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MARYLAND
CAREY LAW

UNIVERSITY OF MARYLAND FRANCIS KING CAREY SCHOOL OF LAW MAGAZINE



LOOKING FORWARD:
EMERGING ISSUES
FOR TOMORROW'S LAWYERS



Maryland Carey Law Observed

EARLY my first year, before classes had started, I was walking through the student lounge when a play of light from the courtyard fountain caught my eye. The courtyard was empty, and the afternoon sun sparkled off the clear water like light through a gem. It was a remarkable moment of beauty and serenity, and it drew me outside. Only then did I see the words engraved on the fountain's face: *Let justice roll down like waters.*

Those are the words of the ancient prophet Amos, but also of the Rev. Dr. Martin Luther King Jr. "We are not satisfied," he said from the steps of the Lincoln Memorial at the 1963 March on Washington for Jobs and Freedom, "and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream."

Our fountain gives us a place to rest and to think, but it also reminds us of our calling: we must not be satisfied until justice rolls down and surrounds us, flowing through our lives and our world.

Rachel W. W. Granfield '11 is currently a staff attorney at Neighborhood Legal Services in Buffalo, NY.

Dear Graduates and Friends,

“Legal institutions and lawyers ... are poised to change more radically over the next two decades than they have over the last two centuries.”

Or so claims English lawyer and author Richard Susskind in *Tomorrow's Lawyers—An Introduction to Your Future*, his provocative look at how powerful technologies and clients' quest for value are disrupting the practice of law, at least as we knew it.

It should come as no surprise, then, that Maryland Carey Law—both the school and the magazine—have taken a cue from Susskind: we're focused on the future and are intent on anticipating where our profession is headed rather than where it has been.

In this issue of the magazine, for instance, we asked some of our most distinguished faculty members to tell us about the most important legal issues just emerging in their fields. Bob Percival, who founded and directs our nationally ranked Environmental Law Program, and Michael Greenberger, who founded and directs the Center for Health and Homeland Security, are among those who weigh in.

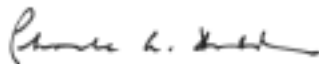
Meanwhile, as competition for academically talented students intensifies and the market for legal services restructures itself, the law school faculty and deans are reviewing everything from curriculum and teaching loads to liaisons with prospective employers. And while they work, our Development team continues to engage with a range of philanthropic supporters to raise funds for pressing priorities.

Sadly, we're facing the future without Katherine Vaughns, one of our long-time colleagues who passed away in April after a brief illness. As the remembrance of her in this issue shows, she will be greatly missed by faculty, staff, students, and alumni, as well as the Baltimore theatre community, of which she was an integral part.

As I begin to contemplate my own future after I leave the deanship next summer, one of my many goals is to write about the future of legal education and the *Keyes* decision, which helped lay the basis for desegregation in the North and West.

In the meantime, I'll be out seeking support for the law school—financially and otherwise. I am deeply grateful to Maryland Carey Law for inviting me to be a member of its community. My time here has been a watershed moment for me professionally; a privilege and learning experience unlike any other—and a remarkable preparation for the future.

Best wishes,



Phoebe A. Haddon
Dean and Professor of Law



UM Carey Law's nationally ranked programs are taking a critical look at the legal issues that tomorrow's lawyers will face.



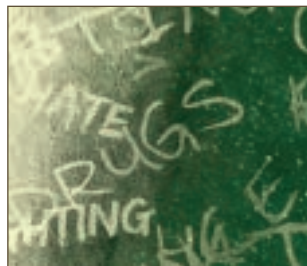
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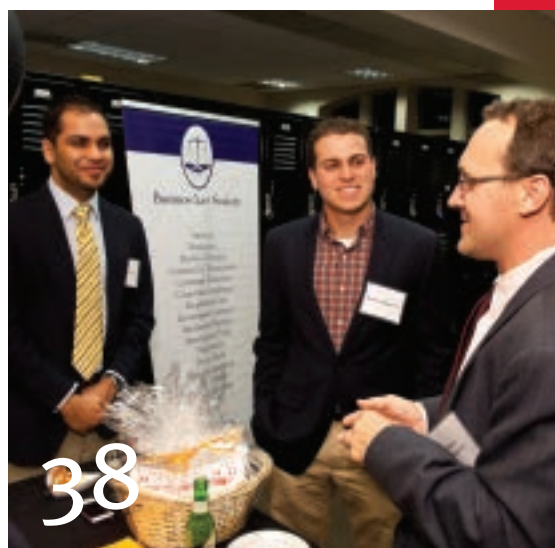
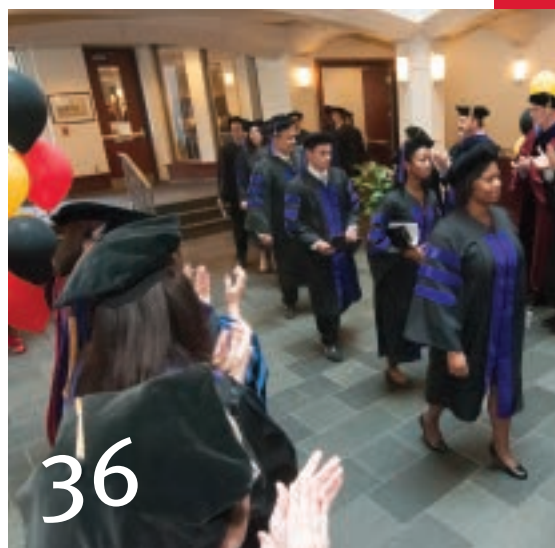
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A person's hands are visible on the left side of the page, holding a small, white globe of the Earth. The globe shows continents in various colors (red, yellow, green, blue). The person is wearing a dark blue jacket. The background is a dark wood paneling.

The New World Order of Global Environmental Law

The lines dividing domestic and international law—and public and private law—are starting to blur. The result? New power for NGOs and new norms of corporate behavior in remote corners of the globe.

IN January 2011, a large group of Chinese NGOs unearthed and publicized major pollution and labor violations in the Chinese supply chain for the corporate giant Apple, which had cultivated an image as a responsible and progressive company.

With the violations—some of the worst in the industry—out in the open, Apple conducted its own audit, and disclosed instances of unsafe working conditions, improper handling of toxic chemicals, and the use of underage labor by some of its Chinese suppliers. The company then agreed to an independent auditor to monitor its supply chain and it joined a fair labor association.

Today, Apple refuses to do business with suppliers who violate environmental and labor regulations, giving these suppliers powerful motivation to change their practices. “The incentive used to be only to cut costs; now it’s also to clean up, or not supply Apple,” says Robert Percival, Robert F. Stanton Professor of Law and director of the Environmental Law Program.

The power of this NGO coalition, which was led by the Beijing-based Institute of Public and Environmental Affairs, represents one of several types of strategies being used in today’s new order of global environmental law, says Percival.

International treaties are not as influential as they once were. Regional agreements are on the rise. And much of the energy of environmental activists is devoted to “bottom-up” approaches to

Robert Percival, Robert F. Stanton
Professor of Law and director of
the Environmental Law Program

environmental law, as activists persuade nations to adopt each other's innovations—like the U.S. ban on unleaded gasoline spreading to most of the world.

One way that NGOs in the developing world influence corporate practice is by using the tool of transparency to mobilize consumers—in much the same way that

alternative types of pressure, China has begun to see itself as a global environmental leader. “The environment is so bad there that the same amount of effort can make a lot bigger difference there than here, where our laws are more mature,” Percival says.

A different strategy involves the recognition by nations that they share

shared information and ideas to improve environmental compliance. She spent much of her time with a representative from Kenya who wanted to know what U.S. companies were doing to comply with emissions regulations. She gave the Kenyan in-depth information about the EPA's national enforcement initiatives and multi-facility approach to settlements. “It was helpful to them to have a model,” Chapman says.

The exchange reflects a growing trend of nations leading by environmental example, Chapman says. “India is looking to countries who have been there, done that, and hopes to avoid some of the mistakes the U.S. made, for example,” she says. Next-generation technology—enabling better monitoring, electronic reporting, and third-party auditing—should help make that possible.

A third strategy involves a questioning of boundaries. A growing number of lawsuits seek to hold companies liable for environmental harm they caused elsewhere, raising questions about where transnational liability litigation should occur, and what standards should apply for enforcement of foreign judgments.

“What's fascinating is that so many diverse strategies are being employed to improve the environment in various countries,” Percival says. “The baseline norm is you can't engage in activities that are

“The baseline norm is you can't engage in activities that are going to cause serious harm to others without having to face the music eventually.”

—Robert Percival

U.S. environmental groups did in the 1980s—but with the added efficiency of the Internet, Percival says. China, where air pollution kills 1.2 million people a year, has no express provision for the citizen enforcement lawsuits that helped reform environmental practices in the U.S. But as activists push for improvements through

environmental challenges. So they borrow legal and regulatory innovations from one another to respond to those challenges, Percival says.

For example, Apple Chapman '99, associate director of the EPA's Air Enforcement Division, recently attended a conference in India where countries

ENVIRONMENTAL IMPACT

ROBERT PERCIVAL has played a leading role in conceptualizing the new field of global environmental law as a founding member of the IUCN Academy of Environmental Law. Percival's impact is

strengthened through a website (<http://www.globalenvironmentallaw.com/>) and a weekly blog (<http://globalenvironmentallaw.blogspot.com/>).

When it was reported on May 10 that concentrations of carbon dioxide in the atmosphere had passed the threshold of 400 ppm, Percival had just finished presenting a paper on “The Role of Civil Society in Environmental Governance” with Professor Zhao Huiyu of Shanghai Jiatong University Law School at a conference in Nanjing, China.

“While it may now be easier to pass environmental legislation in China, it may be harder to enforce such laws because they are not the product of hard-fought compromises



Apple Chapman '99, associate director of the EPA's Air Enforcement Division.

going to cause serious harm to others without having to face the music eventually.”

A complicated and ongoing legal battle illustrates this third type of strategy, Percival says. In the 1970s, the Ecuadoran government invited Texaco to develop the South American nation's petroleum resources. In 1993, a group of Ecuadoran villagers, seeking compensation for severe pollution from the oil drilling, filed suit against Texaco in federal district court in New York under the Alien Tort Statute, which allows foreigners to sue in U.S. courts for torts committed in violation of the Law of Nations.

A federal trial court dismissed the suit, but the Second Circuit Court of Appeals later affirmed the dismissal only if Texaco would submit to the Ecuadoran courts instead. So the company, by then Chevron, re-filed in Ecuador. Realizing changes in the Ecuadoran government were not in the company's favor, Chevron in 2009 filed an international arbitration claim against the government of Ecuador in the Permanent Court of Arbitration in The Hague to expand the litigation's venues. In February 2011, an Ecuadoran court handed down a judgment of \$18 billion. But days before the

decision, Chevron filed a racketeering lawsuit against the Ecuadoran plaintiffs and their attorneys in a U.S. court. Ironically, the U.S. Supreme Court recently closed the U.S. courts to lawsuits by foreigners over harm caused abroad.

However this story may end, Percival says that such transnational environmental litigation is helping to create new norms of corporate behavior in remote corners of the globe. It may make multinational companies less likely to seek dismissal of litigation if that would mean submitting to the jurisdiction of foreign courts. It may put pressure on governments to enforce foreign judgments. And, as the courts continue to wrestle with the case, they may shape global norms of due process. Chinese companies, Percival predicts, could be such litigation's next target. He cites Chinese mining companies that relocate communities in South America and Africa to build mines.

What all of this means, Percival says, is that it's no longer a question of domestic law versus international law, but a new kind of global law. "The lines dividing domestic and international law and public and private law are starting to blur as various countries borrow environmental innovations from one another and private actors work more closely with government officials," he notes. ■

with the regulated community," Percival notes. "The NGOs are playing an increasing role in environmental policy, though their greatest successes appear to be through transparency initiatives rather than litigation."

Closer to home, Percival teaches a Global Environmental Law seminar that compares how legal systems in different countries are responding to environmental problems. Students in the seminar examine the legal and political factors that may explain differences in policy responses, and explore how the common law,



civil law, and socialist legal traditions have influenced the development of environmental law and policy.

Percival is also the principal author of the country's most widely used environmental law casebook. Now in its seventh edition, *Environmental Regulation: Law, Science & Policy* is available in e-book format through Wolters/Kluwer's SmartBooks program.

Technology has the ability to make gray what was once the black letter of the law.

THE LOOMING THREAT OF CYBERTERRORISM

ATTACKS on U.S. computer systems happen every day. Officials from the National Security Administration report that the computer systems that control the United States nuclear arsenal alone withstand up to 10 million attacks a day.

The cybersecurity industry that aims to protect the U.S. from these attacks will grow to \$207 billion this year, according to an April 2013 report by industry research firm IBISWorld. But striking a balance between the openness and speed of the Internet—qualities that make it so powerful and useful—with the firewalls and protocols necessary to ensure a stout defense is the key dilemma faced by experts in the war on cyberterrorists.

Law School Professor Michael Greenberger, director of the University of Maryland Center for Health and Homeland Security, reinforces that it's almost impossible

to offer an ironclad defense against the significant threat posed by a “strategic and surgical” cyberterrorism attack on electrical grids or the banking system.

“It’s not hype,” observes Greenberger. “Anyone who knows anything about terrorism will tell you that the most likely catastrophic terrorist attack is a cyberattack.”

In many respects, the law itself hasn’t caught up with the speed of changes to privacy and commerce wrought by the digital age.

First, there is no concrete, universally agreed upon definition, informally or legally, as to what defines an act of cyberterrorism. Academia, the dictionary, and even the FBI all have slightly different viewpoints.

By the most rigorous standards, a true act of cyberterrorism has never been used against the United States, despite an ongoing cyberwar propagated by nations and



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ATTACKS



Professor Michael Greenberger, director of the University of Maryland Center for Health and Homeland Security

non-state agents alike. Most definitions call for acts to be politically based and catastrophically destructive.

This definition, however, does not negate the reality that, despite society's inability to name them, assaults occur daily on privacy, commerce, government infrastructure, corporations, media organizations, and universities, to name a few. Nor does it take into consideration

“Things are changing even as we teach the course. We’ve had to be flexible in that regard, but it’s made the course even more exciting for the students.”

—Markus Rauschecker '06

physical acts of terror that are planned and organized online through social media.

Technology has the ability to make gray what was once the black letter of the law.

The USA Patriot Act of 2001 passed in response to 9/11 has been repeatedly amended to contain penalties for cyberterrorism, as well as more rigorous definitions of what entails an act of cyberterrorism.

But precedent-setting case law is still being decided as the threats become even more complicated.

Developing a pool of leaders with expertise in the field is increasingly necessary, Greenberger notes. Not only must state and federal legislators navigate tensions between civil libertarians and law enforcement as they write new laws, but regulators and law enforcement officials must also cope with the reluctance of businesses to shoulder the costs of preventing cyberattacks and other Internet crimes.

Efforts to train a new generation of lawyers (many of whom may end up in government) to cope with the seismic shifts of our digital age are enhanced by the Center for Health and Homeland Security and a UM Carey Law course on Law and Policy of Cybersecurity.

“Most places might teach [cybersecurity] as a subtopic in a broader course, but for the second year we are teaching a [stand-alone] course on this subject,” says Greenberger, who designed the course.

Two analysts affiliated with the Center—Ellen Cornelius '05 and Markus Rauschecker '06—are now teaching the course, which was developed in response to demand from Center clients. Rauschecker observes that the field of cybersecurity is moving so fast that the beginning of each class session is devoted not to case law or theory but to an analysis of current events.



“Things are changing even as we teach the course,” he says. “We’ve had to be flexible in that regard, but it’s made the course even more exciting for the students.”

The seminar is also giving UM Carey Law students a chance “to be involved in a field when it’s really at the beginning and help shape where it goes,” says Rauschecker. And the Center’s relationships with key players in the cybersecurity sector—who often come to speak to the class—allow students to test the ideas that they’ve formulated against the expertise of those actually involved in protecting against attacks.

