Cardozo’s New Dean: Frank J. Macchiarola

Frank Macchiarola, who has a reputation around New York for turning around institutions in trouble, says the deanship at Cardozo is “the first time I have ever been given anything that wasn’t broken.”

His mission at Cardozo is “to give our students a level of competence and to help them contribute to society.” He doesn’t see Cardozo offering “law like a trade school, but rather as entrée to a wealth of professions.” Educators are “transformers,” he explains, and that is how he approaches his new position. “We need to examine our values, as a school and as a society. We need to understand where our students are going, and help to point the way.”

These are times of change, both for the legal profession, and for society as a whole. Our new dean sees a common thread — “the underdevelopment of human capital. Our objective is to enable our students to change to meet the circumstances they confront.”

Beyond its student body, Cardozo itself will become increasingly a part of the solution as society’s needs change. “Our clinics will be stretched,” says Macchiarola. “Cardozo is part of the redefined ‘safety net’. We will encourage scholarship, and seek philanthropic support so that Cardozo can distinguish itself in areas where our school can really make a difference.”

Dean Macchiarola earned his B.A. at St. Francis College, and his LL.B. and Ph.D. at Columbia University. His interests and expertise span the academic, executive management, and public service arenas.

A professor of business in Columbia University’s Graduate School of Business with teaching and research interests in business law, government regulation of business, and not-for-profit management, he earlier served as assistant vice president for academic affairs for Columbia. He was chairman of the Advisory Committee of the Columbia Business School Community Collaboration, and served on doctoral panels in political science and education. A faculty member at the City University of New York from 1964 to 1985, he held professorships in law, business, and political science at both Baruch College and the CUNY Graduate School. He served as vice president of the Graduate School, and as director of the Top 40 Program of the CUNY Urban Academy for Management.

Dean Macchiarola was president and chief executive officer of The New York City Partnership, Inc., a business and civic organization consisting of a board of 120 leaders in New York City, dedicated to improving economic and social conditions in the city. He served as chancellor of the New York City Public School System from 1978-1983, supervising the educational program of almost one million students from kindergarten through high school. He was also director of the New York State Emergency Financial Control Board for New York City during the city’s fiscal crisis.

In the public service arena, Dean Macchiarola was chairman of the New York City Districting Commission, which recently completed the drawing of new City Council District lines for the 1991 election. He served on the New York City Charter Revision Commission, the New York City Campaign Finance Board, New York City Water Board, and New York City Tax Study Commission. He has been president and executive director of The Academy of Political Science, founded in 1880 at Columbia University to promote objective, scholarly investigation of political, social, and economic problems.

Described by the New York Law Journal as a “man of a thousand hats,” Cardozo’s new dean seems pleased to be heading an organization not in crisis. “This school is running, and running well,” he says. “It has a strong academic program ... a faculty that has distinguished itself, and a strong economic base.” As dean, he will concentrate on “strengthening Cardozo’s ties with its alumni and getting the school’s name more recognized in the city as a first-class legal enterprise. As a young school, Cardozo has a reputation to build.”
**Associate Deans Named**

Stephen Bogart has been named associate dean for administration, a new position at Cardozo. Dean Bogart is a former colleague of Dean Macchiarola's, having worked with him at the City University Urban Academy and at the New York City Board of Education. He comes to Cardozo from Newsday, where he served as manager of circulation administration.

Cardozo Professor Steven Nemerson has been named associate dean for academic affairs. "Professor Nemerson," says Dean Macchiarola, "is an outstanding classroom teacher and has served previously, with distinction, as associate dean for academic affairs." Dean Nemerson replaced Professor Peter Lushing, who will be returning full-time to the classroom.

**Faculty News**

Professor John Beckerman attended the tenth British Legal History Conference, held in Oxford, England in mid-July. His article, "Procedural Innovation and Institutional Change in Medieval English Manorial Courts" has been accepted for publication by the *Law and History Review*. During February and March 1991, he participated in several sessions of a program entitled "Constitution Workers," teaching selected New York City high school students about the Fourth Amendment, sponsored by *The Constitution Works*.

