

USC | LAW Magazine

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USC | LAW Magazine

FALL/WINTER 2006

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Professor receives \$1.7 million grant
Alumni in academia

USC | LAW Magazine



CALENDAR

Thursday, Oct. 12

Conversations with the Dean:
"Corporate Ethics in the Enron Era"
USC Law

Wednesday, Nov. 8

Prof. Susan Estrich Book Talk
and Signing — "Soulless"
USC Law

Friday, Nov. 17

32nd Annual Probate and Trust Conference
Wilshire Grand Hotel, Los Angeles
(Continuing Legal Education program)

Tuesday, Nov. 28

Conversations with the Dean:
"Chuck Winner on Money, Politics
and the Ballot"
USC Law

Monday, Dec. 4

Bar Admission Ceremony
USC Bovard Auditorium

Tuesday, Dec. 5

2006 Institute for Corporate Counsel
Millennium Biltmore Hotel, Los Angeles
(Continuing Legal Education program)

Friday, Jan. 5

Alumni Regional Reception
Marriott Wardman Park Hotel,
Washington, D.C.

Monday through Wednesday, Jan. 22-24

2007 Tax Institute
Millennium Biltmore Hotel, Los Angeles
(Continuing Legal Education program)

Wednesday, Feb. 21

Alumni and Student Mentor Lunch
USC Town and Gown

Thursday, March 1

PILF Auction
USC Town and Gown

Friday, March 2

Hale Moot Court Finals
USC Norris Theater

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Intellectual Property Institute
Beverly Hills Hotel
(Continuing Legal Education program)

Wednesday, April 11

Annual Awards Ceremony
USC Crocker Plaza

Wednesday, April 18

PILF Pro Bono Awards Luncheon
USC Town and Gown

Sunday, May 13

Commencement
USC Alumni Park

Saturday, June 9

Reunion 2007
University Park Campus



Corporate ethics: Lessons learned the hard way

USC | LAW Magazine

FALL / WINTER 2006

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Gould School of Law



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by creating endowments

CHOOSING TO BENEFIT USC LAW IN YOUR
WILL CAN HELP YOU REST EASIER ON TWO FRONTS.
FIRST, YOU CAN BE SURE THAT YOUR BEQUEST WILL
HELP SHAPE AND SECURE THE FUTURE OF THIS
INSTITUTION FOR WHICH YOU FEEL SUCH FONDNESS.

DEATH AND TAXES ARE GUARANTEED.
But with a bequest to **USC**, we can make
sure they're not **simultaneous**.

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WON'T DEVOUR UP TO 47% OF YOUR TOTAL
ESTATE. LET US EXPLAIN ALL OF THE DIFFERENT
TYPES OF BEQUESTS AVAILABLE TO YOU, AS WELL
AS THE ADVANTAGES OF EACH. IT'S EVEN POSSIBLE
TO ESTABLISH A SCHOLARSHIP OR OTHER
ENDOWED FUND IN YOUR NAME, OR IN THE
NAME OF A LOVED ONE. TO LEARN MORE
ABOUT THE MANY OPTIONS, CONTACT
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USC GOULD SCHOOL OF LAW | OFFICE of DEVELOPMENT and GRADUATE RELATIONS



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A people place



Dean Edward J. McCaffery

Dear friends,

One of the wonderful things about serving as dean of the USC Gould School of Law has been learning more about the many people who are truly committed to making this law school great. There are ample stories to share — alumni who give of their time and resources; staff who work long hours to do their jobs well; students who go the extra mile to help each other, serve the school, or serve the community.

One story particularly stands out for me. This fall, because a couple of faculty members were ill, we had to scramble at the last moment to find professors who could teach certain major first-year courses. It was a challenge; most professors were already teaching full loads, and the courses that needed coverage had 70 or more students in each. But it didn't surprise any of us that our much beloved colleague and friend, Ron Garet, stepped up to teach a second section of our signature course, Law, Language and Ethics. He never asked for a penny, though I gave him several pennies, just because it was the right thing to do. Ron is now teaching 150 first-year students, and he is teaching them beautifully, as he always does. One feature of Ron's first-year classes is his "contract" with the students — any student who takes a sample exam and reviews a sample answer can meet with Ron, one on one, to go over the experience. Understandably, this generous offer meets with high acceptance. So Ron has been busy conducting 150 one-on-one sessions with nervous first-year students.