“The students see that it isn’t just a theory,” Rauschecker says. “They see how these things are actively happening in the real world.”

Greenberger fears that a catastrophic cyber assault on our nation’s vital infrastructure may see a repeat of government’s post-9/11 scramble to play catch-up with a new wave of terrorists, further transforming the landscape of personal freedoms and commerce.

“We can’t get much-needed cyber legislation through Congress,” he says. “And business doesn’t want to be told what to do. If we have a major crisis, I’m not saying civil liberties will be disregarded, but those concerns will not be predominant and we will get cyber legislation. Congress will ultimately be forced to do this.” ■



Markus Rauschecker '06

ENHANCING CYBERSECURITY IN MARYLAND

CYBERSECURITY reform is a primary focus in the state of Maryland, which in 2010 and 2011 ranked third for per capita identity fraud complaints, and ninth for per capita identity theft complaints. Authorized by the Maryland General Assembly in 2011, the Maryland Commission on Cybersecurity Innovation and Excellence is charged with conducting an overview of federal and state cybersecurity laws and policies, considering Maryland’s role in promoting cyber innovation, and recommending a comprehensive framework and strategic plan for cybersecurity, including recovery from cyberattacks.

Center for Health and Homeland Security law and policy analysts Avery Blank '11 and Peter Suh '09 worked with the Commission, of which Professor Michael Greenberger is an appointed member, on legislation that was introduced in the 2013 Session

and testified on behalf of the Commission before various Maryland Senate and House Committees.

“The Commission is dedicated to enhancing cybersecurity protections for the citizens of Maryland,” said Suh in a recent email. “It was an honor to explain to our State Senators and Delegates how the Commission’s bills would enhance cybersecurity protections for Maryland residents.”

As a result of the Commission’s work, the Maryland General Assembly recently passed legislation that requires certain state government units, such as public institutions of higher education and local agencies, to notify individuals of a breach of personal information.

The Commission will continue its work through 2013 and 2014 and will present a final report of recommendations and findings to the Governor and General Assembly by September 1, 2014.



COLUMBINE High, Virginia Tech. While places of learning, these schools also carry the burden of being synonymous with tragedy. Now adjectives in today's culture, they refer to unthinkable violence, perpetrated in what was long considered a safe zone for kids: the classroom.

In 2012, there were two homicides and four violent crimes committed per 1,000 primary and secondary students, according to the National Center for Education Statistics. Extrapolated nationwide, such statistics reveal a school homicide and violent crime rate that is alarming.

Yet, as federal and state legislatures grapple with reforming laws that balance both gun rights and protection of our nation's students, those on the ground, school administrators, can't wait.

It's not just the larger, well-known attacks that strike fear into students and parents, but the everyday acts that threaten, such as bullying, that can inhibit a student's ability to learn—behavior that tips the scales dangerously toward a perpetual cycle of conflict.

The focus of some educators and administrators is shifting away from traditional zero-tolerance policies on violence to a more holistic approach. Rather than regulate behavior through federal law or school rules, they are looking into the community and family for answers.

As a veteran school administrator and now interim CEO of Baltimore City Public Schools, Tisha Edwards '01 has firsthand experience with some students who engage in many kinds of violence. Such behavior doesn't happen in a vacuum, she contends.

"School violence is about community violence," says Edwards. "Many kids grow up in families and communities where the expression of emotion comes through in a violent way, so it shapes who they are and how they deal with anger, disappointment, and betrayal."

The stakes couldn't be higher. Conflicts among students, staff and family members can disrupt learning, make students feel disconnected from school, and lead to violence and behavior management issues that have been linked with low academic performance, truancy, and school dropout.

Research shows that students who have been suspended are three times more likely to drop out by 10th grade, and dropping out triples a student's chances of being incarcerated later in life.

If children experience yelling and disrespect at home, and then have the same experience at school, they lose the chance to learn problem-solving and communication skills that will help them make positive

not learning it at home and schools aren't teaching it, then they may experience considerable challenges in conflict management throughout their lives," Grochal says.

School conflict resolution programs are one important part of C-DRUM's broader effort to provide training, grants, and hands-on assistance to support an array of conflict management programs that help to create safer environments in schools across

.....
"Many kids grow up in families and communities where the expression of emotion comes through in a violent way, so it shapes who they are and how they deal with anger, disappointment, and betrayal."

—Tisha Edwards '01

choices across a lifetime. The lack of these skills has potentially dire consequences, says Barbara Sugarman Grochal, director of Schools Conflict Resolution Education Programs for UM Carey Law's Center for Dispute Resolution (C-DRUM).

"Many [students] don't have the skills to talk through what's going on. If they're

Maryland. C-DRUM works in partnership with the Maryland Judiciary's Mediation and Conflict Resolution Office and the Maryland State Department of Education.

Deborah Eisenberg, associate professor of law and C-DRUM director, says that Maryland Carey Law students in her Mediation Clinic often experience a "culture

Tisha Edwards '01, interim CEO of Baltimore City Public Schools



of middle grades students missed more than 20 days of school in 2011-2012. This is a critical issue, as research has shown that Baltimore sixth-graders with attendance below 80 percent have on-time graduation rates of just 5 to 13 percent.

“Attendance fundamentally underlies the success of schools and underlies the real life of the community,” says Stacy Smith, C-DRUM’s director of special projects. “Baltimore can’t thrive if we’re not educating our children. It doesn’t matter how big our port gets; there aren’t jobs for children who don’t have a high school education. Everything about our economy is moving past these kids.”

In C-DRUM’s attendance mediation program, which began in 2007, elementary and middle schools make referrals when students have six or more absences, or chronic lateness. Mediators facilitate conversations between families and school



Barbara Sugarman Grochal, director of Schools Conflict Resolution Education Programs for UM Carey Law’s Center for Dispute Resolution (C-DRUM)

staff designed to uncover and address the issues keeping kids out of school. Overwhelmingly, Smith says, those issues are related to health and mental health issues for children and/or their families. The conversations have the added benefit of fostering better connections between

the child’s family and school, making families more likely to take advantage of available resources.

“We can save them from being suspended a lot, and perhaps walking into that [school-to-prison] pipeline,” Grochal says. ■

It Takes a City to Stem School Violence

“VIOLENCE, to me, is just a symptom of aggression, lack of a connectedness, an inability to communicate, and an inability to cope,” says Tisha Edwards ’01, interim CEO of Baltimore City Public Schools.

Schools are a direct reflection of their communities, says Edwards, who served as principal of Baltimore Freedom Academy (a high school in Upper Fells Point that partners with UM Carey Law) for four years. “We live in a culture of violence, and schools are just a place where it plays out,” she says. “Schools get a bad rap because people try to pinpoint it and make it about the school ... but kids come from somewhere, from families, from communities, from a world that sensationalizes violence and aggressiveness.”

The whole concept of school violence is deeply complicated by issues of race and class and place, Edwards says. The 2012

killings at Sandy Hook, she says, are not referred to as school violence, but an issue of mental health. But when a group of Baltimore teens fight downtown, she says people tend to want to criminalize the behavior. However, both instances are rooted in feelings of isolation and lack of connection.

Kids need adults to model communication and problem solving that isn’t based on violence, but most teachers aren’t equipped to make that constant effort, Edwards says. Doctors who go into emergency medicine are trained to work in environments of chaos and trauma. But teachers often aren’t familiar with their students’ emotional issues, and may wonder how they’d respond, for example, if a student says she didn’t turn in her homework because she’d been raped. “You’re asking me to go in a place where

I may not have solutions,” is how Edwards says they may feel.

While teachers don’t usually receive formal training to deal with violence, many receive support through other channels, which helps schools redirect violence, helps kids succeed, and is deeply rewarding, she says. The good news is that the solution to violence is within reach; it doesn’t depend on money or technology, but on the interactions of people. Everyone has a role in making communities healthy, she says. “You can overcome those issues for children, and you can help them break the cycle of aggression and violence and unhealthy interactions and relationships. It is possible, and schools do it every day.”



THE FUTURE OF HEALTH CARE

In a follow-up to last edition’s article on the Affordable Care Act, we asked some questions of two leaders in Maryland’s health care profession: Gary L. Attman ’79, president and CEO of FutureCare Health and Management Corporation, and Jay A. Perman, MD, president of the University of Maryland, Baltimore. Here are their thoughts.



Gary L. Attman ’79

Q WHAT ARE THE IMPLICATIONS OF THE “GRAYING” OF AMERICA AND ITS EFFECTS ON THE HEALTH CARE SYSTEM?

ATTMAN: In 2012, Medicare spending was \$536 billion, which accounted for 16 percent of the federal budget. Twenty-five percent of this was spent on patients in their last year of life and 40 percent of that was spent caring for those in their last month. Much of that is understandable—after all, young people don’t use health care nearly as much as the elderly. And although many health care economists view this as unfair, it is important to remember that Medicare is not a poverty program but is an insurance program paid for by its beneficiaries. So the elderly have paid throughout their lives for the right to have health care services when they need them—which is often in their final days.

But there is still a problem. Because of the aging of the Baby Boomers, this quandary is getting worse. The question is how to contain health care costs at the end of life without denying compassionate care to those who have earned the right to receive such care.

There are many answers but I will propose three. First, we need to have meaningful malpractice reform. Defensive medicine has caused medical costs to skyrocket. Because of the rise in litigation, doctors and health care providers have to order every conceivable test on

GARY L. ATTMAN



As president and CEO of FutureCare Health and Management Corporation, Gary L. Attman oversees all operations and strategic planning initiatives for the organization. He plays an active role in the continuous development and promotion of the FutureCare brand, as well as ongoing efforts to expand the company’s facilities, technologies, service lines, and patient care programs. In 2011 and 2012, FutureCare Health was voted one of the Top Large Work Places in Maryland by *The Baltimore Sun*, and was named one of America’s Top

Workplaces by WorkplaceDynamics in 2013.

Prior to co-founding FutureCare Health in 1986, Mr. Attman worked as an attorney for a large law firm in the Baltimore area, and also acquired licensure as certified public accountant and real estate broker. A graduate of the University of Maryland and the School of Law, he is a member of the Maryland State Bar Association as well as various professional health care organizations, including the Health Facilities Association of Maryland (HFAM). In 2009, he was appointed by Maryland Governor Martin O’Malley to the University System of Maryland’s Board of Regents.

While his roles and responsibilities are diverse, one of Mr. Attman’s highest priorities is to work hands on with the members of his team, at FutureCare’s headquarters as well as at each of its 12 skilled nursing and rehabilitation facilities. He is a firm believer that his company employs the best caregivers that can be found—a theory that is confirmed by the many letters of praise and gratitude he receives each week from satisfied patients and their family members.

every patient, even when common sense would suggest otherwise. Because we have a liability cap, Maryland is better than most states, but it would be very powerful if there could be limits placed on lawsuits at the federal level. Surprisingly, despite all of the legislation and rhetoric about health care there has been very little action on medical malpractice reform.

Secondly, we need to ensure that patients are treated in the most cost effective setting. Most patients would prefer to be at home and, with the advent of sophisticated home care and telemedicine, patients can now be offered high quality (and relatively inexpensive) care at home. For patients who cannot be cared for at home we have many excellent hospitals throughout Maryland. But patients should be encouraged to transfer to post-acute facilities (primarily skilled nursing and rehabilitation facilities) as soon as possible after a hospitalization. Or, in many cases, post-acute facilities can treat the patient without a hospital stay. Hospitals are absolutely necessary for emergency and surgical care but an ecosystem of post-acute facilities and services has evolved that can perform many other services that were once performed in hospitals, including ventilator care, cardiac rehabilitation, physical therapy, chemotherapy, and many others. Generally these services can be provided by skilled nursing facilities at a fraction of the cost of hospital services with excellent patient outcomes.

Finally, it is important for physicians and families (as well as patients, of course) to have sensitive but frank discussions about end-of-life care. In many cases it is not in the interest of the patient or the family to suffer through another surgery or another round of chemo. It might be better for all to work with the caregivers to minimize the patient's pain and to enable a peaceful passing with maximum patient dignity. This not only controls cost—it is the right thing to do.

PERMAN: We need to take a critical look at our national commitment to health and wellness in ensuring that our “gray” years are really “golden” years. I certainly agree that we must meet our obligations to

robust health care for the elderly. But are we doing enough to increase the likelihood that we will arrive at that stage of life in the best shape possible, and thus reduce the burden of illness which our health care system must manage?

I think we, as a nation, could do more. We could step up our efforts to promote and incentivize healthy lifestyles. We could better support healthier eating. We could make our environments more



Jay A. Perman, MD

JAY A. PERMAN, MD



Jay A. Perman, MD, was appointed president of the University of Maryland, Baltimore (UMB) in July 2010. A pediatric gastroenterologist, Dr. Perman continues to practice medicine through his weekly President's Clinic, where he teaches team-based health care to students of medicine, pharmacy, nursing, dentistry, social work, and law while treating pediatric patients.

Dr. Perman received a Doctor of Medicine degree, with distinction, in 1972 from Northwestern University. Following his residency in pediatrics at Northwestern University Children's Memorial Hospital in

Chicago in 1975, he completed a fellowship in pediatric gastroenterology at Harvard Medical School and at the Children's Hospital Medical Center in Boston in 1977. At the UMB campus, he chaired the Department of Pediatrics in the School of Medicine from 1999 to 2004. He served as dean and vice president for clinical affairs at the University of Kentucky (UK) College of Medicine from 2004 to 2010.

Dr. Perman's long and distinguished career includes service on many national, state, and local organizations, boards, and committees. While at UK, he received the President's Award for Diversity and the Public Health

Hero Award from the Lexington-Fayette Urban County government, and he has been listed among The Best Doctors in America since 2001. He is a past president of the North American Society for Pediatric Gastroenterology and Nutrition, a former section chair of the American Gastroenterological Association, and a former Executive Committee member of the American Academy of Pediatrics. Dr. Perman also currently serves as chairman of the Board of Directors for the Greater Baltimore Committee and is a member of the Board of Directors of the Hippodrome Foundation, and the Downtown Partnership.

walkable and conducive to bike riding. We could educate better against the abuse of substances that we know leads to debilitating, costly diseases later in life. Here at UMB we have created the Institute for a Healthiest Maryland to take action to address these issues. All these things take our collective will. And they take money.

Our nation must be willing to invest. We need to reimburse physicians and other health care providers who today are not paid to take the extra few minutes it requires to do some preventive medicine in the office. Are we going to invest now so that we can have cost avoidance later, in human terms, and in how we spend the health care dollar? If we are to truly grow old gracefully and die of “old age,” we need to rebalance our health care system and our investments to provide the very best care for disease and dysfunction in our later years while maximizing efforts to reduce the overall degree of suffering once we reach those years.

Q HOW IS THE IMPLEMENTATION OF THE AFFORDABLE CARE ACT GOING TO AFFECT THE WAY HEALTH CARE PROFESSIONALS ARE EDUCATED?

PERMAN: The implications on education are probably yet to be defined. That said, the likely expansion of care to many more individuals than currently have access to health care, and the fact that among them are many with chronic diseases, probably requires us to accelerate the way in which we teach health care professionals to work in teams. I say that from several perspectives. The addition of many more individuals who will be covered and who will demand access to health care will strain the number of professionals currently available to provide health care. I am speaking particularly of physicians and nurse practitioners. To the extent that we can educate health care providers across the professional spectrum to work in teams, we may be able to meet the burden. For example, we need to understand the roles that pharmacists can play beyond the current foci they have. We could say the same about dentists, dental hygienists, social workers, physical therapists, nutritionists, and many other members of the health care professions. All can play a part if they work as a team in expanding our ability to cover the many who are newly enfranchised in requiring health care.

Secondly, it is predictable that many who have not been covered will come to the health care arena with chronic diseases. There is an emerging literature that supports the use of a team-based approach in providing care to these populations.

