Spring 1990

1990 CSLife (Spring)

Benjamin N. Cardozo School of Law

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Cardozo in Budapest

Cardozo professors have this month begun a program designed to help Eastern Europeans understand American corporate and commercial law.

A program jointly sponsored by Cardozo's Heyman Center on Corporate Governance, the University of Budapest (Eotvos Lorand) Law School, and the Karl Marx University of Economics ("certainly the first collaboration among representatives of Justice Cardozo, Eotvos Lorand, and Karl Marx," smiles Cardozo Professor Charles Yablon), the spring endeavor represents the first time that courses on the legal regulation of a market economy will be offered by American lawyers in a Hungarian law school.

Students will be law students from Eotvos Lorand Law School (particularly those specializing in foreign trade law), economics students from the Karl Marx University of Economics in Budapest, and practicing Hungarian lawyers. The Eotvos Lorand law school has sent 3,000 letters to young Hungarian lawyers, informing them of the program and inviting them to attend these lectures.

The Program's directors are Professor Gabor Hamza, of Eotvos Lorand; Cardozo's Professor David Rudenstine, and Cardozo Dean Monroe Price. The faculty includes Cardozo Professors Charles Yablon, Michel Rosenfeld, and Arthur Jacobson; the Honorable Alexander Kozinski of the U.S. Court of Appeal, Ninth Circuit; Richard Wiley, former Chair of the FCC; and Susan Liebeler, former Chair of the International Trade Court.

The program has already attracted national attention. Dean Price and Professor Yablon have been asked to participate in the ABA/AID Joint Committee designing future law-related efforts in Eastern Europe. A description of the program was featured in the Wall Street Journal.

What makes this program unique and "particularly challenging," says Professor Yablon, "is that the focus will not be on teaching American business law (obviously of little use to Hungarians) but rather to attempt to show Hungarians how American business lawyers think about regulation of markets, and how they approach legal problems in a business setting in a manner which combines the application of legal, financial, and commercial expertise."

Eastern European lawyers find, says Yablon, that "American lawyers, particularly business lawyers, tend to think about legal rules not in terms of what they permit or prohibit, but in terms of the incentives they create or the transaction costs they impose."

Establishing environmental pollution regulation is a process Eastern Europeans are most interested in learning from the West.

Cardozo in Budapest
July 15 - August 10, 1990
Cardozo and Eotvos Lorand will sponsor summer seminars for law students and other qualified participants, focusing on approaches to press freedom, emerging constitutionalism in Eastern Europe, comparative communications regulation and legal aspects of international trade.
WALB Symposium on Battered Women

The Women's Annotated Legal Bibliography and Cardozo sponsored a March 27th symposium entitled "The Defense of the Battered Woman", featuring Ellen Yaroshefsky, Esq. and Michael Dowd, Esq., both of whom specialize in criminal justice, and Julie Blackman, Ph.D., a forensic psychologist.

Law and Humanism Speakers Series To Run Through May

A speakers series, co-sponsored by Cardozo and the New School for Social Research, began on November 8th and will run through May 3rd. The series coordinators are Cardozo Professors Drucilla Cornell and Arthur Jacobson, and New School Professor Agnes Heller. The series includes: "Justice as FAirness" by Harvard’s John Rawls on November 8th; "Moses the Egyptian: Sigmund Freud and Zora Neale Hurston" by Stanford’s Barbara Johnson on February 5th; "On Transforming the American Mind" by Duke’s Henry Louis Gates (postponed, date to be announced); "Building Blocks of Power" by Yale’s Bruce Ackerman on March 1st; "Algorithms of Justice" by CLNY’s Alan Wolfe on March 8th; "Resisting Theory" by Cornell’s Jonathan Culler on March 26th; "An Enchanted Past: An Introduction to the Semiotics of Common Law" by the University of Lancaster’s Peter Goodrich on March 29th; "Trigary and Women’s Truth" by Brown’s Elizabeth Weed on April 23rd; and "The Literary Study of Midrash" by Yale’s Geoffrey Hartman on May 3rd.

International Evidence Workshop

Professor Peter Tillers hosted an International Evidence Workshop at Cardozo on January 25th. Entitled "The Structure of Fact Investigation in Litigation", the workshop featured Professor Tillers and Dr. David Schum, professor of information and technology and systems engineering at George Mason University.