Amidst all this, Ron's beloved daughter Winnie is now a fresh-person at Harvard, staying in the same dormitory that Ron stayed in when he was a student, a decade or two back. Ron very much wanted to attend Parents' Weekend this fall, a once-in-a-lifetime moment for a proud father. But Ron did not travel, because of the teaching demands he had willingly, quietly and graciously assumed.

Other faculty stepped up as well. Alex Capron, fresh off the plane from his stint at the World Health Organization in Geneva (read more about that on Page 10) and Greg Keating each agreed to cover sections of Torts. Ariela Gross is teaching two sections of Contracts and Tom Griffith is teaching two sections of Tax to help cover shortages in those areas. Nomi Stolzenberg has quickly rearranged her schedule for spring semester to teach Property, and David Cruz has offered to take on a spring section of Federal Courts if needed. I consider being a law professor a great honor, and I think the generosity of these dedicated people clearly demonstrates that I'm not the only USC Law professor who feels this way.

This edition of *USC Law Magazine* includes more stories of the wonderful people who make this school special, including generous donors whose deeply personal gifts honor family and teachers (see Page 18) and graduates who have found their own professorial paths (see Pages 28-31). I hope you read this magazine and feel, as I do, lucky to be a part of this remarkable community.

Very truly yours,

Edward J. McCaffery
Dean and Carl Mason Franklin Chair in Law,
Economics, and Political Science

Professor Thomas Lyon receives \$1.7 million grant to study honesty in abused children

Breaking the silence



Thomas Lyon

Thomas Lyon, USC professor of law and psychology, has been awarded a \$1.7 million grant by the National Institutes of Health to study why maltreated children are reluctant to disclose their abuse. The goal of the research, Lyon says, is to find ways to encourage children to reveal truthful information without increasing the risks of suggestibility or influence.

“Most research on child witnesses in the past 15 years has emphasized the risks of false allegations caused by suggestive questioning,” says Lyon, the study’s principal investigator. “It has not addressed problems that come up when truly abused children are reluctant to disclose their abuse. The reasons include fear, embarrassment or immaturity.”

Research has found that most adults who disclose childhood abuse never mentioned the incidents to anyone as a child. Abused children, who later testify, often are discredited in court because of inconsistencies and reticence in talking about the abuse.

Lyon and his team of researchers — Jodi Quas, an associate professor of psychology at the University of California, Irvine, and Kang Lee, professor of psychology at the University of Toronto — will examine honesty in maltreated children in several phases. The first phase will examine maltreated children’s understanding of truth and lies, and factors that may influence disclosure. In part, this research will contribute to legal methods for determining children’s competency to testify.

The second phase will examine maltreated children’s truth-telling under various conditions in order to determine what influences children to disclose information. For example, the team of professors will follow up on research they previously conducted in which maltreated children were more likely to reveal secrets when they promised to tell the truth and were reassured that telling would not get them into trouble.

The third and fourth phases will examine whether maltreated children’s true and false narratives can be discriminated by fine-grained analysis of the children’s verbal and nonverbal behavior, including their facial expressions and body language, and whether lay people or professionals can differentiate children who are disclosing truthfully from children who are either concealing information or providing false information.

In all phases, the performance of abused children will be compared to non-maltreated children in order to determine if the maltreated children’s life experiences lead them to think or behave differently.

The interdisciplinary research program integrates developmental psychology and the law in order to make recommendations for practice. Lyon is actively engaged in training social workers, attorneys and other professionals on how to interview children using research-based methods proven to both increase the amount of information children can provide and minimize suggestibility.

“The results of this research, in addition to contributing to our understanding of child development and the effects of maltreatment, will have enormous practical value in helping professionals develop the most sensitive means for questioning children about topics that are usually kept secret, but are of essential value to the law,” Lyon says. “Children are too often silenced by abuse. Our goal is to find the safest means for them to speak.”