In summary, I think that the advent of the Affordable Care Act will probably place increasing requirements on educators to prepare a team-oriented workforce. I am happy to say that we have made a commitment to do so here at UMB.

Q HOW HAS TECHNOLOGY CHANGED THE DELIVERY OF MEDICAL SERVICES ACROSS DIFFERENT PLATFORMS?

ATTMAN: Our company uses technology extensively for charting and measuring patient progress and coordinating with the treatment team, both in and out of our skilled nursing facilities. We are implementing electronic medical records and offer a wireless environment that is compatible with a variety of platforms so our clinical team can always keep tabs on the progress of our patients.

In terms of treatments, the latest technology has greatly assisted us in providing effective treatment to our patients so that they can return home more quickly. People think of nursing homes as a one-way street, but at FutureCare’s skilled nursing facilities, nearly 90 percent of our admitted patients return home substantially rehabilitated within 30 days of admission. Our therapists use a variety of innovative modalities, including virtual reality devices for balance and gait, vital stim technology to treat swallowing difficulties, and diathermy therapy for non-pharmacological pain management; and we can confirm the correct placement of peripherally inserted central catheters at the bedside, thus eliminating the historical need for a hospital transfer. We are always on the lookout for newer and better technologies to help our patients.

PERMAN: We have made extraordinary advances, particularly over the last three decades, in the technologies we can apply to patients’ health care. We can open vessels that devastate us when they close; we can identify disease and injury through imaging modalities that were unimaginable in my early years of practice; and we can record individual health-related data and analyze aggregated data across populations so we can provide even better health care.

In fact, the University of Maryland, Baltimore is in the forefront of the discoveries that make advanced biomedical technology possible. That said, some cautionary notes are appropriate so that we avoid creating “negatives” out of “positives.” Each time a technological innovation comes along, we must critically assess whether it makes a meaningful difference in our care of patients. Does it change outcomes? We must be careful not to overuse new

“The advent of the Affordable Care Act will probably place increasing requirements on educators to prepare a team-oriented workforce.”

— Dr. Jay Perman

“ One way that lawyers and health care professionals can partner is for an increased and ongoing focus on educating and assisting the patient to execute clear and meaningful advanced directives and/or appoint health care agents.” – Gary L. Attman

and exciting technologies just because we can. For example, excessive use of imaging studies may have long-term health consequences such as undesired effects of radiation. Unnecessary imaging sometimes uncovers findings of questionable import; yet the physician then feels an obligation to investigate more, and a vicious, expensive cycle ensues.

Similarly, our use of electronic medical records is a critically important development. This technology will help us to truly link health care providers across locations into well-functioning teams. And electronic medical records will assist in preventing unnecessary tests that are repeated simply because recent results obtained elsewhere are not available to the provider seeing you at the moment. Once again, though, we must guard against undesirable consequences. I am concerned that the entry of electronic information during a patient visit may threaten the importance of face-to-face verbal and non-verbal communication between provider and patient. The computer must not be a distraction or impede that communication.

So once again, we need to balance the incredible power we have through technology with a recognition of potential undesirable effects. I am confident that we can achieve such balance as we provide the most outstanding health care possible.

Q AS THE DIAGNOSIS OF DISEASES BECOMES MORE COMPLICATED, HOW CAN LAWYERS AND HEALTH CARE PROFESSIONALS PARTNER TO ADDRESS ISSUES IN THE PROVISION OF HEALTH CARE, ESPECIALLY TO UNDERREPRESENTED POPULATIONS?

ATTMAN: One major reason diagnoses and patient co-morbidities are becoming more complicated is because we are living longer and dealing with situations we have never experienced before. Historically, patients didn't live long enough to get Alzheimer's, or diabetes and/or renal failure, etc. These co-morbidities create a situation in which patients, especially the elderly, are presenting with incredibly complex conditions. One way that lawyers and health care professionals can partner is for an increased and ongoing focus on educating and assisting the patient to execute clear and meaningful advanced directives and/or appoint health care agents. This has and will continue to be an imperative aspect of health care delivery—allowing people to clearly communicate how they want to direct their care. There has been some movement in this area, but not nearly

enough health care professionals understand this important aspect and I see a great opportunity for the legal/health care communities to make great strides here. This has even greater significance for underserved areas.

Also, with the ACA and changes in Medicare, Medicaid, etc. there are significant opportunities for lawyers to teach the health care community and the public how these laws affect health care and how patients can access health care under the law. For example, a few months ago Holly O'Shea, our VP and Corporate Counsel, taught an upper-level BSN nursing class at Hood College on the ACA. This is a perfect example of the potential for collaboration.

PERMAN: Lawyers, in my mind, are often critically important to the delivery of health care. What do I mean by that? It's often not so much a challenge of diagnosis and treatment of a specific chronic disease as much as it's the influence of the environment in which that patient lives that challenges us. What we are talking about here is an area that we call the social determinants of health. I often like to use a pediatric example. In cities with old housing, small children are at risk for lead poisoning. We are reasonably skilled at diagnosing and treating lead poisoning. Unfortunately, what we need to keep in mind is that the treatment of that child is not completed by straightforward diagnosis and treatment. A failure to adjust the environment of the child will result in a recurrence of the lead poisoning. Changing the environment is often a matter of getting property owners to comply with the law. You therefore need a lawyer on the health care team in caring for a child and family like this.

Increasingly, we need the development and expansion of medical/legal partnerships to address the social determinants of health. Law students are an integral part of UMB's interprofessional health care education care programs. ■

CLASSROOM ENCOUNTERS

Picturing Persuasive Arguments

THE sunny Baltimore weather was at odds with the dark analysis of a senseless strangulation discussed during a recent afternoon class at the University of Maryland Carey School of Law.

Most of the students in the class professed little knowledge of the victim, but their collective heart seemed to grieve nonetheless as third-year student Edward Emokpae outlined the nature of the assault against jazz by what some might deem Draconian copyright laws.

The challenge for Emokpae—indeed for all of the students in Visual Legal Advocacy taught by Professor Taunya Lovell Banks, Jacob A. France Professor of Equality Jurisprudence—was to use film to explain and explore legal issues.

For Emokpae, this involved illustrating how complex laws threaten to choke the creativity from the soulful art form that was born through innovation, sampling, and rearranging past works. Although part of his film explored the origins and evolution of jazz—by showing video of African musicians dressed in native garb and playing traditional songs—Emokpae used statements from jazz critics to underscore the fine points of how today’s copyright laws undermine the genre.

Advances in video and audio technology and their acceptance into legal proceedings have aided those who seek to sway opinion on a host of divisive topics such as the viability of wind farms in Maryland, the impact of climate change on wine production, gun control, and other subjects explored in Banks’ seminar.

Banks began the course after watching the proliferation of documentaries and films used in courtrooms, on campaign trails, and in other forums. In many states, videotaped depositions have gained popularity because they can be stored as evidence and even used for training other attorneys in a firm.

On this day Emokpae paces nervously, his tie swaying just a bit, as Banks and the class watch a snippet of his film before immediately critiquing it. His film involves an elegant mix of music, commentary, and even cartoon images designed to capture viewers’ interest and influence their attitudes.

Emokpae’s classmates begin with thoughtful praise before moving into gentle but straightforward suggestions that he limit the face time of a jazz expert, whom they commonly refer to in their critiques as “the boring guy.”

“Who is your audience?” Banks asks more than once when critiquing this and other films, shaking off one presenter’s hand wave that indicates the audience is his peers. “But we are lawyers. Or soon-to-be lawyers,” Banks reminds the students, driving home the point that it is the general public that they must reach.

Thinking in non-legal terms can be difficult for students who spend years dissecting judicial opinions, deconstructing oral arguments, and mulling briefs. In a way, they need to re-acclimate themselves to the mindsets of those who do not have legal training—a public that is apt to consume a wide range of popular media, from the Reese



Taunya Lovell Banks,
Jacob A. France Professor
of Equality Jurisprudence

Witherspoon comedy *Legally Blonde* to the Glenn Close television drama *Damages*. Banks says the students joke that after analyzing such films in class they can’t watch anything without specifically catching legal references and points.

After viewing a classmate’s film on the arguments surrounding the establishment of wind farms in Maryland, Benjamin Donoghue commented, “I really liked it, especially the cartoon in the middle.” He added, “To be honest, I didn’t have a clear idea of the issues [surrounding this], but I do now.”

That’s just the impact Banks wants her students to have.

“A lot of times, a firm has to go to an outside party [to create such films], but it’s much less expensive if they have someone in-house who can put it together. That would be a marketable skill, especially to a small law firm.”

But even if the students have no interest or need to create such films after the completion of the course, the exercise is one that will undoubtedly aid them in their careers. “For me, the goal is not how polished the films are, but how well students have thought about telling the legal stories using visual media,” Banks says. “Part of becoming visually literate is to learn to convey legal issues persuasively.” ■

New Faculty, Promotions, Appointments, Retirements, and Honors

The rise of outstanding scholars further strengthens programs and enhances the School of Law's outstanding academic reputation.

NEW FACULTY



James Grimmelmann

Professor of Law
BA, Harvard University
JD, Yale Law School

Known for his work on virtual worlds, search engines, and Internet privacy, Professor Grimmelmann will head the Intellectual Property Law Program, the only one of its kind with an active clinic partnered with the U.S. Patent & Trademark Office.



Frank Pasquale

Professor of Law
BA, Harvard University,
summa cum laude
MPhil, Oxford University
JD, Yale Law School

A noted blogger and scholar in technology and health care, Professor Pasquale brings a new perspective to UM Carey Law's top-ranked Law & Health Care Program and to the emerging law of health information.

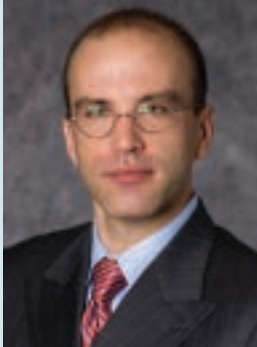


Maureen Sweeney

Law School Associate Professor
BA, Wesleyan University
JD, Yale Law School

Studying the consequences of criminal convictions for immigrants long before *Padilla v. Kentucky*, Professor Sweeney has been at the forefront of immigration reform in the state of Maryland. She continues her work in our nationally ranked Clinical Law Program, leading the Immigration Clinic.

PROMOTIONS



Promoted to professor of law and tenured, **DAVID GRAY** teaches criminal law, criminal procedure, international criminal law, and jurisprudence. His scholarly interests focus on transitional justice, criminal law, criminal procedure, and constitutional theory. His recent publications have appeared or are forthcoming in leading journals as well as in prominent volumes edited by leading scholars. In addition to his own scholarship, Professor Gray works closely with students to develop and publish their work.

Recent work written by or with his students has appeared in the *Encyclopedia of Criminology and Criminal Justice*, *New England Law Review*, the *Federal Sentencing Reporter*,

Vermont Law Review, *Maryland Law Review*, and in edited collections. He earned his BA degree from the University of Virginia, his JD degree from New York University, and his MA and PhD degrees from Northwestern University. Prior to joining the School of Law faculty, Professor Gray practiced law at Williams & Connolly LLP, was a visiting assistant professor at Duke University School of Law, and served as a clerk in the chambers of The Honorable Chester J. Straub, U.S. Court of Appeals for the Second Circuit, and The Honorable Charles S. Haight, Jr., U.S. District Court for the Southern District of New York. Professor Gray is admitted to the Massachusetts, Pennsylvania, and District of Columbia bars. He also serves on the Law and Philosophy Committee of the American Philosophical Society.

Promoted to associate professor of law, **DEBORAH THOMPSON EISENBERG** serves as director of the law school's Center for Dispute Resolution (C-DRUM). Her scholarly interests include the areas of employment law, civil procedure, and alternative dispute resolution. Professor Eisenberg came to the law school as a Visiting Assistant Professor of Law in 2007 and has taught Civil Procedure, Legal Analysis & Writing, Employment Discrimination, and the Workers' Rights Clinic. She currently teaches the Mediation Clinic. She enjoys teaching law students to be creative problem solvers for their clients and communities. She received her BA degree, *summa cum laude*, from the University of Maryland Baltimore County, and her JD degree from Yale Law School. Prior to teaching, Professor Eisenberg practiced civil litigation for more than 15 years. From 1994-96, she was a litigation associate with Ober, Kaler, Grimes & Shriver in Baltimore. From 1996-2003, she was a

staff attorney at the Public Justice Center, a nonprofit law firm in Baltimore. From 2003-2008, she was a partner with Brown, Goldstein & Levy, LLP in Baltimore, where her practice focused on civil rights, employment law, and other complex civil litigation. She continues to serve as a mediator in civil and employment cases. She is a member of the Maryland Program for Mediator Excellence.



Promoted to associate professor of law, **LEE KOVASKY** focuses his teaching and scholarship on such areas as criminal procedure, federal jurisdiction, habeas corpus, civil procedure, constitutional law, and the death penalty. He co-wrote the *Foundation Press Case Book on Habeas Corpus* (2013) (with Brandon L. Garrett), and has published extensively on issues of

executive detention and post-conviction review. Professor Kovarsky remains an active habeas and capital litigator. He regularly represents capital prisoners during federal appellate and Supreme Court review of their sentences. He has also represented various professional organizations as federal amicus counsel, including the American

Association on Intellectual and Developmental Disabilities (AIIDD) and the American Bar Association (ABA). Most recently, he co-wrote the ABA's Supreme Court Brief in *Martinez v. Ryan* (2012), the case announcing that a federal court may conduct merits review of a state sentence if a prisoner's state post-conviction lawyer was ineffective. Professor Kovarsky has been quoted on death penalty and criminal procedure issues in the *Dallas Morning News*, *The Guardian*, *The Houston Chronicle*, the *Nation*, the *New York Daily News*, the *New York Times*, *Reuters*, *theGrio*, the *Texas Tribune*, and *US News & World Report*. He has appeared as a guest to talk about capital punishment on, among other programs, Democracy Now!, BBC World, and Al Jazeera. He has also published on the death penalty in the *Wall Street Journal* and at Salon. Professor Kovarsky earned his BA degree from Yale University, and his JD degree from the University of Virginia.

APPOINTMENTS



MAXWELL STEARNS, professor of law and Marbury Research Professor, has been appointed to Associate Dean for Research and Faculty Development. He is an interdisciplinary scholar who applies novel methodologies to study a wide range of doctrines in public law, with a particular emphasis on judicial decision-making processes and structural constitutional law. His specific methodological expertise centers on public choice, social choice, game theory, and law and economics. He received his BA degree from the University of Pennsylvania, and his JD degree from the University of Virginia.

BARBARA GONTRUM, Assistant Dean for Library and Technology, has been appointed to Associate Dean for Academic Programs. She has taken a leadership role in academic law libraries, serving as chair of the Academic Law Libraries Special Interest Section of the American Association of Law Libraries, and as chair of the Section of Law Libraries of the Association of American Law Schools. Dean Gontrum joined the faculty in 1979 as library director after serving in the positions of Associate Law Librarian and Reference/Documents Librarian at the Duke University Law Library. She began her law library career with Taft, Stettinius & Hollister in Cincinnati. She received her BA degree from Purdue University, her MS degree from the University of Illinois, and her JD degree from Duke University.



CRYSTAL EDWARDS has been appointed Assistant Dean for Academic Administration. The former director of Academic Administration and Graduate Legal Studies, Dean Edwards has successfully served in various roles at the law school, including director of student affairs. She oversees the administration of academic programs, manages the graduate law (LL.M.) program, advises students interested in joint/dual degrees and interdisciplinary programs, administers externship programs for students seeking experiential learning opportunities outside of the law school, and manages the law school's international programs with multiple global partners. She earned her AB degree from Princeton University and her MA and JD degrees from George Washington University. Before joining Maryland Carey Law, Edwards worked as a corporate attorney at Miles & Stockbridge, P.C. in Baltimore.