Professor David Bleich has been named the first chairman of the newly-formed Jewish Law Section of the American Association of Law Schools. Rabbi Bleich participated in a conference, "Jewish Law in Law School Curricula," held in London this summer. He delivered a paper titled "Fundamental Principles of Family Law." The conference was sponsored by the Israeli government with the cooperation of Israeli Law schools.

Professor Malvina Halberstam participated in a conference on "The Crisis in the Gulf: Enforcing the Rule of Law," sponsored by the American Bar Association Standing Committee on Law and National Security in Washington, D.C. She presented a paper entitled "The Myth that Israel's Presence in Judea and Samaria is Comparable to Iraq's Presence in Kuwait." Professor Halberstam was a member of the Faculty of the National Security Law Institute, sponsored by the

(Continued on page 4)
The Legal Experience Program (LEX), now in its second year, is Cardozo’s innovative way to assist minority law students to overcome the economic burden of the first year of law school and to obtain an important practical legal experience early on in their academic studies.

In the first year of the program five students participated and were placed at firms and agencies including Paul Weiss Rifkind Wharton & Garrison, Simpson Thacher & Bartlett, and the Corporation Counsel.

Based upon last year’s experience and the comments of participating students and work placements, the LEX program expanded this year. In a cooperative effort of the Office of Admissions and the Center for Professional Development, a dozen 1991 LEX students completed their first semester of law school this summer. They will spend the next nine months working as paralegals in participating firms at salaries which are commensurate with their experience and the standard pay scale of each office. Under the program, after completing their second semester next summer, the LEX participants will all join their Class of 1994 colleagues as second year students in the fall of 1992.

The 1991 LEX students come (Continued on page 6)

**Faculty**

(Continued from page 2)

National Security Law Center at the University of Virginia. The Institute was attended by members of the faculties of a number of law schools and political science departments throughout the U.S. and several foreign countries, and by members of the faculty of the U.S. Army War College, the Judge Advocate General’s Office of the Army, the U.S. Air Force Academy, and the Director of International Law at Canadian National Defense Headquarters. The faculty included prominent legal scholars and government officials, including the director of the CIA and the director of the U.S. Arms Control Land Disarmament Agency. Professor Halberstam taught the session on Legal Responses to International Terrorism.

**Professor James B. Lewis** spoke at Cardozo’s summer program in Budapest. His topic was “International Aspects of United States Income Taxation.”

**Professor Michel Rosenfeld** could not have been more timely — *Affirmative Action and Justice: A Philosophical and Constitutional Inquiry*, published by Yale University Press, offers an interdisciplinary analysis of this hotly-debated issue. Professor Rosenfeld discusses the treatment of affirmative action by libertarian, contractarian, utilitarian, and egalitarian political philosophies. After an examination of the U.S. Supreme Court’s rulings on affirmative action, he presents his new theory. He advocates adopting a principle that he calls “justice as reversible reciprocity” to provide a unified philosophical and constitutional justification of affirmative action. Professor Rosenfeld presented “Reinforcement of Constitutionalism in the Western States” at the Third World Congress of The International Association of Constitutional Law, held in Warsaw in early September.

*The New York Times* featured **Professor David Rudenstine**’s piece, “Pentagon Papers, 20 Years Later” on the anniversary of the U.S. Supreme Court decision rejecting the Nixon Administration’s attempt to stop *The Times* from publishing parts of the Pentagon Papers. “Today,” wrote Rudenstine, “the significance of the case is being lost at a time when the government is withholding information for reasons less substantial than those at stake in the Papers case.”

International Placements

The Center for Professional Development, together with the Program in International Law and Human Rights, placed more than twenty students in positions abroad for the summer. Students worked in the United Kingdom, France, Switzerland, The Netherlands, Israel and Hungary in judicial chambers, law firms and agencies.

Five students who went abroad were Ford Foundation recipients. Three went to Israel under the auspices of the Bauer Fund.

Vera Losonci, Class of ’93, spent the summer as clerk to the Chief Judge of the Hungarian Supreme Court.

Cardozo student Mindy Merdinger (right) with her “mates” and a bobby during her summer London placement.

Law Careers Day at Cardozo

Last winter, Cardozo’s Center for Professional Development, in conjunction with The Program in International Law and Human Rights, and The International Law Society, sponsored The Third International Law Careers Day. This one-day seminar for students interested in careers in both the public and private practice of international law attracted more than 225 students from around the nation. They came to Cardozo to hear a world-class array of guest speakers.