— *Gilien Silsby*

Journalist Nancy Conroy '97 challenges developers in Baja



Nancy Conroy



Freedom of the press

When Nancy Conroy '97 takes the *Gringo Gazette North* to press, she knows her target audience needs information. Americans living in Baja California, where Conroy lives and publishes the biweekly English language newspaper, often “leave their brains at the border,” she says, particularly when they see beachfront property for sale.

“I take a very aggressive stance in exposing fraud and risky situations for Americans interested in real estate in Mexico,” Conroy says.

In 2004, she wrote a series of articles about La Jolla del Mar, a Rosarito condominium project whose developers were involved in legal disputes that she argued could affect the title, unbeknownst to potential buyers. According to the *Los Angeles Times*, a spokesman for the development group acknowledged the existence of the competing title claim but said the partners believed it had no merit and that Conroy’s articles damaged their reputations.

Now Conroy is facing criminal defamation and calumny charges, as well as two lawsuits seeking \$22 million — all brought by the developers.

“I know exactly what the laws are,” Conroy says. “Everything I published was thoroughly researched, and this is simply an attempt by the developers to strong-arm me.”

Her case has highlighted the struggle for freedom of the press in Mexico, as well as the nation’s real estate tangles.

“It would be very unusual for somebody to conclude the purchase of property in the United States and not to have learned before closing about a serious title dispute raging in the courts over who owns it,” says George Lefcoe, the Ervin and Florine Yoder Chair in Real Estate Law at USC. Title insurers, real estate brokers and escrow agents protect most U.S. property buyers from acquiring

flawed titles, he notes, while most buyers in Mexico rely entirely on an imperfectly administered government land registration system.

“U.S. buyers who appreciate the risks may throw up their hands and decide not to buy at all,” Lefcoe adds. “Others may decide to contract for title insurance with a U.S.- based company.”

Conroy herself learned to examine the pitfalls and risks of real estate transactions as a USC Law student in Lefcoe’s real estate transactions class. Other courses prepared her to write cogently and to scrutinize business transactions and how they fall into an international framework — skills she employs frequently.

“I would not be qualified to do what I do today were it not for my legal education,” Conroy says. “It helps me every day.”

Conroy says she has faced other attacks since publishing the La Jolla del Mar articles, including a death threat received via e-mail, the theft of 8,000 copies of the paper (15,000 free copies are distributed every two weeks in Ensenada and Rosarito), and an immigration investigation reportedly launched by the developers of La Jolla del Mar.

Her case has attracted the attention of the Committee to Protect Journalists (CPJ), a nonprofit organization dedicated to defending press freedom worldwide. Northern Mexico, particularly the border, has become in the last two years one of the most dangerous places for journalists to work, attributable to the threat of retaliation from private citizens upset by published information, says Carlos Lauria, Americas program coordinator with CPJ.

For her part, Conroy says she will continue to publish stories about real estate issues in Mexico.

“We have to respect her courage,” Lefcoe says. “This is a very brave thing she’s doing.”

— Lori Stuenkel

Trojan Network connects student and grad in peacekeeping project

A civics lesson

Alex Barney is studying international law this year in a way no other law student will: He is helping train members of the new Liberian army, as part of a U.S. peacekeeping project to rebuild the African country's ministry of defense.

Barney is spending the year in Monrovia, Liberia's capital, teaching civics, law and human rights to recruits who will form the new army under the first truly democratic government following more than a decade of civil war.

"Considering the history of violence in Liberia, the challenge is creating a group of men and women soldiers who will also be civic-minded citizens," Barney says. "The idea is to mold them into a group that supports the constitution and supports the idea of a true democracy in Liberia."

In classic USC Law fashion, Barney owes the opportunity to two other members of the Trojan Family — both USC graduates, one of whom taught Barney last year. Adjunct Professor Debbie Shon, who received her B.A. from USC, told Barney and her international trade policy class about the project. Her husband, Andrew Michels '92, directs peacekeeping operations for DynCorp International, the U.S. State Department contractor in charge of building Liberia's new defense ministry.

"I approached her immediately and said I was interested in doing that kind of work, if an opportunity ever came up," Barney recalls.

The opportunity arose this summer, when Michels began searching for a civics instructor to teach Liberian army recruits. It was solely on the recommendation from Shon that Michels — who doesn't normally hire law students for this caliber of work — interviewed Barney.