RETIREMENTS

This year, two beloved members of the law school’s clinic faculty, Brenda Bratton Blom and Susan Leviton, took on the new titles of “Law School Professor Emeritus.”



Brenda Bratton Blom

BRENDA BRATTON BLOM stepped down from the faculty in December 2012 after 16 years in the Clinical Law Program. She led the Clinical Law Program as Director from 2003 to 2010 and taught the Community Justice Clinic and the Economic Housing and Community Development Clinic. She has a deep and abiding commitment to using the law to support community building activities, the development of affordable housing, and urban policies that support the creation of healthy communities. But perhaps most important, Blom still believes that the core duty of those who choose, and are given the opportunity, to study and practice law is to be a good steward of the justice system. Creating opportunities for students and faculty to learn about the law while they are engaged in solving problems for clients is central to her work. Just before her retirement, she received the Benjamin L. Cardin Distinguished Service Award from the Maryland Legal Services Corporation, which recognizes outstanding public interest attorneys who are regularly involved in providing, promoting, or managing the delivery of legal services.

SUSAN LEVITON '72 stepped down from the faculty in May 2013 after 40 years in the Clinical Law Program. Leviton, one of the program’s founding members, has written and participated extensively in representing children in special education proceedings and the juvenile court. She is past chair of the Maryland Human Relations Commission and founder of Advocates for Children and Youth, a statewide child advocacy group. Her advocacy work has won numerous awards from the ABA Young Lawyers Division, the National Association of Women Business Owners, The Women’s Law Center, the Maryland Chapter of the American Academy of Pediatrics, the Maryland Bar Foundation, the Foster Care Review Board, the Maryland Coalition of Women for Responsive Government, and the Maryland Interdisciplinary Council for Children and Adolescents. Even though she has retired from her full-time faculty position, she will continue to supervise law students in the congressional externship program.



Susan Leviton '72

HONORS



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1 **MIKE MILLEMANN**, Jacob A. France Professor of Public Interest Law and Director of the Leadership, Ethics & Democracy Institute, was elected to the American Law Institute (ALI).

2 **MICHAEL PINARD**, professor of law and director of the Clinical Law Program, was elected to the American Law Institute (ALI).

3 Dean **PHOEBE HADDON** was named one of the 25 most influential people in Legal Education by *The National Jurist*.

4 **BARBARA BEZDEK**, professor of law, was awarded the Dickens Warfield Fair Housing Award from Baltimore Neighbors Inc.

5 **MARK GRABER**, Professor of Law and Government, received the 2013 Teaching and Mentoring Award from the Law and Courts section of the American Political Science Association.

6 **LARRY GIBSON**, professor of law, is the recipient of the 2012 Wiley Branton Award, given annually by the National Bar Association. Wiley Branton was a longtime leader in the fight for civil, social, and economic justice.

Stepping Up at the NAACP

On November 19, 2012, Professor **SHERRILYN IFILL** was named President and Director-Counsel of the NAACP Legal Defense and Education Fund, Inc. The nation's premier civil rights organization, the LDF was founded by Justice Thurgood Marshall. Ifill began her legal career as an assistant counsel at the LDF, litigating voting rights cases. She is taking a leave of absence from the UM Carey Law faculty to fulfill her new role. "I am deeply grateful to Dean Haddon and the University for their support as I take up this new challenge," said Ifill after the appointment was made public. "My loyalty, respect for, and commitment to the law school and its wonderful students is undiminished. Indeed it is my hope that we will find rich opportunities for collaboration during my tenure at LDF." In 2013, Professor Ifill was also named an Influential Marylander by the *Daily Record*.



IN MEMORIAM: KATHERINE VAUGHNS (1945–2013)



KATHERINE Vaughns, a longtime UM Carey faculty member and well-known supporter of the Baltimore arts community, died May 4 after a brief battle with pancreatic cancer.

Colleagues described Vaughns as relentlessly cheerful and wonderful company.

“I hired Kathy 25 years ago; she was vivacious, interesting, and very nice,” recalls Professor William Reynolds. “In the many years that Kathy was on the faculty, I never knew her to be negative about anyone.”

In her almost 30 years at the law school, Professor Vaughns became a dedicated teacher and scholar, specializing in civil procedure, complex litigation, and immigration, with much of her scholarship focusing on the latter.

“[Kathy] was a wonderful fighter for justice, for those who were overlooked and excluded,” said Brenda Bratton Blom, Law School Professor Emeritus and former director of UM Carey Law’s Clinical Law Program, of which Professor Vaughns was a faculty member.

“She was suspicious of government powers, and fully committed to the power of regular people to control their own lives.”

But perhaps more than anything, Professor Vaughns will be remembered for her staunch support of the performing arts, spending her later years linking law with the arts with an enthusiastic and contagious spirit. She was a member of the Board of Trustees of Center Stage, and also served as Secretary to its Executive Committee. She also served on the Maryland Film Festival’s Board of Directors.

“WITH THEATRE, you are dealing with a medium and venue that is readily made present. It puts a human face on things.”

— Kathy Vaughns

Most notable was her effort to produce *Brown v. Board Revisited: A Commemoration and Community Forum*. Authored by two of Vaughns’ students, the play was performed at Center Stage on the fiftieth anniversary of the *Brown v. Board of Education* ruling. Several organizations collaborated with UM Carey Law and Center Stage to produce the event including the Maryland State Bar Association, the Bar Association of Baltimore City, and the Reginald F. Lewis Museum of African American History and Culture. “Actors” were drawn from Baltimore’s legal, civic, educational, and cultural communities, including then Chief Judge Robert M. Bell, Judge Andre M. Davis ’78, UM Carey Law Professor Larry S. Gibson, and Harry Johnson ’79, then president of the Maryland State Bar Association. More than 400 people attended the event and participated in the lively discussion that followed.

“Katherine was a brilliant and inspiring woman, with a deep commitment to, and passion for, the arts,” said Kwame Kwei-Armah, Center Stage’s artistic director. “She believed strongly in the power of the arts to transform lives.”

“Kathy was a woman of great integrity who strongly believed in truth and justice,” says Professor Taunya Lovell Banks. “She will be missed.” ■

AT THE TIME OF HER DEATH, PROFESSOR VAUGHNS HAD TWO ARTICLES THAT WERE ACCEPTED FOR PUBLICATION:

“Border Fixation: The Art of the Appearance of Security and Control in Immigration Reform,” 27 *Journal of Civil Rights and Economic Development* (forthcoming 2013). In this article Professor Vaughns posits that the need for comprehensive reform of immigration laws is urgent but that Congress’ “fixation” with our southern border with Mexico will hinder effective change.

“Of Civil Wrongs and Rights: *Kiyemba v. Obama* and the Meaning of Freedom, Separation of Powers, and the Rule of Law Ten Years After 9/11,” 20 *Asian American Law Journal* (forthcoming 2013) (with Heather L. Williams ’11), arose from Professor Vaughns’ Terrorism and the Constitution Seminar and addresses the meaning of freedom in a post-9/11 world.

These articles will be printed posthumously.

TRIBUTES TO KATHY VAUGHNS

“Kathy Vaughns was my office next-door neighbor. A night owl like me, many of our richest conversations took place at 8 or 9 p.m., with one of us standing in the doorway of our offices. Over the years we bonded over certain kinds of old movies. Those starring Omar Sharif, even the bad ones, were held in special esteem. Kathy encouraged me always, as a mother, a colleague, and friend. I miss her.”

Sherrilyn Ifill, President and Director-Counsel, NAACP Legal Defense and Education Fund.

“I will remember Kathy for her smile and her tremendous contribution to the Baltimore theatre and film community—things that make Baltimore City so vibrant.”
David Bogen, Professor Emeritus of Law

“Professor Katherine L. Vaughns was the epitome of wisdom, character, and warmth. She respected diverse opinions while retaining strong and progressive viewpoints about numerous legal, political, and creative issues. She was my favorite professor at Maryland Law for all of these reasons, and for many others, including the fact that she strengthened belief within me. I continue to miss her terribly.”

Andreea Ioana Pantor '05 (via Facebook)

“I have many fond memories, not least of which is the two of us often closing down the third floor together late at night and walking to the garage discussing theatre, law, current events, and life.”

Roger Wolf, Professor Emeritus of Law

“Together we started teaching at the law school in 1984, and we were close friends, especially during the years when I was living in Baltimore. She was a wonderful friend and colleague, and I will miss her dearly.”

Marley Weiss, Professor of Law

“I will miss Katherine’s never-ending enthusiasm for learning and her kind approach to her colleagues and friends. Her warm smile revealed a generous heart.”

Max Stearns, Associate Dean for Faculty Development and Marbury Professor of Law

“Kathy was one of my favorite colleagues. She frequently stopped by my office on her way to her own, usually making one of her sharp comments or insights. We often laughed about one thing or another, and she never forgot to ask me how I was doing, or remind me of an upcoming Center Stage performance. I would also regularly hear praise from Kathy’s Immigration Law students, and about how she made a difference in their law school experience and their future career choices. She thrived in the small group or one-on-one conversation, and gave unselfishly to others.”

Doug Colbert, Professor of Law

“What a great professor who introduced me to immigration law, which is what I practice and love. Rest in peace.”

Nicole Moorehead '01 (via Facebook)

“A great professor who always had a smile, even when teaching CivPro to the 1Ls. You will be missed!”

Angie Amisano (via Facebook)

“Kathy always had a smile and a wry observation about the world. She was never too busy to lend an ear, share her insights, or react to a colleague’s idea. Her enthusiasm for Center Stage and the arts in Baltimore was contagious! I will miss her smile, her quick mind and, most of all, her warm heart.”

Jana Singer, Professor of Law

“For me, one of Kathy’s most creative projects was to bring together her love for Center Stage with the law school for the 50th celebration of *Brown v. Board of Education*. The theatre was packed and after the performance the diverse audience participated in a great discussion, sharing stories about segregated Baltimore and the impact of the *Brown* decision on their lives. May Kathy’s legacy for linking law and the arts—and for all she did to make the law school a better place—live on in our hearts and souls.”

Karen Rothenberg, Marjorie Cook Professor of Law

“I remember Kathy Vaughns for her laughter and generosity, for calling everyone ‘Kiddo,’ and for loving life in a grand way. She had another side, however, for she was always passionate about justice for those less fortunate. She was fine company and a true friend, and I miss her dearly.”

Professor William Reynolds, Jacob A. France Professor of Judicial Process

“Professor Vaughns was a great professor because she had a passion for immigration law and teaching. She will be missed.”

Katherine Lindo '09 (via Facebook)

“Professor Vaughns was a great teacher. She was always encouraging me, inside and outside of the class.”

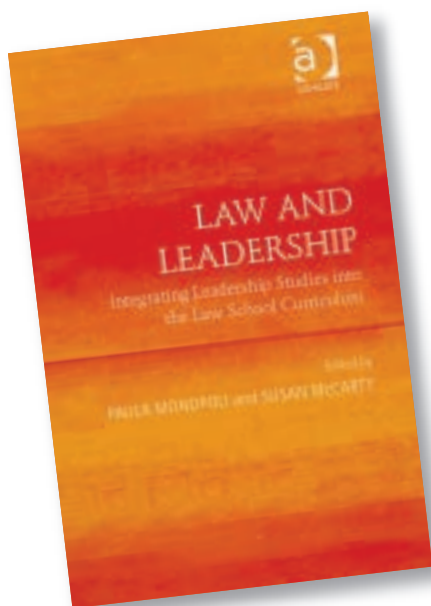
Octavia Shulman '09 (via Facebook)

SCHOLARSHIP



THINKING LIKE A LEADER

Professor Paula Monopoli is founding director of the Women, Leadership and Equality Program.



In the 113th Congress, there are 128 lawyers in the House and 45 lawyers in the Senate. Half of America’s Presidents studied or practiced law before becoming the leader of the free world.

Now type “lawyer jokes” into Google and browse the some 19 million results. That’s the paradox.

While the American public holds lawyers in only slightly higher esteem than used car salesmen, lawyers are tapped time and time again to take on leadership roles. Not just in politics, but to run multinational corporations, nonprofits, and everything in between.

With the precedent set, now the question becomes: Are lawyers good leaders? It probably depends on whom you ask. However, the better question might be: Are lawyers getting enough exposure to leadership studies?

Paula Monopoli, professor of law and founding director of the Women, Leadership and Equality Program, finds that her colleagues both in and outside the academy are

becoming more conscious of these questions of leadership. In fact, many UM Carey Law faculty and alumni contributed to the new book, *Law and Leadership: Integrating Leadership Studies into the Law School Curriculum*, co-edited by Monopoli and UM Carey Law managing research fellow Susan McCarty.

“American law schools have come under significant scrutiny in the last several years in terms of what their utility is, whether they are structured properly, what value they add to society, and what we give to our students,” Monopoli observes. “I think it’s very important as part of that re-examination of the role of law schools to be able to articulate what it is that we add in terms of social value.”

In her essay “An Argument for Leadership Education in Law Schools,” Diane Hoffman, professor of law and director of the Law and Health Care Program, outlines two types of leadership roles that lawyers may assume. The first role requires more traditional skills such as

teamwork, effective public speaking and writing, and strategic planning, while the second is broader, with skills such as honesty, integrity, and the ability to put one's own needs aside for the greater good.

Avery Blank '11, a Rose Zetzer Fellow in the Women, Leadership and Equality Program and a contributor to *Law and Leadership*, says that the emphasis on women and leadership was what attracted her to UM Carey Law. "I had not seen any such program at any other law school," she recalls. But after participating in the Foundations of Leadership: Theory and Praxis course offered as a part of UM Carey Law's Leadership, Ethics and Democracy (LEAD) Initiative course, she firmly believes that there is a place for leadership in the law school curriculum. "The study of leadership helps to identify your strengths and weaknesses," she writes in her essay. "Leadership theory can also teach you more about yourself and your relationships with others."

“American law schools have come under significant scrutiny in the last several years in terms of ... their utility.”

—Paula Monopoli

Monopoli created the Women, Leadership and Equality Program a decade ago with a generous grant from the Marjorie Cook Foundation, with the purpose of generating new understandings of gender and leadership in law students. Today the program continues to wrestle with issues not only related to women but to all lawyers.

"Leadership includes the ability to persuade others to embrace your ideas and to act on them. And that's the nexus between law and leadership," she says. "We teach students the art of persuasion the very first year of law school. The essence of 'thinking like a lawyer' is learning how to make sound legal arguments and convince a neutral decision-maker like a judge to adopt your position. That's one explanation for why so many leaders happen to be lawyers." ■

LEVELING THE PLAYING FIELD FOR WOMEN IN LAW

While Facebook COO Sheryl Sandberg's book *Lean In* recently articulated the now-familiar argument that women can rise through the ranks if they assert what its subtitle calls "the will to lead," Paula Monopoli, who leads UM Carey Law's Women, Leadership and Equality Program, paints a more complex picture of women and leadership.

Monopoli says that clashes between workplace culture and caregiving responsibilities are still significant obstacles to women's advancement in the law.

"Work/family balance is a profound impediment to assuming leadership," says Monopoli. "Women work a double-shift, still providing a disproportionate share of the caregiving at home. That makes it difficult for women with children or elderly parents to make the kind of time commitment that formal leadership roles in law demand. Altering that cultural reality is going to happen much more slowly than we thought."

The first of its kind in the country, and funded by a grant from the Marjorie Cook Foundation, the program's primary mission is to train women law students to help make that change happen—and happen more quickly. The program consists of a two-course curriculum and students chosen to participate—both men and women—are designated as Rose Zetzer Fellows (honoring the first woman to become a member of the Maryland State Bar Association). After completing a semester immersed in reading theory and social science research on challenges that women face in rising to positions of leadership, participants engage in a semester-long workshop emphasizing skill development.