The keynote address was given by Elizabeth Verville, Deputy Assistant Secretary of State, followed by a plenary session, “Preparing for Careers in International Law,” moderated by Professor Oscar Schacter, Hamilton Fish Professor Emeritus of International Law and Diplomacy, Columbia University School of Law.

The afternoon featured three concurrent panels: “Careers in Public International Law and Organizations,” moderated by Cardozo Professor Malvina Halberstam; “Careers in International Trade, Admiralty and Customs Law,” moderated by Saul Sherman, Esq., Chairman, International Trade Committee of the Association for the Bar of the City of New York; and “Careers in Private International Finance, Banking, Taxation and Intellectual Property,” moderated by Cynthia Lichtenstein, Esq.

Some of the law schools represented by students included: Albany School of Law; American University School of Law; Boston College School of Law; Boston University School of Law; Brooklyn Law School; Catholic University School of Law; C.U.N.Y. School of Law; Columbia University School of Law; Fordham University School of Law; Harvard School of Law; Hofstra University School of Law; New York Law School; New York University School of Law; Pace University School of Law; Rutgers, Camden School of Law; Rutgers, Newark School of Law; Seton Hall School of Law; St. John’s University School of Law; Suffolk University School of Law; Syracuse University School of Law; Temple University School of Law; Touro College School of Law; University of Bridgeport School of Law; University of Buffalo School of Law; University of Connecticut School of Law; University of Maryland School of Law; University of Pittsburgh School of Law; University of Vermont School of Law; Yale University School of Law; and Western New England School of Law.

International Institutes

Cardozo sponsored four International Institutes on Law, Trade, and Social Change overseas this summer. The Institutes were held in Maastricht (The Netherlands), Budapest, Hong Kong, and Moscow. Courses included “The New World Economy: Policy and Practice” and “Law and Society in a Time of Rapid Change.” The courses were taught by Cardozo professors, local professors, and practitioners from American firms with offices in each city. Pictured here is Charles Booth of the International Trade Commission teaching “The New World Economy” in Hong Kong.

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A Summer of Practice and Study

The Summer Institute for Placement and Career Development, established in 1983, is a unique program designed to expand the professional opportunities for Cardozo students by combining academic study with exposure to legal practice. The Institute offers intensive seminars, for credit, conducted by outstanding practitioners and teachers in a wide range of substantive areas. Student participants are also placed full-time in related internships under the supervision of attorneys. Companion classes in professional responsibility explore relevant ethical questions.

At work, students function as full-time law clerks. Their duties include research and writing of legal memoranda, briefs, and motions on substantive and procedural issues. Students also observe depositions, trials, and administrative hearings, and attend client conferences.

This summer, 98 students were enrolled and placed in the Institute—an increase from last year of 35%. Several factors contributed to the increased enrollment. Because of the generosity of The Friends of Cardozo, the School was able to reduce the fees. In addition, a tightening job market made the Institute an even more attractive and viable alternative for students who had difficulty obtaining positions on their own.

As a result of the increased enrollment, several new courses were also added, including Environmental Law & Public Interest Law, as well as an additional section of popular Civil and Criminal Litigation Seminar. Existing courses included International Trade Law, Entertainment Law, Bankruptcy Practice, Judicial Process and Ethics and The Program in International Law and Human Rights.

Student Jim Norman reports a "fascinating summer at the New York State Department of Environmental Conservation." Jim, who combined his summer placement with a course in litigation taught by Michael Ross ("the course was excellent," says Jim), managed to produce a useful and fascinating "first" for the State. "I researched all the statutory and regulatory powers of discovery available for information gathering within the State conservation laws and regulations," he says. "I drafted a model set of interrogatories making use of all available powers." That piece of important work is permanently available to Department staffers. "The interrogatories are tough," laughs Jim. "When I'm out in private practice I hope I'm never on the receiving end of them."

This summer's employers included New York State Supreme Court Judge Stephen Crane (who also teaches Judicial Process and Ethics at Cardozo); Alan Kaufman, a partner at Ballon, Stoll & Itzler; and Muriel Caplan, a 1979 Cardozo graduate who is at Henry Holt & Company Publishing.

