law firm. His publications include “Affirmative Action, Justice and Equalities: A Philosophical and Constitutional Appraisal” (Ohio State Law Journal — forthcoming) and “Contract and Justice: The Relations Between Classical Contract Law and Social Contract Theory.” Professor Rosenfeld earned his J.D. from Northwestern University and also holds a Masters in Philosophy from Columbia University.

**Peter Tillers** has an increasing reputation as the revisor of the major treatise of this century, Wigmore on Evidence. He combines his facility with this very technical area of the law with an extensive philosophical base. A Hegel scholar as well as a law scholar, Professor Tillers earned his J.D. and LL.M. from Harvard Law School. He is currently working on several publication projects, including a multivolume treatise on "proof" which he estimates will require five-to-seven years to complete.

**Joseph N. Lamport** earned his J.D. in 1986 from Cardozo School of Law, where he served as Editor-in-Chief of the Cardozo Law Review. Before entering law school, he worked as a Far East Representative in Taiwan for a textile trading company. His publications include "Computer Data and the Lingering Question of Reliability: A Call for Authenticiation of Business Records Under the Federal Rule of Evidence" and "Admissibility of Computer Records, Summaries, and Analyses in Federal Courts." An addition to computer expertise, Professor Peritz is a scholar in the fields of antitrust and administrative law.

**Cassondra Eileen Joseph** earned her LL.M. in International Law from Columbia University. A past visiting professor of law at Seton Hall University School of Law and an associate professor at Pace University School of Law, her research work has included editing and indexing for Harvard Law School's "People's China and International Law" and revising Washington University School of Law's course materials on the regulation of international business transactions. Publications include "China Trade: Prospects and Perspectives." Research in progress includes "China's Participation at the United Nations: The First Five Years."

**Heyman Corporate Law Conference**

The inaugural conference of the Samuel and Ronnie Heyman Program on Corporate Governance was held at Cardozo September 12th. The three papers presented were "The Genesis and Goals of the American Law Institute Corporate Governance Project" by Roswell Perkins, President of the A.L.I.; "The Impact of Continuing Competition Among the States" by Professor Roberta Romano of Yale Law School; and "The Prospect for National-Level Intervention" by A.A. Sommer, Jr., of Morgan Lewis & Bockius. Shown here at the conference are (l to r): Dr. Egon Brenner, Yeshiva University Executive Vice President; Ronnie and Samuel Heyman; Mr. Heyman's mother, Annette Heyman; Chairman of the Cardozo Board, Jacob Burns; and CSL Professor and conference organizer, Elliott J. Weiss.
Professor Malvina Halberstam has returned to teach at Cardozo after a two-year absence—one year as visiting professor of law at the Hebrew University in Jerusalem, and one year as Counselor on International Law to the United States Department of State, where she worked on the State Department’s response to the Restatement of U.S. Foreign Relations Law (revised) to be issued by the American Law Institute.

She also worked on a comprehensive review of U.S. and international law dealing with terrorism, and has recently been appointed to the American Bar Association’s new “Terrorism Working Group.”

Professor David Rudenstine delivered a paper at the 1986 Law & Society Meeting on Judicially Ordered Reform. Professor Rudenstine is a member of the Correction Committee of the Association of the Bar of the City of N.Y., and on its behalf will inquire into the issue of AIDS in prison.

Professor Peter Lushing attended the Second Circuit Judicial Conference in his capacity as Reporter for the U.S. District Court for the Eastern District of New York Criminal Procedure Committee. He is executive director-designate of a forthcoming organization that will represent the interests of the federal criminal bar in New York City.

Professor Elliott J. Weiss was the organizer of the Inaugural Conference of the Samuel and Ronnie Heyman Program on Corporate Governance entitled “The Forces Shaping Corporate Law: A Look Into the Future” held at Cardozo School of Law on September 12th. Three papers were presented by Roswell Perkins, President of the American Law Institute; Professor Roberta Romano of Yale Law School; and A.A. Sommer, Jr., of Morgan Lewis & Bockius.

Professor Anthony D’Amato is serving on a Committee on the Optional Clause of the American Society of International Law, to formulate a recommendation to the U.S. Department of State concerning acceptance, if any, of the compulsory jurisdiction of the World Court. Professor D’Amato has an editorial forthcoming on the Nicaragua case in the January 1987 issue of the American Journal of International Law.

Professor Richard Friedman published an essay in the Yale Law Review entitled “Tribal Myths: Ideology and the Confirmation of Supreme Court Nominations.” Two articles to be published in the November issue of the Boston University Law Review by Prof. Friedman are: “A Diagrammatic Approach to Evidence” and “A Close Look at Prohibitive Value.” The B.U. Law Review will also carry his comment “Generalized Inferences, Individual Merits and Jury Discretion,” the product of a symposium held at B.U. last Spring, chaired by Prof. Peter Tilling, now a visiting professor at CSL.


Professor J. David Bleich is publishing a monograph on “Biomedical Ethics and Halacha”, focusing on artificial insemination, through the Diener Institute of Jewish Law. A second monograph, for future publication, will focus on issues in Jewish jurisprudence—copyrights.