"The applied workshop takes the research they do in the theory seminar and builds on it," Monopoli says. "In the seminar, students learn that there are structural barriers to women assuming formal leadership roles in society. In the workshop, we take that knowledge and help them hone individual skills to level the playing field. But we also arm them with the knowledge that it's not going to be easy...." Take salary negotiation, which is a key part of the program's applied workshop experience. "Women are socialized not to ask," Monopoli observes. "And women must be prepared for the reality that they will get a much more negative reaction than their male counterparts when they do ask because they are acting against cultural norms. So we also teach them to not internalize that reaction and to be persistent in the face of it."

Holly Combe '10, a staff attorney in the Maryland Office of Attorney General's Educational Affairs Division, is a graduate who says the program sharpened her own intuitive awareness of the often conflicting workplace messages faced by women.

"I am stealing from *The Daily Show* here," Combe writes in an email, "but what I mean is captured in playground messages: Little girls, and little girls only, are constantly admonished, 'Don't be bossy,' when they should be told, 'You have excellent leadership and entrepreneurial skills.' These subtle messages influence how women project themselves later in their careers. I think it is important that women become cognizant of these messages and learn how to push back without alienating everyone. It is an incredibly difficult balance to strike because of the exceptionally narrow window of rewarded behavior."

The successes of program alumni are crucial to eventually making greater strides in the legal profession for all women, says Monopoli. "Our students are preparing to work on parallel tracks," she says. "We give them the individual strategies to navigate legal workplaces. This enables them to assume the power necessary to make collective change that benefits all women."

SCHOLARSHIP

THE MAKING OF A SUPREME COURT JUSTICE

DOZENS of books about Thurgood Marshall have been written, but UM Carey Law Professor Larry Gibson thought people should know more about the forces that helped create the country’s first African-American Supreme Court justice.

Years of research, including poring over original documents and interviews with those who knew the Baltimore native, led to Gibson’s book *Young Thurgood: The Making of a Supreme Court Justice*, released in December 2012.

“The earlier books are principally about what Thurgood Marshall did,” says Gibson. “This book is about what he was like and the forces that shaped him.”

Young Thurgood has earned kudos from Pulitzer Prize-winning historian Taylor Branch, civil rights leader Vernon E. Jordan Jr., NAACP President Benjamin Jealous, and even Marshall’s immediate family.

Harvard Law Professor Charles J. Ogletree Jr. calls the biography “a page turner” whose “compelling story is a must-read for anyone who wishes to understand a great man and the history of the civil rights movement.”

As he put the manuscript together, Gibson found himself writing about a character besides Marshall. “The secondary character is the State of Maryland,” Gibson says. The state’s geography (between the deep South and the urban North), the economy, the politics, and sociology of the segregated Maryland that existed between the dawn of the 20th Century and through the Great Depression all influenced the young man from West Baltimore.

Gibson got a head start on his research when he put together the displays about Marshall that stand in the UM Carey Law School’s Thurgood Marshall Law Library. He got to know the late Justice’s widow and son, and gained access to photos, documents, and personal

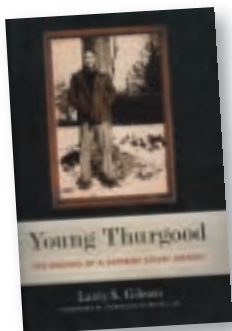


insights that allowed Gibson to cast a new light on this historical figure.



Justice Thurgood Marshall (left) and Professor Larry Gibson

Among the popular inaccuracies about Marshall is that he was rejected from the School of Law because of his race. Gibson writes that Marshall, knowing full well the entrenched segregation of the law school and at many other Maryland institutions, did not submit an application. A small point perhaps, but an important part of a story that includes the work he did to integrate the School several years later in the *Murray v. Pearson* trial. ■



“The earlier books are principally about what Thurgood Marshall did. This book is about what he was like and the forces that shaped him.”

—LARRY GIBSON



DANIEL GOLDBERG

The Death of the Income Tax: A Progressive Consumption Tax and the Path to Fiscal Reform (Oxford University Press, 2012)



America's federal income tax system is even worse than you think it is, rife with outmoded, complex, and unfair rules, notes Professor Daniel Goldberg. In his

new book, he suggests that the solution lies in taxing consumption instead of income.

The Death of the Income Tax explains why the current income tax isn't just hopelessly out of date, complex, and mismanaged, but it actually hurts the economy by taxing earnings instead of consumption. Goldberg instead proposes a progressive consumption

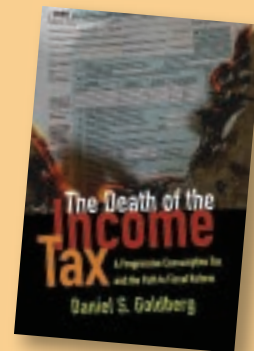
tax, collected electronically at the point of sale, and adjusted so that poor people do not end up paying an undue burden of their overall income. His system, he says, would encourage personal saving, eliminate political manipulation of the tax code, and sharply reduce tax cheating.

Goldberg has spent much of his 35 years at UM Carey Law researching, teaching, and writing about tax policy. While he is not the first to propose radical tax reform, or even a tax system based on a value-added tax (VAT), he says his plan specifically addresses the technological, political, and financial issues that a successful plan will need.

He calls his tax collection system—conducted electronically when a consumer

makes a purchase—e-VAT, for electronic VAT. The consumer price reflects the taxes paid on the production of a good or delivery of a service, from start to finish. It allows workers to take home essentially all of their wages free of tax (low-wage earners get even more than that), and taxes them only when they make a purchase.

“It's such an efficient revenue raiser for the age of electronic commerce that people should be talking about e-Tax as inevitable,” says Goldberg. ■



WILLIAM REYNOLDS

Injustice on Appeal: The U.S. Courts of Appeals in Crisis (Oxford University Press, 2012) (with William M. Richman)



The U.S. Circuit Courts of Appeals handle more than 60,000 cases on their dockets each year. Most of them, however, are disposed without oral arguments and

without publication of opinions. In their new book, UM Carey Law Professor William Reynolds joins University of Toledo College of Law Professor William M. Richman in examining the current state of the Court.

The book chronicles the transformation of the United States Circuit Courts;

considers the merits and dangers of continued truncating procedures; catalogues and responds to the array of specious arguments against increasing the size of the judiciary; and considers several ways of reorganizing the circuit courts so that they can dispense traditional high-quality appellate justice even as their caseloads increase.

“The Courts have been asking for judges in a formal way,” says Reynolds. “But they have not gotten to sit down at the table with Congress and say ‘we need many, many more judges.’”

The distribution of what Reynolds and Richman call “the full Learned Hand

treatment, in recognition of the famed appeals court judge”—a process that includes a judicial review and published opinion, as opposed to the minimal treatment—“is not equal across class [or] across race,” says Richman. ■



Still Down in the Delta

SOMEWHERE in Biloxi, Mississippi, there is a lady with a cane, shuffling across an uneven, unsafe floor, still damaged by Hurricane Katrina. She barely has a working kitchen and one of her windows is broken, with a box covering the gaping hole—the only affordable fix. She received a grant from HUD to rebuild, but the contractor hired for repairs stole the money and never came back, leaving her alone in her struggle to recover and to wonder when she will wake up from a nightmare that started eight years ago.

Maryland Carey Service Corps (MCSC) was founded in 2005 as the Maryland Carey Law Katrina Project. It sent a small but dedicated group of students south to help serve those ravaged by one of the largest hurricanes ever to hit the Gulf region. Eight years later, UM Carey Law students are still working to relieve the legal woes of Hurricane Katrina and, along the way, discovering the plight of a people whose struggles have lasted almost a decade.

“You would see houses that were clearly condemned, but there is a trailer in the back and that is where the family is still living because they don’t have a HUD grant to rebuild their main home,” recalls Helen Wolf, co-president of MCSC, about her first trip to the region. “That is what hit me the most, is that these people have been living this way since 2005 and a lot of them are uneducated, a lot of them are poor, and a lot of them don’t know how to access help.”

Even today the struggle to recover continues. The MCSC’s largest project is the annual winter break trips, during which participants provide free legal work for the poor and underrepresented in needy communities throughout the Gulf. The past year’s trip provided much

needed civil, criminal, and rebuilding services to the communities of Slidell, La.; New Orleans, La.; Biloxi, Miss.; and Jackson, Miss.

MCSC’s mission has been a steadfast dedication to fostering an ethic of public service in UM Carey Law students through local service, fundraising, and travel placements at nonprofit and government organizations throughout the country.


“When people get back from our trips, they don’t say, ‘I used tort law that I learned while I was down there,’” says Andrew Kraus, MCSC’s other 2012-2013 co-president. “Instead, the one-on-one interaction people get makes them realize that the education they get in law school really can impact people’s lives.”

“WHAT hit me the most is that these people have been living this way since 2005 and a lot of them are uneducated, a lot of them are poor, and a lot of them don’t know how to access help.”

—Helen Wolf, co-president of MCSC

Participating students also volunteer within the Baltimore community. This past spring, for instance, they helped to clean up Fort McHenry in conjunction with the Environmental Law Service.

Today, the organization, one of the largest programs of its kind, has provided more than 14,000 hours of service as nearly 100 students annually give their time and expertise to communities across the country. MCSC was founded as an immediate response to Hurricane Katrina, with no real plans for its future. But good things have a way of sticking around. ■



New Orleans, Louisiana
on August 29, 2005

Toward “Seamless” Solutions for Students

SUSAN L. KRINSKY joined the Francis King Carey School of Law last January as Associate Dean for Students and Student Services—responsible, as she explains it, for the entire student experience, from admissions to career development.



Susan L. Krinsky

WHAT attracted you to Maryland and to this job? I had lived in Baltimore before and loved it, so that was definitely a draw. But what really attracted me to Carey Law and this job was ... Carey Law and this job! The job has an unusual breadth, and I knew that would be a fascinating challenge. More important, it was made very clear from the initial contact that I would be an integral part of a top-level team here. As I interviewed, I knew this was a group of people with whom I really wanted to work. When I was in the building, there was a “buzz” about the place that made it even more exciting.

WHAT are your short-term goals as you get to know Carey Law? How about longer-term goals? Short term, my goal has been to learn as much as I can about this place and all its working parts. Longer term, I want this to be the best possible experience for students, which is what drew me here in the first place—the opportunity to make the experience both seamless and rich. I have an interest, maybe an obsession, in making processes and systems work really well and make sense to the people who have to use them, which in large part here is students. I like to make life easier for people, whether they are students, faculty, or staff.

The fact that I am overseeing everything from admissions through career development means I can help create a more rational, integrated experience for students. As an example, when the admissions office recruits students, they hold admitted student events, but once the students begin taking classes, student affairs is taking care of them. That could lead to gaps, but it can also lead to redundancy. By overseeing both, I can make sure that transition is much smoother.

YOU have a master’s degree in public health and taught a basic health course and a bioethics seminar at Tulane. What do you see as the connection between the legal and health

fields? The thing about a legal education is that once you have that base, you see legal issues everywhere and in everything.

This new health care law is extremely complex, so in the health care industry, even in positions where bar admission is not required, the JD is an advantage, maybe even a necessity. I believe there will be more and more jobs for which the training that lawyers receive will be viewed as extremely valuable. In the health care industry, being able to parse through this very complex language, being able to figure out what it means, and understanding how to optimize the situation for patients, for physicians, and for other providers is critical.

WHAT long-term changes do you see in the legal profession? The legal industry has changed dramatically over a very short period of time. Not many law firms are going to be hiring 50 or 100 new lawyers a year like they used to, largely because clients have made it clear that they are not going to pay for it. As a result, we’re going to be seeing very different employment patterns, as the market makes space for people who have this extremely valuable training. Employers will be looking for people who have law degrees and can analyze and reason and parse through difficult language and really provide value even if they’re

TELL US ABOUT YOURSELF

I grew up on the south shore of Long Island, attended what is now Hamilton College, pursued a master’s degree in health administration at Tulane, and then spent a year at Johns Hopkins Hospital in an administrative residency. I took a law-related course, and that’s what drew me to law. I went to Yale Law School, practiced law in Washington, D.C. for a brief time, and then moved back to New Orleans, where I worked at Tulane Law School for almost 31 years.

not going into a courtroom and representing a client.

There remains a huge amount of unmet legal need in this country. I think we’ll see more and more graduates going to smaller firms, starting their own practices, or finding other ways to fill that need. One of the nice things about the University of Maryland is we’re a very good value. Many of our students expect that they’re going to be doing something for real people and won’t make \$150,000 a year right out of law school, though some will. ■

»»»» TAKING IT ON THE ROAD: Maryland Carey Law Students Flex Their Competitive Muscle

THE two jurists sit across the table from each other, trying to gauge the other side's argument. The discourse flows, sometimes heated, between the two oralists. And the team of negotiators hopes it has persuaded the mediator that its client has a case. But these scenarios are not taking place in real life—they are a form of real-life learning that Maryland Carey Law has embraced.

UM Carey Law has always had its own advocacy competition—the Morris Brown Myerowitz Competition has been held for more than four decades and counts judges, elected officials, and policy wonks among its winners. But in recent years the number of outside advocacy competitions available to students has multiplied. *Here's a scorecard:*



PROF. BERNIE L. SEGAL CRIMINAL MOCK TRIAL COMPETITION

Representatives: 3L Matthew Wood, 3L Jasmine Foreman
Advanced to semifinals; Wood received Best Opening Award; Foreman received Best Advocate Award

NATIONAL ENVIRONMENTAL NEGOTIATION COMPETITION

Representatives: 3L Alex Taggart and 2L Shea Beitler-Akman
Advanced to semifinals

FOURTH ANNUAL TRANSACTIONAL LAWMEET

Representatives: 3Ls Nathan Bondar and Eldon Hong and 2L Peter Kleinberg
First place

AMERICAN ASSOCIATION OF JUSTICE REGIONAL STUDENT TRIAL ADVOCACY COMPETITION

Representatives: 3Ls Sarah David, Marshall Jackson, Wayne Heavener, Letam Duson, and Matthew Wood with 2Ls Wandaly Fernandez and Laura Dunn, and 2L Daniel Phipps
Advanced to semifinals

NATIONAL JUVENILE LAW MOOT COURT COMPETITION

Representatives: 3Ls Alan Dunklow and Pete Naugle
Oral Advocate Award; team brief will be published in *Whittier Journal of Child and Family Advocacy*

SAUL LEFKOWITZ MOOT COURT COMPETITION, EASTERN REGIONAL ROUND

Representatives: 3L Ann Kim and 2L Victoria Daka
Advanced to second round

CHARLESTON SCHOOL OF LAW NATIONAL MOOT COURT COMPETITION

Representatives: 3Ls Claire Durante and Emily Patterson
Advanced to quarterfinals

INTERNATIONAL COMPETITION FOR MEDIATION ADVOCACY

Representatives: 3L Maram Salaheldin, 2Ls Denalee DeRosa, Patrick Kyhos, and Megan Nathan, and 2L Peter Kleinberg
Salaheldin recognized as Best Oral Advocate; team honorable mention for Louise Otis Award

MARDI GRAS SPORTS LAW INVITATIONAL COMPETITION

Representatives: 3Ls Jake Schaller and Chris Corey
Reached quarterfinals and tied for Best Petitioners' Brief

NATIONAL INSTITUTE FOR TRIAL ADVOCACY'S TOURNAMENT OF CHAMPIONS

Representatives: 3Ls Marshall Jackson, Sarah David, Robert Carlson, and Wayne Heavener
Second place

NATIONAL SOUTH TEXAS MOCK TRIAL CHALLENGE

Representatives: 3L Jasmine Foreman and 2Ls Martin Nestares, Tom Nucum, and Stacy Siegel
Third place overall; second place for Best Brief

THURGOOD MARSHALL NATIONAL MOCK TRIAL COMPETITION

Representatives: 3L Derrick Milburn, 2Ls Sakkara Blanchard and Iten Naguib, and 1Ls Sade Brooks, Nicole Burnette, Opeyemi Coker, Karen Lattibeaudiere, and Trevonne Walford
Burnette and Lattibeaudiere co-winners of Best Advocate Award

ABA REPRESENTATION IN MEDIATION COMPETITION

Representatives: 3Ls Anna Hadjitheodosiou and Michael Damiano
First and fourth place

ABA NATIONAL APPELLATE ADVOCACY COMPETITION

Representatives: 3Ls Robert Carlson, Daniel Flanagan, Laura Ruiz, and Paul Wierenga
Undeclared in oral arguments

2013 JESSUP INTERNATIONAL LAW MOOT COURT COMPETITION

Representatives: 3L W. Sam Lauber, 2Ls Andrew Ahye, Alison Li, Angela Moloney, and Marice Morales
Sixth overall for Best Memorial

AMERICAN COLLEGE OF TRIAL LAWYERS AND TEXAS YOUNG LAWYERS ASSOCIATION, NATIONAL TRIAL COMPETITION

Representatives: 3Ls Glenn Gordon and Dave O' Donnell, with 2Ls Eshawn Rawlley and Magaly Bittner
Second place



TRIAL TEAM

This year saw the Trial Team participating in the most number of competitions in the team's history. Of the 17 competitions, the team advanced out of the preliminary rounds 11 times, winning two competitions, coming in second place three times, third place four times, and fourth place once. Additionally, members won nine individual awards.