Prosecutor Practicum

Eight Cardozo students are selected each year to participate in a semester-long full-time externship in the Manhattan District Attorney's office. The program, called the "Prosecutor Practicum", is under the supervision of Professor Edward deGrazia and Adjunct Professor Irving Hirsch of the Manhattan District Attorney's office. The Student Assistant D.A.'s pictured here being sworn in by Manhattan D.A. Robert M. Morgenthau are (1 to r): Larry Kroll, Bill Belmont, Adam W. Cohen, Mitchell R. Friedman, Peter Good, Andrea E. Saccor, Mireya L. Calderin, and Beth Silberstein.
Two-Day Conference on Comparative Constitutionalism
Planned for October 13, 14

Cardozo's Jacob Burns Institute for Advanced Legal Studies and the Cardozo-New School Project on Constitutionalism will sponsor a two-day conference on Sunday and Monday, October 13 and 14, entitled "Comparative Constitutionalism: Theoretical Perspectives on the Role of Constitutions in the Interplay Between Identity and Diversity."

The keynote address, by Columbia University Law Professor Louis Henkin, entitled "A New Birth of Constitutionalism: Genetic Influence and Genetic Defects," will be delivered at 7:00 p.m. on Sunday.

Panel I on the 13th will deal with "Constitutionalism as Bridge Between Self and Other: The Politics and Legitimation of Constitution Making." Papers will be presented by: Andrew Arato, Sociology, Graduate Faculty, New School for Social Research; Jon Elster, Political Science and Philosophy, University of Chicago, Institute; Ulrich Preuss, Law, University of Bremen; and David A.J. Richards, Law, New York University. Commentators will be: Ferenc Feher, Political Science, Graduate Faculty, New School for Social Research; Stanley Katz, President, American Council of Learned Societies; and Peter Quint, Law, University of Maryland.

Panel II is entitled "The Identity of the Constitutional Subject and the Search for Authoritative Constitutional Meaning." Papers will be presented by: Aharon Barak, Judge, Supreme Court of Israel; George Fletcher, Law, Columbia University; Carlos Nino, Center for Constitutional Studies, Buenos Aires, Argentina; and Dominique Rousseau, Law, University of Montpellier. Commentators will be: Wiktor Osiatynsky, Adviser on Constitutional Issues to the Polish Senate and Director of Center For Human Rights, Warsaw; Ruti Teitel, Law, New York Law School; and Robin West, Law, University of Maryland.

On Monday the first panel will be "Freedom, Equality, Individuals, Groups and the Struggle Between Identity and Difference." Papers will be delivered by: Sander Gilman, History and Psychiatry, Cornell University; Andras Sajo, Law and Sociology, Hungarian Academy of Sciences, and Benjamin N. Cardozo School of Law; Frederick Schauer, Kennedy School of Government, Harvard University; and Kendall Thomas, Law, Columbia University. Commentators will be: W. Cole Durham, Jr., Law, Brigham Young University; Agnes Heller, Philosophy, Graduate Faculty, New School for Social Research; Marty Slaughter, Law, Benjamin N. Cardozo School of Law, and Aristide Zolberg, Political Science, Graduate Faculty, New School for Social Research.

The final panel will be "Constitutional Boundaries Between Self and Other: The Role of Property and Privacy Rights." Papers will be by: Jean Cohen, Political Science, Columbia University, Drucilla Cornell, Law, Benjamin N. Cardozo School of Law; Laszlo Solyom, President, Constitutional Court of the Republic of Hungary; Bernhard Schlink, Law, University of Bonn; and Cass Sunstein, Law, University of Chicago. Commentators will be: Marci Hamilton, Law, Benjamin N. Cardozo School of Law; Arthur Jacobson, Law, Benjamin N. Cardozo School of Law; and Michel Rosenfeld, Law, Benjamin N. Cardozo School of Law.

For information and reservations, call (212) 790-0234.

LEX = Innovation
(Continued from page 3)

from varied backgrounds. A number of the students come to law school directly from undergraduate school with degrees in psychology, criminal justice, political science, computer science, government and public administration, economics, business administration, accounting, electrical engineering and communications. The group also includes a National Merit Award Finalist and a captain of St. John's University's Women's Basketball team.