Professor Tillers, Director of Cardozo's International Seminar on Evidence and Litigation and Dr. Schum, a former consultant to the Analytic Methodology Research Division of the Central Intelligence Agency, have collaborated on a number of research papers and articles, in addition to being awarded a National Science Foundation grant for their project "The Marshalling of Evidence and the Structuring of Argument."

In March, the workshop hosted USC’s Prof. Ward Edwards on "Influence Diagrams in Hierarchical Inference" and John Jackson of the Queen's University of Belfast on "Judicial Interventionism in Criminal Trials."

Cardozo Studies in Law and Literature Publishes Second Issue

With funding from the Jacob Burns Institute for Advanced Legal Studies, the second issue of CSLI, published in February, included "Twisted Vision: Janet Malcolm's Upside Down View of the Fatal Vision Case" by Daniel Kornstein; a response to Kornstein by Jack Fuller; "The Liberty of a She-Subject of England: Rights Rhetoric and the Female Thucydides" by Susan Staves; "Confessions" by Milner S. Ball; "At Sea: An Exploration of Implicit Assumptions in Hamlet, Oedipus, and St. Joan" by John Jay Osborn, Jr.; and "Review Essay: The Ways of Mephistopheles" by W. Wolfgang Holdheim.
A Message from the Chairman of the Board

"Law is not just business," says Jacob Burns, Chairman of the Board of Directors of Cardozo, "it permeates all of life. Before students graduate from law school, they should understand the rights, and the obligations, which emanate from their citizenship in the United States."

Students at Cardozo, says Mr. Burns, "are more sophisticated than the average. Their training in morals and ethics has an influence on the entire student body."

Jacob Burns, an attorney specializing in corporate law as well as estates and trusts, is Vice Chairman of the Committee on Character and Fitness of the Appellate Division of the Supreme Court of the State of New York. He is an active philanthropist whose interests, in addition to the law school and Yeshiva University, include The George Washington University and B'nai B'rith Hillel Foundations.

Mr. Burns finds Cardozo "unique. The dean and faculty make an extraordinary effort create interest in the students — to make the study of law enjoyable, to bring out the 'romance' of law and its effects on our daily lives. Each year, I see Cardozo's students quickly engulfed in this attitude, and this creates a demand to know more about how law affects humanity and relationships between people."

Squadron Program Focuses on Cable Television

"Cable Television: The Race to Regulate" was the subject of a one-day symposium held on March 16th, sponsored by Cardozo's Howard M. Squadron Program in Law, Media and Society and the Cardozo Arts and Entertainment Law Journal.

The morning session, entitled "Competition, Antitrust and the First Amendment: Further Intertwinning" features Cardozo Professor (on leave) and Director of the New York City Bureau of Fran- chises John I. Hanks, Cardozo Dean Monroe Price and Professor Lawrence H. Winer of the Arizona State Law School.

The afternoon, focusing on "The 1984 Act: Where We Go From Here", featured Norman M. Sinel, a partner with Arnold & Porter; Cardozo Adjunct Professor Michael I. Meyerson; Stuart Robinowitz, partner with Paul, Weiss, Rifkind, Wharton & Garrison; and Frank W. Lloyd, partner with Mintz, Levin, Cohn, Ferris, Glovsky & Popeo.

Chutick Law Library Offers Interactive Video Education

Connecting together a laser disk video player, a computer, keyboard, and two monitors, and software, the library's new interactive video program, called Veralex, debuted in December.

The program, produced by Harvard and Wake Forest law schools, provides a "movie" depicting a trial. The student, watching the trial proceed, can "object", via the computer program. The video stops, and the computer asks the student to explain the objection. A correct answer moves the "trial" on.

"There are civil and criminal trials," says the Library's Director, Lynn Wishart, "as well as negotiations and mediations. It's an excellent way to learn. It's not theory, it's the theory put to practice in reality."

The program, relatively new and not available yet at many law schools, was utilized by Cardozo's ITAP (Intensive Trial Advocacy Program) during intersession and will be a valuable tool for other clinics, as well as evidence and other courses.
Class of 1979
Wayne Halper has been appointed Director of Business Affairs and Administration for Capitol Records in Nashville.

Class of 1981
Frances Scanlon organized and moderated a Special International Topic Session, “The Northern Ireland Experience: The Role of Mediation in the Resolution of Civil Strife Abroad” for the Society of Professionals in Dispute Resolution at their 17th annual conference in Washington, D.C.