Seated (left to right): 3L Jasmine Foreman, 3L Sarah David, 3L Ashley Sharif, 2L Magaly Bittner, and 3L Letam Duson. **Middle row (left to right):** 3L Ian Anthony, 2L Martin Nestares, 3L Robert Carlson, 2L Eshawn Rawlley, Dean Phoebe Haddon, 3L Daniel Flanagan, 2L Wandaly Fernandez, and 2L Stacy Siegel. **Back row (left to right):** 3L Marshall Jackson, 3L Matthew Wood, Head Coach A.J. Bellido de Luna '04, Program Director Jerome E. Deise, 3L Dave O'Donnell, 2L Tom Nucum, and 3L Wayne Heavener. (Not pictured: 3L Glenn Gordon, and 2Ls Laura Dunn and Daniel Phipps.)



From left to right: Caleb Karpay, The Honorable George Levi Russell, III '91, The Honorable Paul V. Niemeyer, Megan Hindle, The Honorable Andre Davis '78, Kristin Burnworth, and Akeel St. Jean.

MYEROWITZ COMPETITION

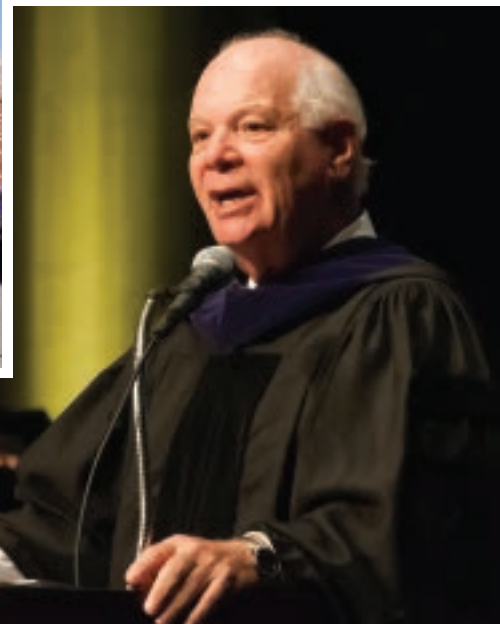
The 2013 Myerowitz Moot Court Finals were held April 9. Representing UM Carey Law were 2Ls Kristin Burnworth, Megan Hindle, Caleb Karpay, and Akeel St. Jean. Karpay won Best Oralist and Best Brief, St. Jean was the runner-up for Best Oralist, and Hindle was the runner-up for Best Brief. These top three participants become UM Carey Law's National Moot Court Team and represent the law school at the National Moot Court Competition held in New York. This year's problem was set in fictional Dillon County, Texarcana. The issues concerned whether a Dillon County ordinance banning certain types of assault weapons is constitutional under the Second Amendment, and whether, under the Fourth Amendment, police can track an individual's movements on public roads without a warrant by accessing the GPS information from a third-party GPS navigation system installed in the suspect's car.

HEALTH LAW

On February 16, 2013, the University of Maryland Francis King Carey School of Law held the 2nd Annual Health Law Regulatory and Compliance Competition. The competition is designed to put students in the shoes of health law attorneys and regulators who handle complex regulatory and compliance questions. This year, 13 teams from around the country participated in the competition. In addition to a home team from UM Carey Law, teams participated from Loyola Beazley, Saint Louis University, Temple, Seton Hall, Widener, American, University of Virginia, Hamline, Penn State, Washington University in St. Louis, and Southern Illinois University. Loyola's team won first place honors with University of Virginia and Washington University coming in second and third place, respectively. The competition was generously supported by the law firms of Ober|Kaler and Epstein Becker & Green.

UM Carey Law Team (left to right): 3L John Glass, 3L Rebecca Hall, 1L Neha Patel, Virginia Rowthorn, Managing Director, Law & Health Care Program, and Diane Hoffmann, Director, Law & Health Care Program.





2013 COMMENCEMENT

FAMILY, friends, and the graduates of the Class of 2013 gathered at the Hippodrome Theatre in downtown Baltimore for the UM Carey Law Hooding Ceremony on Friday, May 17.

Graduates listened to remarks from Josh Lowery, president of the evening class; Anna Maria Hadjitheodosiou, president of the day class; and

U.S. Senator Ben Cardin '67, the event's keynote speaker. Senator Cardin is a long-time legislator who began his career in the Maryland House of Delegates, where he served as speaker, before his election to the U.S. House of Representatives in 1986 and then to the U.S. Senate in 2006.



Chief Judge Bell receives his honorary degree from UMB President Jay A. Perman and UM Carey Law Dean Phoebe Haddon.

A Legend's Legacy

AFTER serving for 17 years as Chief Judge of the Maryland Court of Appeals—the first African-American to hold that position and one of the few judges to have served at all four levels of the Maryland judiciary during his 38-year career—Robert Mack Bell retired from the bench in June.

In recognition of his contributions to the Maryland legal community, the University of Maryland, Baltimore awarded him an Honorary Doctor of Laws at its commencement ceremony on May 17.

“Judge Bell has made exceptional contributions to the development of law in Maryland, has acquired national eminence as a leader of the judiciary, and has a distinguished record of public service,” said Dean Phoebe Haddon. “He has been a wonderful friend to the law school, and a role model to generations of young lawyers.”

It was not unusual to see Judge Bell, Chief Judge of Maryland’s highest court, at Maryland Carey Law. He recently delivered the law school’s annual Thurgood Marshall Lecture, is a frequent presenter at the annual Black Law Student Association banquet, and has served for more than a decade on the school’s Board of Visitors. In fact, at his suggestion, the Board welcomed its first student representative in April 2013, when the newly elected president of the Student Bar Association added Board membership to his portfolio of SBA responsibilities.

During his tenure, Judge Bell worked hard to demystify the court system and educate the public about its functions and procedures. He promoted mediation, negotiation, and other types of alternative dispute resolution (ADR) and established an Access to Justice Commission to identify barriers to justice and strategies for addressing them.

An Evening to Remember

UM Carey Law Anniversary Celebration and Open House

ON April 13, more than 300 faculty, staff, students, alumni, and guests gathered to celebrate a decade of achievement in the Nathan Patz Law Center and milestone anniversaries for the Clinical Law Program, the Environmental Law Program, the Center for Dispute Resolution, the Women, Leadership & Equality Program, and the Intellectual Property Law Program.



1. Judge Andre Davis '78, Professor Doug Colbert, and President Jay Perman.
2. Professor Michael Millemann.
3. Judge Robert Bell enjoys a laugh while snapping pictures.
4. Professor Robert Condlin and guest Judy Dobbs.



4

5. Professor Larry Gibson (center) shares photos with friends.

6. Emeritus Professors Alan Hornstein and Abraham Dash.

7. UM Carey Law students highlight the work of organizations, teams, and journals on which they serve.



5



6



7



8

8. UM Carey Law Alumni.

9. Joel Fedder '58, Judge Marcella Holland '83, and Herbert Garten '51 gather with friends.



10

10. Kevin Kennedy '83 and his band South Glen played to a crowd of more than 300.

At Peace

Michelle Mendez '08 pursues her public interest passion.

LOCATED in the heart of Bangkok, Thailand, Chulalongkorn University resides on the former grounds of Crown Prince Vajirunhis. The campus, shrouded in tranquil shade and dotted with palatial buildings, seemed an apt setting for alumna Michelle Mendez '08 to study peace and conflict resolution.

Mendez was named one of 20 Rotary Peace fellows to study at the Rotary Center for International Studies in Peace and Conflict Resolution at Chulalongkorn University. Mendez represented the United States and her native Colombia, and was joined by fellows representing India, Germany, Turkey, Kenya, Argentina, Nicaragua, Australia, Papua New Guinea, Canada, and Pakistan among others. The program was established by The Rotary Foundation to promote greater tolerance and cooperation among people worldwide.

"I look forward to grappling with difficult issues of conflict and learning how to build the common ground needed to arrive at peace," said Mendez when she was selected to the program. "With so many of us representing different experiences and perspectives, our time together in Thailand will surely be one of personal development, fulfillment, and epiphanies."

"SERVING the public interest was the impetus for me pursuing a legal career. I am blessed to have had the support of so many, including wonderful law school professors, to make my public interest legal career dream a reality. Nothing is more fulfilling, challenging, or important to the fabric of our society than public interest work."

—Michelle Mendez '08



Michelle Mendez '08 visits the Golden Triangle with other Rotary Fellows during a field study to northern Thailand.

After completing the three-month program at the Rotary Center, Mendez received a professional development certificate in peace and conflict resolution, and became part of an elite group of more than 680 Rotary Peace Fellows working in high-level positions worldwide.

Mendez's law school studies and professional career have been dedicated to public interest issues. While at UM Carey Law, she was the grant coordinator for the Maryland Public Interest Law Project (MPILP) and in 2006, Mendez was a Summer MPILP Grant Recipient, working as a legal intern at CASA de Maryland, Inc. Mendez also interned at the Inter-American Court of Human Rights in San Jose, Costa Rica, as well as Ayuda, Inc.

Upon graduating, she was awarded the William P. Cunningham Award for Exceptional Achievement and Service, as well as the MPILP Annual Leadership in Public Interest Student Pro Bono Award.

"Michelle's determination to embrace leadership opportunities through MPILP and the law school Clinical Law Program demonstrated a drive and initiative to pursue creative ways to make a difference in the public interest field," said Law School Associate Professor Maureen Sweeney.

"Serving the public interest was the impetus for me pursuing a legal career. I am blessed to have had the support of so many, including wonderful law school professors, to make my public interest legal career dream a reality. Nothing is more fulfilling, challenging, or important to the fabric of our society than public interest work," said Mendez.

Mendez is now working as senior attorney at Catholic Charities Archdiocese of Washington Immigration Legal Services, where she was previously the 2008-2010 DLA Piper Equal Justice Works Fellow. She is also an adjunct faculty professor at Catholic University Columbus School of Law, where she co-teaches the immigration clinic and serves as a faculty member for Shemer Bar Review, LLC. ■



Kenneth L. Thompson '76

Straight to the Point

FOR the first three years after graduation from UM Carey Law, Kenneth L. Thompson '76 got his “taste for litigation” working for the late Baltimore City Circuit Court Judge Elsbeth Levy Bothe '52 when she was in the Maryland public defender’s office.

Next, Thompson joined forces with George Russell Jr. '54, one of Baltimore’s first African-American attorneys, in a private general practice that was still mostly criminal. Together they built Baltimore’s preeminent African-American law firm.

But in the mid-1980s, the major firms in Baltimore “needed to gray-up”—Thompson’s words for integrate—and the firm of Russell & Thompson merged with Piper & Marbury. As a result, Thompson’s practice moved away from the criminal to product liability and commercial.

Today, Thompson is a partner at Venable LLP (which he joined in May 2011) and has a practice focusing on civil and commercial litigation. He has built a national reputation for his successful representation of both plaintiffs and defendants.

“STARTING in criminal law makes you sharper. You have to stand on your feet without as much preparation.”

—Kenneth L. Thompson '76

Locally, in 2010 Thompson served as one of four co-chairs on Baltimore Mayor Stephanie Rawlings-Blake’s mayoral transition team, assisting with economic development.

There’s a common thread that has run throughout Thompson’s legal career—the legacy of his legal education. He credits his professors at UM Carey Law for preparing him well.

“The Socratic method is a smart way to teach young students to become lawyers,” Thompson says. “It’s far more important to learn how to think than to learn ... a whole lot of facts. You also learn how to write in a different way”—much different than the way he wrote as an undergraduate English major at Maryland.

“If you learn the proper way to write, you can reduce complex issues into simple phrases,” he says. “It took me a while in law school to rework my thought processes and write in a way that got to the point and in a way that’s understandable. Legal writing is to make a point—period—and then advocate your opinion. The thought process is extremely important. That’s how you succeed in this profession.”

The skills he mastered as a criminal lawyer earlier in his career carried over to his civil litigation practice.

“Starting in criminal law makes you sharper,” Thompson says. “You have to stand on your feet without as much preparation. The substance is different, but the skills are the same. And it’s easier doing civil because you get discovery, which makes it a lot easier to prepare for trial.”

Thompson became a lawyer at a time when integration was in full swing.

“Today, the practice of law is more diverse than when I started,” Thompson notes. “But it was more collegial between lawyers then. A handshake was enough to close a deal. It’s more competitive now. There’s also a different ethic. People play closer to the line.”

Yet in other ways, the practice of law is more rewarding.

“It’s a lot more interesting,” Thompson said. “Take intellectual property and information technology—it’s moving every day, there’s a new form of action.”

And because the field is more diverse, “young people don’t care what color you are,” he says. “I don’t face discrimination like in my earlier days. And I never had the negative experiences of the generation before me. Whatever the obstacles were, I got over them, around them, or through them!” ■



Stuart Janney III '73 (holding cup) and Denny Phipps victorious with trophy in winner's circle after their horse, Orb, won race at Churchill Downs.

A Family Affair: From Law School to Racecourse

FOR lawyer and racehorse owner Stuart Janney III '73, 2013 has been a very good year. He secured his first win at the Kentucky Derby when Orb picked up the first jewel in the Triple Crown with a two-and-half length win.

It didn't end there. Orb went on to place fourth in the Preakness and made a comeback for third in the Belmont Stakes.

Horse racing is a family affair with Janney, whose parents owned the Hall of Fame filly Ruffian and other notables such as Icecapade and Private Terms. He took over his parents' horseracing operation in 1990. Today, he's vice chairman of the Jockey Club and a member of many organizations. Janney owns and co-owns about 80 horses.

Just like the paddock, the law is also multigenerational in the Janney family.

"My father was a lawyer, though my parents had a racing stable," said Janney, who lives in Butler, Md., with his wife Lynn and children Emily and Matthew. "He was a founding partner at Venable. My grandfather also attended the School of Law. So there's a family history of being lawyers."

Janney, 65, followed in his grandfather's footsteps, graduating from the School of Law

in 1973. After graduation, he went to Washington, serving as a legislative aid to U.S. Senator Charles "Mac" Mathias (R-Md.).

After other stints on Capitol Hill, Janney went into private practice, founding a law firm in Annapolis, Rich & Janney, with Warren Rich. That firm was acquired by Niles Barton & Wilmer, where Janney remained as partner.

"LAW school changes the way you think, especially the first year. It's a different way of analyzing problems and is good training for a lot of things that aren't necessarily the practice of law."

—Stuart Janney III '73

As a private attorney, Janney practiced in the fields of real estate, environmental law, and contracts. "For a while I was outside counsel for Johns Hopkins University—land deals, bond work, things like that," he recalled.

Janney then went to work for Alex. Brown & Sons for 10 years as a managing director. Today, he is chairman at Bessemer

Trust in New York City, where he's been for the last 20 years.