Alex Barney (left) and Andrew Michels

"It's very unusual for a young woman or man in school to be offered an opportunity to go to another country, especially one that is emerging from over a decade and a half of violent conflict, and be able to participate at the most fundamental level in the reconstruction of that society," Michels says.

This was not the first time Michels looked to the USC network for hires, and he says he hopes to extend more unique opportunities to the law school community.

"It's hard for these motivated, smart kids to find paying work in any international forum, so I do make a special effort — as does my wife — to ensure that when a suitable offer comes along, we take it back to where we graduated from and provide USC students with opportunities they might not otherwise receive," Michels said.

Barney will stay abroad through June 2007 and return for his third year at USC Law next fall. After graduation, Barney says he plans to work in international development and hopes this experience will guide his career plans.

"Being here means I have the opportunity to specialize a little more in some of the areas of law I'm interested in," he says. "I basically have a year to study them."

— Lori Stuenkel

Two grads put entertainment law in the news



Matthew Belloni and Norah Weinstein

On the record

When Norah (Gottfried) Weinstein '02 and Matthew Belloni '02 graduated from USC Law, few could have predicted the plot twists to come in their legal careers.

Both headed to jobs with firms they loved — Weinstein to Skadden, Arps, Slate, Meagher & Flom in New York and Belloni to Alschuler, Grossman, Stein & Kahan in Santa Monica, Calif. — and enjoyed the work they did. But when Weinstein transferred back to Skadden's L.A. office, she was struck by something: Despite the growing prominence of entertainment law in the legal landscape, no publication existed to keep entertainment lawyers apprised of the news that mattered most to them.

Having written for the *Daily Californian* during her undergraduate days at the University of California, Berkeley, Weinstein saw an opportunity. Working with the publisher of *The Hollywood Reporter* and with financial backing from *THR*'s parent company, Vnu, she put together a plan for *The Hollywood Reporter; ESQ.*, an online publication dedicated to entertainment law in all its variations. Then she called Belloni, who had edited her work at the *Daily Californian* and had remained a friend ever since, and convinced him to come on board as editor.

"It was a unique opportunity to start something new, utilize our legal and our journalism backgrounds, and juggle issues we are interested in," says Belloni, who practiced entertainment litigation under Larry Stein '69. "It's a risk, but we're young. And it's fun."

And successful. The publication launched in June with a high-tech web site that includes a weekly interactive digital magazine, daily news and three searchable databases with details on case

filings, attorney contacts and deal information. When it debuted, *The Wall Street Journal* Law Blog ran an entry headlined "Starstruck Law Blog Hearts *The Hollywood Reporter ESQ.*" and cheered the publication's coverage and "nifty" software.



The publication tackles entertainment law in a broad way, covering legal news in everything from sports and fashion to movies, music and the Internet. Content is divided into seven primary categories: talent and studios, litigation, corporate, IP-tech, labor, government and celebrity. Weekly features include a bylined opinion piece from an attorney or industry executive and a Q&A with an industry leader.

"We brought a lawyer's mindset to this," says Weinstein, *THR ESQ.*'s publisher. "We always try to include where a lawyer went to school, for instance, and their first job. Lawyers care about pedigree. And we want this to be by, for and about this community."

As the entertainment industry converges with technology and media, the potential for *THR ESQ.*'s growth seems equally exponential. The publication's dedicated staff is small — six people including Belloni and Weinstein — but one writer is based in New York, and they all work closely with *The Hollywood Reporter*'s staff to ensure global coverage of the entertainment industry.

"Partnering with *The Hollywood Reporter* changes the nature of what we're doing from a local start-up to an immediately credible service with international resources," says Weinstein. "We still work law firm hours, but being here and caring so much about everything we do — it's all worthwhile."

— Melinda M. Vaughn

2006 Institute on Entertainment Law and Business examines gaming, animation, music

Missions Possible



Clockwise from top: Peter Guber, Peter Bart and Bruce Ramer

Some of the biggest names in the entertainment industry — including Peter Bart, editor in chief of *Variety*, and Peter Guber, chairman of Mandalay Entertainment Group — participated in the 2006 Institute on Entertainment Law and Business at USC in September.