Class of 1982
Michael Markovitch has recently opened his new office at 19 West 34th Street, NY, NY 10001, specializing in general corporate/commercial law. Fay (Hauptman) Taub, formerly associated with Irving Listman, OBM, has opened her own practice, specializing in real estate. Her offices are at 1276 50th Street, Brooklyn, NY 11219.

Class of 1984
Amy E. Alkoff, a real estate associate with the New Jersey law firm of Waters, McPherson, McNeill, sensack, N.J. The firm concentrates in real estate, matrimonial, and criminal law. She is also the Municipal Prosecutor in the Borough of Edgewater, NJ, and the attorney for the Rent Leveling Board of the Borough of Fort Lee.

Class of 1987
Janice B. Grubin will join the firm of Day, Berry & Howard in Hartford, Connecticut upon the completion of her judicial clerkship with the Honorable Stephen D. Gerling of the U.S. Bankruptcy Court in the Northern District of New York.

Class of 1989
Douglas Adron Clark has opened an office at 1180 Avenue of the Americas in New York, where he will “develop a general practice with emphasis on problems and projects between North Carolinians and New Yorkers.” Doug served two terms in the North Carolina General Assembly.

“Sisters on the Move” Through April 18
Begun in late February as part of a celebration of Black History Month, works of contemporary African American art by Verna Hart, Cheryl Miller, and Juana Harper are featured in the Cardozo Gallery through April 18th. The exhibit was made possible by Viard/Bradley Ltd with the Black and Latino Law Students Association.

What’s News?

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Faculty News

Professor Malvina Halberstam participated in an International Conference on Extradition in December, hosted by the International Institute of Higher Studies in Criminal Science in Siracusa Italy. The conference included academics, governmental representatives, and attorneys in private practice from 28 countries, including the U.S., U.S.S.R., the U.K., Continental Europe, Eastern Europe, Israel, and Egypt.

Professor Michael S. Ross has been appointed to the Board of Directors of the New York Council of Defense Lawyers and has also recently been appointed to the faculty of the Appellate Division, First Department’s Criminal Trial Advocacy Course and will be lecturing this April on “Practical Aspects of Evidence at Trial.”

Professor Paul Shupack has been appointed an advisor to the Study Committee for Revision of Article 9 of the Uniform Commercial Code.

International Law Careers Day Held March 7th

Cardozo held its second International Law Careers Day on March 7th.

The day-long program included a keynote address by John N. Hazard, Nash Professor Emeritus of Law at Columbia University.

A morning plenary session, entitled “Preparing for A Career in International Law”, featured:

Professor Oscar Schachter, moderator
Hamilton Fish Professor Emeritus of International Law and Diplomacy, Columbia University

Norma D’Apolito
Associate Dean for Admissions, Placement and Student Life, Cardozo School of Law

Professor Stephen P. Marks, Director, Program in International Law and Human Rights, Cardozo School of Law

John Lawrence Hargrove, Esq. Executive Vice President, American Society of International Law

Cynthia Lichtenstein President, American Branch of the International Law Association, Professor, Boston College Law School

José W. Fernandez, Esq. Chairman, Goal 8 Committee, Section on International Law and Practice, American Bar Association

Three concurrent afternoon panel sessions were:

Careers in Public International Law and Organizations

Professor David Leebron
Columbia University
Secretary
American Branch of the IIA

Melvin S. Schwechter, Esq.
Coopers & Lybrand

Patricia Sherman, Esq.
Counsel and Manager International Trade Policy and Export Administration
General Electric Corporation

Professor Andreas Lowenfeld
Charles Denison Professor of Law, New York University School of Law

Careers in International Finance, Banking, Taxation and Trademark Law

Professor Cynthia Lichtenstein
moderator
Boston College Law School
Milbank, Tweed, Hadley & McCloy
President, American Branch of the International Law Association

Karen Hudes, Esq.
Legal Counsel
The International Bank for Reconstruction and Development (World Bank)

Paul Ford, Jr.
Chairman
Simpson Thatcher & Barlett

David Simon, Esq.
Lord Day & Lord, Barrett Smith

David Welles, Esq.
Baker & McKenzie

Christopher Smeall, Esq.
Debevoise & Plimpton
Cardozo in Budapest