While he hasn't practiced law for more than two decades, Janney said his background and training inform the way he works, both at the wealth management firm he chairs and the family horseracing business.

"I never felt I was at a disadvantage having gone to law school, versus business school,"

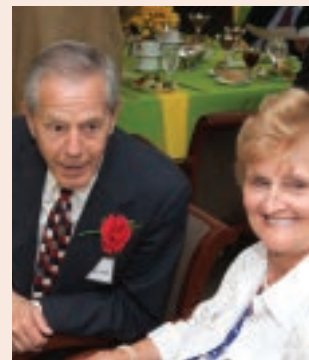
Janney said. "It was good training for what I did. Law school changes the way you think, especially the first year. It's a different way of analyzing problems and is good training for a lot of things that aren't necessarily the practice of law."

In the racing industry, his legal background helps with syndication, business deals, and even the practical question of whether to buy a barn—and not necessarily a small one.

"I know what to expect if I'm syndicating a horse," Janney said about his legal experience. "It's understanding where things can go wrong—knowing that taking the wrong step in the beginning means a lot can go wrong." ■



Members of the Class of 1963.
 Front row (from left to right):
 Laurence M. Katz, J. Carroll Holzer,
 David S. Cordish, Seymour B. Stern, J.
 Harlan Livezey. Back row (from left to
 right): Raymond Fullerton, Myles F.
 Friedman, Dean Phoebe A. Haddon, John
 Scaldara, The Hon. Vincent A. Mulieri.
 Not pictured: The Hon. Edward
 Angeletti, The Hon. Allen L. Schwait.



Celebrating Golden Graduates

ON May 23, Dean Phoebe Haddon welcomed members of the Class of 1963 to a lunch celebrating the golden anniversary of their graduation, as well as others who had already celebrated their 50th reunions. David S. Cordish '63 and Chelsea Jones '13 gave remarks at the lunch.

MESSAGE FROM THE ALUMNI BOARD

DEAR FELLOW ALUMNI,

I've always believed that we could not have achieved our many successes without the support of alumni. Whether it is volunteering our time, attending events, hiring UM Carey Law graduates, or making a donation, alumni have been invaluable contributors to the law school's growth in size and stature. UM Carey Law's academic programs continue to gain global recognition. And following our most recent graduation, the Alumni Board now represents more than 11,000 active graduates.

To continue building our partnership with our alma mater, the Alumni Board is committed to engaging more alumni. We ask that you join us in this effort. If you know

fellow alumni who have not heard from us recently, encourage them to visit our website at www.law.umaryland.edu or contact the Office of Development & Alumni Relations to update their contact information. We also ask that you make a habit of visiting the site so you can learn about upcoming events that might interest you.

I am honored to serve as the new president of the Alumni Board. I look forward to meeting as many of you as I can over the next year. More importantly, I look forward to joining efforts with you as we continue University of Maryland Francis King Carey School of Law's upward trajectory of success.

Sincerely,

James R. Benjamin, Jr. '01
*Alumni Board President
Member
Pessin Katz Law, P.A.*



WE WELCOME THESE NEW ALUMNI BOARD MEMBERS

Maria A. Apostolaros '03

*Senior Director, Medical & Scientific Affairs
Compliance Policy, Implementation and Governance
MedImmune, LLC*

Shara Boonshaft '02

*Program Director, Development & Stewardship
The Ulman Cancer Fund for Young Adults*

Jamar R. Brown '11

*Assistant State's Attorney
Office of the State's Attorney for Baltimore City*

Ranjit S. Dhindsa '95

*Partner
Hollingsworth LLP*

Van C. Durrer II '93

*Partner
Skadden, Arps, Slate, Meagher & Flom LLP*

Jeffrey M. Lippman '93

*Vice President / Shareholder
Weinstock, Friedman & Friedman, P.A.*

Patrick H. Murray '10

*Director of State Affairs
The Johns Hopkins Institution*

Jeremy Scholtes '01

*Chief of Administrative Law, 2d Infantry Division
U.S. Army*

Michelle Siri '02

*Assistant Attorney General
Office of the Attorney General
Department of Juvenile Services*

WE THANK THESE LONGTIME BOARD MEMBERS FOR THEIR COMMITMENT AND SERVICE

Heather D. Clark '98

Arielle A. Harry-Bess '04

Veronica R. Jennings '06

Stanley Rohd '66



COURTESY OF THE STATE OF MARYLAND

Mary Ellen Barbera '84



2012 DEAN'S CONVOCATION AND ALUMNI AWARDS

»»»» 1. 2012 Alumni Board Vice President James Benjamin '01 (center) and Dean Phoebe Haddon (right) present the Distinguished Graduate Award to the Honorable Joseph D. Tydings '53 (left). Senator Tydings served in World War II before obtaining his undergraduate and law degrees from the University of Maryland. After a few years in private practice, he won his first term in the Maryland House of Delegates, where he served on both the Judiciary and Education Committees, and introduced legislation creating the state system for regulation of the savings and loan industry.

»»»» 2. Lois K. Macht '56, the recipient of the Star Award, was one of only two women law students in her graduating class and was awarded the Order of the Coif. She opened the doors for later generations of women who would follow her into the profession. For several decades she led the Morton and Sophia Macht Foundation, a nonprofit organization in Baltimore dedicated to funding art and cultural programs, higher education, human services projects, and Jewish agencies. She also served as a member of UM Carey Law's Board of Visitors.

»»»» 3. Beth Pepper '83 (center) was the recipient of the Benjamin L. Cardin Public Service Award. Pepper served for many years on the legal panel of Baltimore Neighborhoods, Inc., a nonprofit organization that promotes fair housing in Maryland, and helped it succeed in several important court cases. She was also board president of the Village Learning Place, a nonprofit community learning center in Baltimore City that provides after-school services to school-aged children. She is currently a board member of the Maryland Legal Aid Bureau, one of the premier legal services agencies that represent low-income individuals in the state of Maryland.

»»»» 4. Michael Siri '01, (center) the recipient of the Rising Star award, is a partner in Bowie & Jensen's litigation department, where his practice focuses on commercial litigation, including construction law. He is committed to public service and the professional development of all attorneys. An active member of the Maryland State Bar Association, he is the former chair of the MSBA Young Lawyers Section and has served on the MSBA's Board of Governors. He also serves as board member of the Maryland Bar Foundation, the philanthropic arm of the MSBA, and the Executive Board of the Baltimore County Bar Association. He created the One Bar | One Community Public Service Project for the MSBA.

MARY ELLEN BARBERA '84 NAMED TO HIGHEST POST IN MARYLAND JUDICIARY

ON July 3, 2013, Governor Martin O'Malley '88 announced the appointment of The Honorable Mary Ellen Barbera '84 as Chief Judge of the Maryland Court of Appeals, the state's highest court. Barbera will replace retiring Chief Judge Robert Bell, a member of Maryland Carey Law's Board of Visitors who has led the court since 1996.

Barbera is the first woman to hold the post of chief judge. She spoke in August to new UM Carey Law students during orientation, and she has also joined the School of Law's Board of Visitors.

O'Malley also announced the appointments of three more women to the trial

courts, including alumna Stacey Adele Mayer '97, his chief legislative officer, who was named to the District Court for Baltimore County.

"These appointments are wonderful news for the state of Maryland—and not just because all of these women have proven records as leaders in our profession," said Dean Phoebe Haddon. "Their appointments reflect a culture of inclusion, prevalent in the state, where gender and racial diversity continue to grow."

Judge Barbera has been a public servant and a leader throughout her career. In the early 1980s, she taught elementary school

for the Baltimore City Public School System while attending the school of law at night. From 1985 to 1989, she worked for the Criminal Appeals Division of the Office of the Attorney General, where she represented the state of Maryland in at least 250 criminal appeals. From 1998 to 2002, she served as legal counsel to Governor Parris N. Glendening. Barbera served as an Associate Judge on the Court of Special Appeals before being named to the Maryland Court of Appeals in 2008.



Christine A. Edwards '83

MESSAGE FROM THE BOARD OF VISITORS CHAIR

IT is difficult to measure all the ways that one individual impacts the lives of others. But as I reflect on Dean Haddon's announcement that she will step down as Dean on June 30, 2014 I find myself not only looking back to reflect on the ways she changed and improved our law school, but I also look forward as we gear up for change by building on those improvements. Leadership transition is a challenge for any institution. But for law schools today, it is particularly challenging. Meaningful change is underway in our profession which is having an impact on law schools across the country. During this transition, I know our Board of Visitors, our alumni, and our faculty will step up and take responsibility to ensure a smooth transition.

As chair of the Board of Visitors of the University of Maryland Carey School of Law, I have every confidence in our law school's future direction and continuity. Fostering strong

BOARD OF VISITORS WELCOMES NEW MEMBERS

The Honorable Mary Ellen Barbera '84, Chief Judge, Maryland Court of Appeals; formerly a judge on the Maryland Court of Special Appeals, recently named to the highest seat in the state judiciary; former public school teacher and adjunct law professor of criminal procedure, appellate advocacy, and legal writing at two local universities; Chair of the Board of Directors of the Judicial Institute of Maryland, Chair of the Advisory Board of the Maryland Mediation and Conflict Resolution Office, and member of the Maryland Access to Justice Commission.

The Honorable Paul Grimm, Judge, U.S. District Court for the District of Maryland; an authority on evidence, civil procedure, and the discovery and admissibility of electronically stored information; winner of the Adjunct Professor of the Year Award in 2002, 2006, and 2013 at Maryland Carey Law.

David M. Lynn '95, partner, Morrison Foerster, Washington, DC; a specialist in disclosure of executive compensation; former chief counsel, Securities and Exchange Commission (SEC), Division of Corporate Finance; and former special counsel to the SEC.

Dean T. Pappas '83, vice president and assistant general counsel, federal legislative and regulatory affairs, Allstate Insurance; works to promote various legislative and regulatory initiatives such as safer teen

driving (optimal graduated driver's licensing standards), financial empowerment of domestic violence victims, insurance regulatory reform, Medicare coordination of benefits reform; named one of Washington, DC's Top Corporate Lobbyists of 2011 and 2012 by *The Hill*.

Charles M. Tatelbaum '66, partner, Hinshaw & Culbertson LLP, Fort Lauderdale; practice specializing in international and domestic bankruptcy and insolvency proceedings, and international and domestic commercial litigation for financial institutions; attorney for Johnny Unitas and his estate; former chair, Board of Directors, WLRN, NPR and PBS affiliate.

Tamika Tremaglio '95, principal, Deloitte Financial Advisory Services, Washington, DC; experienced in litigation consulting, forensic accounting investigations and corporate governance matters, including FCPA and other anti-corruption engagements; vice chair, National Bar Institute; winner, 2010 Top 40 under 40 and the Cora T. Walker Award, National Bar Association.

A SPECIAL THANKS to these longtime Board of Visitors members, who have given much of their time to furthering the School of Law's mission:

Laura Black '88 Hanan Y. Sibel '58
Philip A. Proger '73 Arnold M. Weiner, Esq. '57

communications and leadership during this time will go a long way to help our law school demonstrate our gratitude to Dean Haddon for her lasting contributions, as well as to help find the right path to her successor.

In the year ahead, we will continue the law school's important mission towards a more just society by educating outstanding lawyers, advancing understanding of law and legal institutions, and enhancing access to justice for all. We'll continue to solidify and enhance the law school's growing national reputation, as our faculty find ways to help our students with the challenges that face the future of the legal profession. Those challenges include making legal education more relevant and more affordable for all students, a commitment that all in our law school focus upon. And we'll need to hold close to those law school experiences that made us great lawyers, business people, judges, and leaders.

We have already begun the process of considering a search committee, candidate qualifications, and priorities—all of which will be tailored to a vision of our values and our culture. We, as alumni, can make a difference in ensuring a successful leadership transition, and it is our responsibility to play an integral part in the

process. It's to our benefit too. In taking part, we can retain what is precious about our institution while being open to new, bold ideas; we can help minimize any impact the transition might have on students—our future, fellow alumni; and we can ensure our law school continues to thrive in ways that make us proud to be graduates.

There is much work left to be done during Dean Haddon's tenure, and more work to come as we search for the next dean of our nationally recognized law school. I hope you will consider becoming involved in the many ways we'll need your help and support.

Christine A. Edwards '83
Chair, UM Carey Law Board of Visitors
Partner, Winston & Strawn LLP

A STUDENT VOICE JOINS THE BOARD

FOR the first time in its history, the Board will have a member who will represent current students at UM Carey Law. In April 2013, the Board approved the nomination of the incoming Student Bar Association President to serve as the student representative to the Board with a term of one year. The student will have the same duties and responsibilities as other Board members, and will serve on a selected committee within the Board.

3L Doug Parvis, who is the 2013-2014 SBA President, was surprised and honored that he would be the first student representative on the Board.

"It's a big responsibility to represent not only myself, but the entire student body of the law school," said Parvis recently in an email. And even though he is barred from participating in executive sessions of the Board, he has already given the Board the benefit of the student's point of view in many discussions.

Board Chair Christine Edwards '83, who received the suggestion from longtime Board

member Chief Judge Robert M. Bell (ret.), fully supports student representation on the Board.

"Our Board of Visitors is committed to diversity, and one way to achieve diversity of thought and perspective was to invite a student representative to join our Board," said Edwards, in a recent email. "We hope the student representative will speak to the Board of both challenges and opportunities important to our student population, and will speak up if we are not paying enough attention to those priorities."

The term for subsequent student representatives will begin at the Board's fall retreat, but Parvis likes the fact that he's started the job early.

"I have learned that the Board is comprised of a diverse group of men and women, judges and lawyers, business people, entrepreneurs and politicians," observed Parvis. "I have also learned just how much the Board cares about UM Carey Law's students, and the remarkable amount of time that is spent discussing student issues."



3L Doug Parvis



Dean Haddon and William Polk Carey

The Carey Challenge Continues and Wm. Polk Carey's Legacy Inspires Others to Give

THE School of Law had a successful year raising matching funds toward the \$15M *Carey Challenge* due to the generosity of alumni and friends who believe in our mission and want to play a part in educating our future leaders.

Since the announcement of the W.P. Carey Foundation's gift, many supporters have stepped forward, inspired by Foundation creator Wm. Polk Carey's motto of "doing good while doing well," and have led by example in using their own philanthropy to "challenge" others to give. "It is gratifying to know that Bill's legacy lives on, and that other philanthropists recognize, as Bill did, the importance of giving to an institution that is doing so much good in Baltimore, in Maryland, and beyond," said Dean Phoebe Haddon. "These gifts continue to engage and strengthen the School of Law as we continue to educate and graduate leaders."

FRANCE MERRICK FOUNDATION CHALLENGE GRANT: \$250,000

THE France Merrick Foundation has been an important leadership partner at critical milestones in the history of the School of Law. As the law school celebrates its tenth anniversary in its current building, the Foundation has recently partnered with the law school to ensure that we can continue to provide our students, faculty, and clinic clients state-of-the-art facilities that support excellent education, expanded community service, and access to justice for all. The Access to Justice Through Technology Initiative supports facility and technology upgrades to allow our Clinic to extend its reach and to keep pace with the rapidly changing legal landscape and the ways services are provided to clients. Your gift toward these upgrades will be matched, dollar for dollar, and will allow the Clinic to expand its reach and bolster delivery of legal service to underserved populations.

If you have any questions, or would like to make a gift to any of these initiatives, please contact Heather Spurrier '03, Director of Development, at 410-706-5773 or at hspurrier@law.umaryland.edu.



MOSER MATCHING CHALLENGE: \$250,000

IN 2011, Elizabeth Moser, with the support of her family, endowed the Moser Ethics in Action Initiative at the law school. The overriding mission of the Initiative is to improve professionalism, leadership, and access to justice, by improving standards governing lawyers' professional conduct, improving the enforcement of those standards, and doing more to help our law students develop ethical professional identities to succeed in practice.