Professor Alan Weisbard contributed chapters to two about-to-be published books, Paying the Price of Medical Progress and By No Extraordinary Means: The Choice to Forego Life. His article on defensive law was published this summer in the Archives of Internal Medicine. Professor Weisbard served as a panel member on a Consensus Development Conference sponsored by the National Institutes of Health in Washington and is currently participating in several research groups at Hastings Center. Professor Weisbard was a panelist at a conference entitled “Integrated Approach to the Management of Pain,” sponsored by the consensus development panel at the national Institutes of Health on May 19-21, 1986.

Professor Peter Tilling has been invited to give a lecture to the Faculty of Laws of the Queen’s University of Belfast.
Bet Tzedeck (cont'd from p. 3)

home health care which is critical to elderly and disabled individuals required to remain at home.

Cardozo students in the Bet Tzedeck clinical program, guided by their professor, recently won a Social Security Disability hearing which resulted in an award of $20,000 for back benefits for their client. A recent Medicare case was won after Cardozo Bet Tzedeck students established that New York City was the only place the client could have received specialized medical care, thereby gaining fare reimbursement for the air-ambulance the client used to transfer to a New York hospital. Cardozo Bet Tzedeck represented a 95-year-old woman, blind and frail, living alone in Queens. Bet Tzedeck obtained a Supreme Court order providing her with home care despite "the system's assertion that she could manage alone at night" explains Director Golick. "We speak for these people, and for many more. We're there to intervene in the complex and forbidding public entitlements arena."

Cardozo Bet Tzedeck students also provide outreach, traveling to community centers and Y's to give talks to senior citizen groups about their rights. "Our students are learning not only the techniques, but also the rewards of representing needy clients. Their experience will build a cadre of attorneys, both in and out of public sector work, who are knowledgeable about and sympathetic to the needs of the elderly poor."

With additional funding, Cardozo Bet Tzedeck hopes to expand its scope to other areas of entitlements law such as housing. "With administration headquartered at the Law School and now additionally at Federation's Educational Alliance, overhead expenses are unusually low, thereby permitting contributions to Cardozo Bet Tzedeck to all go directly to providing the frequently desperately needed services to the homebound and other elderly indigent Cardozo Bet Tzedeck clients," says Mr. Ballon. "We're only just beginning, and with vigorous private support, we will have expanding impact on the quality of the lives of our city's elderly."

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From the Dean

What a great decade, what a splendid start for a law school. This venture, a gleam in the eye of then-university president Samuel Belkin and our founding dean Monrad Paulsen, has, in the shortest of times, become a thriving active intellectually ambitious institution.

At the heart of the law school is a magnificent faculty, now an older and wiser version of the feisty and brash group of young people assembled by Dean Paulsen. This year, we have had wonderful visitors adding to the teaching program. Professor D'Amato from Northwestern, J.H. van Rooyen from the University of South Africa, former Dean Amos Shapiro from Tel Aviv and Robert Gordon from Stanford have been among recent visitors.

The law school student groups are roaring ahead, as well. A very active Real Estate Law Society has created a newsletter that is now being published by the New York Law Journal. Our Arts and Entertainent Law Journal is initiating an annual symposium on the Cable Communications Policy Act of 1984. And our venerated Cardozo Law Review published one of the leading discussions of critical legal studies.

As a new law school, we are proudest of our progress in the area of placement. In the last three years, the number of firms that have interviewed at Cardozo has virtually tripled and the number of posted positions has increased geometrically. One of our novel problems is persuading our students to consider the variety of opportunities offered, in different cities, in different regions of the country, in alternative ways of using a law degree.

Admissions at Cardozo has undergone a radical change as well. We have reduced our September class by about one third and have replaced that number with our new May and January entry plans. We have one of the most innovative and ambitious admissions programs in the country. And while applications at most law schools in the country declined, ours rose, even if just slightly. Indeed, our classes of 1988 and 1989 will be the largest in the history of the school.

What is most satisfying is to see the advance of our alumni in the profession. We are beginning to see more partnerships, more positions of prominence in the community, more sense of advancement. It will be an important day when the first Cardozo judges ascend the bench.

Our alumni are increasingly important in the life of Cardozo. They are helping in placement, admissions, teaching, development and providing wise counsel. I hope this newsletter will make you an even more informed and more important instrument of our progress toward greatness as an institution.

Monroe Price

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Students Focus on Entertainment

CSL students attended a performance of the Tony-award winning play, "I'm Not Rappaport", followed by a question and answer session with (l to r): Dean Monroe Price, Gerald Shonfeld, President of the Schubert Organization, and the play's stars Cleavon Little and Judd Hirsch. Students questions focused on financial and real estate issues and issues regarding the rights of the elderly raised by the play. One student asked Mr. Hirsch how one can tell when an actor is being a 'real person and not just acting.' "Well," replied Mr. Hirsch, "how can one tell when a lawyer is being a 'real person' and not just a lawyer?"