Several other of the LEX students for '91-'92 have worked in professional capacities before coming to law school. These students have worked for such organizations as the IRS, McDonnell Douglas Aircraft Corp., Cigna and State Farm Insurance Companies.

The firms and agencies participating for 1991-92 include:
Simpson Thacher & Bartlett
Stroock & Stroock & Lavan
The Legal Aid Society of New York
Wachtell Lipton Rosen & Katz
Weil Gotshal & Manges

Each of these employers is taking one or more students to work in their offices, beginning after Labor Day.
Class of 1979

The law firm of Robert Bookman and Jerry Goldfeder (known as Goldfeder and Bookman) has merged with Warren B. Pesetsky. Pesetsky Goldfeder and Bookman is a general practice firm at 325 Broadway, Suite 501, New York, 10007.

Class of 1981

Howard F. Strongin is a partner at Lester Schwab Katz & Dwyer, specializing in products liability law and complex litigation. He is an adjunct lecturer at New York University, Department of Law and Taxation, and is an arbitrator in the Civil Court of the City of New York. "Most importantly," he writes, "I am the father of two children: Michael and Sarah."

Monte Dube is a partner with McDermott, Will & Emery in Chicago, specializing in health law. His recent presentations include "Navigating for Safe Harbors: Stark and Fraud and Abuse Implications for Your Hospital" at the Annual Small and Rural Hospitals Meeting, and "Rural Health Issues in the 1990s" at the ASC Health System Leadership Forum.

Class of 1982

Bruce L. Birnbaum, of Comprehensive Financial Services, offers financial services and counsel in the areas of estate planning, taxation, insurance, financial planning, and corporate benefits design. He recently taught "Elder Law—Senior Citizen Entitlements" in the Lawrence, N.Y. public school's continuing education program. Bruce's office is located in East Meadow, N.Y.

Class of 1984

Glen Trotiner is working as an Assistant Motion Picture Director. His current project is "Free Jack."

Class of 1987

Jay J. Sangerman has started his own legal practice. "I chose to create a practice," he writes, "with an emphasis on personal issues in order to assist people in making some of the most difficult decisions of their lives, incorporating my rabbinic counselling skills into the legal process." He focuses on the preparation of wills and trusts, health care proxies and living wills, durable powers of attorney and springing powers of attorney, and Medicare and Medicaid issues. His office is at 171 East 84th Street in Manhattan.

Class of 1989

Diane Bernstein, an associate at Phillips, Nizer, Benjamin, Krim & Ballon, was sworn in as a member of the bar with her son, David, a law clerk to a federal judge in Boston.

Cardozo Students Excel

Douglas Wolf ('92) has won the Nathan Burkan Memorial Competition. The Burkan competition, held each year at Cardozo, is sponsored by ASCAP and is designed to stimulate interest in the field of copyright law. Mr. Wolf's winning essay is entitled "The Doctrine of Elections: Has the Need to Choose Been Lost?"

Andrew Alpern, AIA, ('92) has received a Presidential Citation from the New York State Association of Architects for the "excellent publication in the Cardozo Law Review, 'Statutes of Repose and the Construction Industry: A Proposal for New York.' The Association's president explained "The Detailed history and background of statutes of limitations in your article have helped us enormously in our lobby efforts, and we appreciate your giving us the opportunity to use it before the Legislature."

Scholarship Fund Established for Work with the Aged

The Central Bureau for the Jewish Aged has established three $50,000 scholarship funds—one for Cardozo Bet Tzedek students, one for AECOM students studying geriatrics, and one for Wurzweiler students committed to advocacy for the aged. Dan Reingold (CSL '81) is a member of the Central Bureau for the Jewish Aged Board of Directors.

What's News?

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WHAT'S NEWS?

I would like to participate in:

☐ Mentor Program ☐ Mock Interviews ☐ Speakers Bureau ☐ Moot Court ☐ Ambassador Program ☐ Annual Fund

Send this to: CSLife "Alumni News," Dean's Office, Cardozo School of Law, 55 Fifth Avenue, New York, NY 10003