In its second year, there are new courses on ethics and "how and why lawyers get in trouble"; a "roving professor" pilot project has begun where experienced ethics professors visit other professors' classes to focus greater attention on professionalism issues; new emphasis is being given at orientation for entering students on ethics concerns; and a new program has been created to provide professionalism skills training for young associates in law firms.



CLASS GIFT CHALLENGE

UM Carey Law School began its Class Gift Program to promote a philanthropic culture among the graduating class. Each year, a UM Carey Law alumnus matches the class fundraising total. A donor has been identified for this year. Student leader, Wandaly Fernandez '14, is heading up the fundraising efforts for the Class of 2014, and hopes to enlist 100% of the class to participate.

Matching donors to the Class Gift Challenge have included: Arnold Weiner '57, John Isbister '77, James Archibald '75, Robert Kim '83, Laura Black '88, and Andre Davis '78.

LEADERSHIP SCHOLARS LEGACY ENDOWMENT CHALLENGE: UNLIMITED

SINCE its inception, the Leadership Scholars Program has made it possible for the law school to recruit and support highly talented students. In 2008, the Leadership Scholars Legacy Endowment, which provides scholarship support, was established, and is being “reinvigorated” this year with the help of Board of Visitors members, Henry Hopkins '68 and Marcus Wang '08, and student representative to the Board, 3L Doug Parvis.

“We wanted to find a meaningful way to thank the many alumni and friends who give generously each year in support of student scholarships,” said Marcus, who, with his fellow Samuel and Anne Hopkins Scholarship recipients, Roberto Vela '09 and Alexis Slater '10, created the endowment. Inspired by the selflessness and generosity shown by the Leadership Scholars in establishing the endowment, Henry Hopkins matches, dollar for dollar, every gift and pledge made to the Leadership Scholars Legacy Endowment. Hopkins is “thrilled that the Leadership Scholars Legacy Endowment continues to grow,” and hopes through the match, “it becomes one of the law school’s largest endowed scholarship funds.”

The Moser family has issued a \$250,000 matching challenge to other philanthropic supporters, and the law school has raised half of the match thus far. Additional funding through the match will allow for expansion of the law school’s important work focusing on ethics, professionalism, and leadership, and your gift toward this work will be matched, dollar for dollar.



UM CAREY LAW HONOR ROLL OF DONORS

MAJOR GIFTS TO THE CAREY CHALLENGE

In 2011, the W.P. Carey Foundation's magnificent \$30M was announced, and the School of Law launched the *Carey Challenge*. The *Carey Challenge* was conceived by Wm. Polk Carey who made an investment in our law school with the hope of inspiring others to make their own philanthropic commitments to support the law school's pressing priorities. As we seek to secure new gifts to meet the \$15M Challenge, these supporters have generously participated in the *Carey Challenge* by pledging new major commitments of \$25,000 or more between April 25, 2011 (date *Carey Challenge* began) and June 30, 2013.

| | | | |
|---------------------------------|--|---|---------------------------------|
| Anonymous | Erwin L. and Stephanie Cooper Greenberg | Vincent J. Leahy, Jr. Linowes & Blocher, LLP | Public Welfare Foundation, Inc. |
| June Auerbach | Ellen M. Heller and Shale D. Stiller | Maryland Legal Services Corporation | Robert Wood Johnson Foundation |
| Paul D. Bekman | Institute of International Relations | Miles & Stockbridge Foundation, Inc. | Sage Policy Group, Inc. |
| Donna R. and Arnold Blaustein | Jackson Lewis, LLP | Elizabeth K. Moser | Estate of Helen Seidman |
| Estate of Elsbeth L. Bothe | Joseph R. Hardiman | The Moser Family Philanthropic Fund | Kerry D. Staton |
| Estate of Dorothy Campbell | Henry and Nancy Hopkins | Norflot Progress Fund | Town Creek Foundation |
| The Campbell Foundation | Edward F. Houff | Open Society Institute-Baltimore | Marcus L. Wang |
| Howard and Deborah Chasanow | Yitai Hu | William and Helene Pittler | W.P. Carey Foundation |
| DLA Piper, LLP | John B. Isbister | | Jeffrey Wyand and Roxanna Wolfe |
| Joel D. and Ellen S. Fedder | | | |
| France Merrick Foundation, Inc. | | | |
| Gallagher Evelius & Jones, LLP | | | |

MARYLAND LAW SCHOOL CLUB

Members of the Maryland Law School Club are philanthropic leaders committed to sustaining the law school's prestige and influence locally, regionally, nationally, and internationally. Every member contributes annual gifts (July 1, 2012 to June 30, 2013) totaling \$1,000 or more, and we are proud to include almost 200 graduates and friends as members in the club. UM Carey Law thanks and acknowledges these donors for their contributions.

Bold –
Major donor
to the *Carey*
Challenge as of
June 30, 2013

(Deceased*)

| | | | |
|---|--|---|---|
| Anonymous (3) | David Blum '73 * & Natalie Blum | The Hon. Howard S. Chasanow '61 & The Hon. Deborah K. Chasanow | Mathias J. DeVito '56 & Rosetta K. DeVito |
| David M. Abramson '78 | David S. Bogen & Patricia Y. Ciricillo | Danielle Citron | DLA Piper, LLP |
| American Bar Association | Ava E. Lias-Booker '86 & Earl Thomas Booker, IV | A. James Clark | William B. Dulany '53 |
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| Taunya L. Banks | Estate of Dorothy L. Campbell | Robert B. Curran '74 & Roseanne M. Matricciani '89 | Kirk J. Emge '74 |
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| Laura B. Black '88 | | | Edgar L. Feingold '58 & Faith Schreiber Feingold |
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Christopher G. Gellner '74
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Robert M. Goldman '41
Joyce J. Gorman '77
Erwin L. Greenberg & Stephanie Cooper Greenberg

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James J. Hanks, Jr. '67
Marylee Hannan '90
Joseph R. Hardiman '62
Jennifer Harris Thomas '88 & Hugh R. Thomas '88
The Hon. Ellen M. Heller '77 & Shale D. Stiller
Barry J. Herman '99
Marian L. Hogan '92
The Hon. Marcella A. Holland '83
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Howard K. Kurman '75 & Roslyn Kurman
Raymond G. LaPlaca '83 & Rose C. LaPlaca

Vincent J. Leahy, Jr. '60
Kyle P. Legg & The Hon. Benson E. Legg
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Roberta Levy-Dodge
Thomas B. Lewis '76
Ava E. Lias-Booker '86 & Earl Thomas Booker, IV
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Thomas A. Lisle '66
David M. Lynn '95
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Awilda R. Marquez '88
Roseanne M. Matricciani '89 & Robert B. Curran '74
Mi Puyang '99
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Michael Rubin, Wharton
Levin Ehrmantraut & Klein
Reeve Walters, Offit Kurman

Small Firm Lunch Program

Andrew Baida, Rosenberg
Martin & Greenberg
James Benjamin,
Pessin Katz Law
Rajiv Goel, Offit Kurman
Michael W. Siri,
Bowie & Jensen LLC

Spring Recruitment

Brian Diamond,
Colfax Corporation
Steven Metzger,
Gallagher Evelius & Jones
Kevin Sullivan,
Gallagher Evelius & Jones

**Networking Simulation Event
("Cocktails and Conversation")**

Joseph L. Beavers, Miles &
Stockbridge P.C.
Anwar Graves,
Conti Fenn & Lawrence
Kristin Herber,
Tydings & Rosenberg LLP
Jonathan M. Kucskar,
SeniorStaff Attorney,
U.S. Government
Accountability Office
J. Manuel "Manny" Ocasio,
Vice President,
Holy Cross Hospital
Bryan K. Saxton,
Tydings & Rosenberg LLP
Indira K. Sharma,
Saul Ewing LLP

Ellen Smith, DLA Piper
Tracy L. Steedman,
Niles Barton & Wilmer LLP
Alicia Lynn Wilson,
Gordon Feinblatt LLC

**Presidential Management
Fellow Info Session**

Michael Sarich, Bureau of
Land Management

Judicial Clerkship Panel

Tally Kovacs,
Pessin Katz Law, P.A.
Kevin Mattingly, Womble
Carlyle Sandridge & Rice, LLP
Rachel Simmonsen
Julie Tong, Baltimore City
State's Attorney

**Advice from the Bench
for Lawyers Entering the
Legal Profession**

LaKeecia R. Allen, Prince
George's County Government
The Honorable Toni E. Clarke,
Circuit Court for Prince
George's County
Tiffany L. Harvey, Prince
George's County Office of Law
The Honorable William D.
Missouri (ret.), Circuit Court
for Prince George's County

**Clerking from a Judge's
Perspective**

The Honorable Clayton
Greene, Jr., Maryland
Court of Appeals
The Honorable W. Michel
Pierson, Circuit Court
for Baltimore City
The Honorable Deborah
Sweet Eyles, Court of
Special Appeals of Maryland

Student Contacts/Advising

Melissa Clarke
Stephen Jones, U.S. Securities
and Exchange Commission
Jennifer Katz
Benjamin Levin
Dismas Locaria
Nikola Nable-Juris
Alison Reynolds
Lt. Tashinda Richardson,
U.S. Navy JAG Corps
Erin SAGRANSKY Jeweler,
Consumer Financial
Protection Bureau
Alissa Sagri, Office of
the Comptroller
Aaron Storm, Edison,
McDowell & Hetherington LLP
Bill Tignanelli,
Federal Reserve Board

**Public Interest/Asper Programs
Guest Speakers**

Dina Billian,
Miles & Stockbridge
Emily Datnoff,
Public Defender's Office
Renee Hood,
Pro Bono Resource Center
Carl Isler, Washington
Suburban Sanitary
Commission
Robin Jacobs,
Community Law Center
Emily Jaskot,
Legal Aid Bureau
Elizabeth Kameen,
Maryland Attorney
General's Office
Ingrid Lofgren,
Homeless Persons
Representation Project, Inc.
Elizabeth Morris,
Maryland Attorney
General's Office
Boetema Ntiri-Reid,
Legal Aid Bureau
Sarah Rhine,
Maryland Disability
Law Center
Charles Sydnor,
Enterprise Community
Partners, Inc.
Andrea Vaughn,
Public Justice Center

Mentor Program

Roberto Allen
Christopher Awad
Amanda Baker
W. Todd Baker
Joal Barbehenn
Emily Berger
Steven Berger
Shara Boonshaft
Justin Browne
Mont Brownlee
Brooke Carey
Jo Carol Snyder
John C. Celeste
Apple Chapman
Kyle Choi
Jonathan Church
Kerry Cooperman
Pamela D. Crawford
Jeffrey Dier
Chris Dollase
Christine Duggan Nagode
Kali Enyeart
Aminah Famili
Eric Fifer
David Fischer
Michael Forlini
Daniel Fruchter
Matthew Gerrish
Kathy Ghiladi
Shana Ginsburg

Matthew Glinsmann
Jack Gohn
Lindsay Goldberg
David Gray Wright
Brian Green
David Greenberg
Angela Hanks
Arielle Harry-Bess
Melanie Heiser
Elson Ho
Jonathan P. Hoven
Benjamin Huh
Timothy Hurley
Evan Isaacson
William Carl Isler, III
Noah Isserman
Christine Jochim Boote
Craig M. Kadish
Tonya (Ty) Kelly
Robert J. Kim
Wade Kirshy
Jeff Knight
Talley H-S. Kovacs
Margaret (Peggie) Lanier
Emily Levenson
Thomas Lewis
Dismas Locaria
Cezar Lopez
Zakia Mahasa
Dora Malykin
Kevin Mattingly
Christina McDonald
Michelle A McLeod
Viktoriya Mikityanskaya
Shpigelman
Gail Mitchell
Elizabeth Morris
Oana Nagy Brooks
Ryane Necessary
Cara O'Brien
Renee Orleans
Nancy O. Oyedele
Lisa Paschal Snyder
Amy S. Paulick
The Honorable Charles J. Peters
Teresa Phelps
Joanne E. Pollak
Heidi Price Knight
Nicholas Rattal
Mindy Rattan
Joel Rush
Michael Sandulak
Bryan Saxton
Catherine Schuster Pascale
Jennifer Searfoss
Shawn Sefret
Terry Shanahan
David Sharfstein
Julie Siegel
Michelle Siri
Marc Snyder
Julia Solomon
Tiffani Sterrette Collins
John T. Stinson
Robert Taylor, Jr.

Joshua Udler
Katherine T. Wainwright
Perry Wasserman
Nancy Whiteman Greene
Amy Wilson
Evan Wolfe
Devora Wolk Kirschner
The Honorable David W. Young
Daniel Zanchettin
Thurman W. Zollicoffer, Jr.

**Other Career Development
Office Programs**

Andrew Baida,
Rosenberg Martin Greenberg
Maria Caldera,
Ver Ploeg & Lumpkin, P.A.
Bryan Chappell '99,
Hogan Lovells
The Honorable Charles Day,
U.S. District Court for
the District of Maryland
Patricia Gatling,
Commissioner, Human Rights
Commission of New York
Ava Lias-Booker,
McGuireWoods LLP
Amy Much,
Associate General Counsel,
Under Armour
Jeanette Ortiz,
Greenwill Consulting
Group, LLC
Angela W. Russell,
Wilson Elser Moskowitz
Edelman & Dicker LLP
Cori M. Shepherd,
McGuireWoods LLP
Xochitl Strobahn,
Quinn Emanuel Urquhart
& Sullivan, LLP

Environmental Law Program

Ajoke Agboola
Melissa Hearne
Elaine Lutz
Megan Marzecz
Helena Mastrogianis
Dan Smith
Lewis Taylor
Susan Thompson

2013–2014 CAMPUS HAPPENINGS

October 25

“The Future of the Fourth Amendment”
sponsored by the *Journal of Race, Religion,
Gender, and Class*

October 25-26

Equal Justice Works Public Service
Career Fair & Conference

November 6

Fourth Circuit Court of Appeals Visit

November 15

Business Law Program Symposium

November 19

International & Comparative Law Conference,
sponsored by the *Maryland Journal of
International Law*

November 22

Annual Environmental Law Wine Tasting

February 8

Health Law Regulatory Compliance Competition

February 13

UM/UB Public Service Career Fair

February 15-16

Eastern Mock Trial Regional Competition

February 17

Environmental Scholar Summit

February 21-22

Constitutional Law “Schmooze”

March 7

“The State of Concussions: Protecting the
Safety and Health of Athletes,” sponsored by
the *Journal of Business and Technology Law*

March 12

Myerowitz Moot Court Finals

March 20-22

The Center for Dispute Resolution (C-DRUM)
presents an Alternative Dispute Resolution
Skills Program in partnership with the Straus
Institute for Dispute Resolution at Pepperdine
University School of Law.

April 3

Maryland Public Interest Law Project, Inc. (MPILP)
Annual Goods and Services Auction

April 11

2014 Ward Kershaw Symposium

**For an updated and comprehensive list of happenings at the School of Law,
visit www.law.umaryland.edu/calenda**



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PROFESSIONAL SKILLS PROGRAM
BALTIMORE, MARYLAND
March 20-22, 2014

Course offerings and faculty:

- Advanced Mediation *Nina Meierding & Jim Craven*
- STAR: A Systematic Approach to Mediation Strategies *Peter Robinson & Deborah Eisenberg*
- Tools of Mindful Awareness *Rachel Wohl & Scott Rogers*
- Family Law Mediation: When Time is Not on Your Side *Irwin Joseph & Donald Saposnek*
- Beyond the Basics: What to Know and Do to Be a More Effective Mediator
Toby Guerin & Marvin Johnson
- Conflict Resolution Consulting *Ken Cloke & Joan Goldsmith*
- Strategic Negotiation Skills *Randy Lowry & John Lowry*
- Conflict Management Coaching: Practice and Principles *Cinnie Noble & Janie Neff*

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