Sponsored by USC Law and the Beverly Hills Bar Association, the all-day conference, “Missions Possible: Gaming, Animation, Music and Beyond,” took an in-depth look at the hottest trends and issues facing the industry.

The event drew more than 400 guests — prominent lawyers, accountants, agents, producers and the like — who participated in discussions of the newest ideas in television, film and music, and emerging opportunities in gaming and animation.

Anthony N. Cabot of Lewis & Roca and Benjamin R. Mulcahy of Sheppard, Mullin, Richter & Hampton kicked off the conference by leading a session that examined the regulations surrounding lotteries, game shows and online gaming. Other sessions covered advances in the music business; the ethical fallout of technology; and critical issues in children’s programming and advertising.

Additional speakers included David Agnew, executive vice president of Buena Vista Music Group; Larry Stein ’69, head of Alschuler, Grossman, Stein & Kahan’s entertainment and media department; and Alan Rosenberg, president of the Screen Actors Guild. Honored at the event was Melvin Sattler ’47 for his long years of service to the Institute’s planning committee.

The lunchtime keynote address by Guber and Bart attracted the largest crowd and laughs. After being introduced by USC Law Dean Edward J. McCaffery and Board of Councilors member Bruce Ramer, who also chairs the Institute, the two speakers discussed changes and challenges in the entertainment industry.

Although movie sales overseas have hit record numbers, Bart said that obsessing about the global market could “undermine the economics of the business.” Guber disagreed, saying that companies are forced to aggressively market to overseas consumers because of the high cost of making a film in the United States.

“When I started at Columbia, the entire market cap of Warner Bros. was \$400 million,” said Guber. “That’s less than the cost of the investment in ‘Superman’ — one film. We’re seeing a sea change; these companies have to make global pictures. ... They are part and parcel in trying to get a major summer audience, a major global audience and a major Christmas audience. Without them, you’re not going to generate the kinds of box office revenues and the kinds of results that can compete in the international marketplace.”

The Institute on Entertainment Law and Business is one of six conferences presented each year by USC Law’s Continuing Legal Education program. For more information on any of these events, visit www.law.usc.edu/cle.

— Gilien Silsby



DOLLARS FOR SERVICE

USC Law again has increased the maximum salary requirement for its Loan Repayment Assistance Program (LRAP).

To be eligible for LRAP, graduates living in such high-cost areas as Los Angeles, Chicago and New York must earn \$55,000 or less (an increase of \$10,000 from

the previous maximum). A salary cap of \$45,000 applies to those working in other cities.

Created in 1987, the program helps graduates working as attorneys in public interest, public service or government, as well as alumni in judicial clerkship positions. Those who qualify are expected to apply a portion of their earnings to their annual obligations for education loan repayments; USC Law then makes a loan for the remainder of those obligations.

If a graduate works in qualifying employment for a specified period and continues to receive a salary below the maximum amount, his or her LRAP loan will be forgiven in whole or in part, depending on the length of participation in the program.

Former LRAP participant Christopher Knauf '96 says pursuing a public interest law position right after law school would have been impossible without the assistance he received from USC Law.

"I decided I wanted to go into public interest law by the end of my first year at USC, and LRAP allowed me to take that path," said Knauf, who first worked at Bet Tzedek Legal Services for two years before joining the Western Law Center for Disability Rights as a staff attorney. Six years after graduating from law school, he reached the 100 percent forgiveness phase — meaning he no longer had to pay back the portion of his student loans defrayed by USC Law.

"My student loan payments were almost as much as my public interest salary after taxes," adds Knauf, who started his own practice earlier this year and continues to focus on disability as well as education law. "I absolutely needed LRAP and was very grateful for it. It's great to know that the recent salary cap increase will help more graduates pursue public interest careers."

For more information on LRAP, contact Mary Bingham, director of financial aid, at (213) 740-2523 or mbingham@law.usc.edu.

LONDON BRIDGE

USC Law's dual degree program with the London School of Economics (LSE)



launched this fall, with four USC students studying abroad for the 2006-07 academic year while three LSE students complete their degrees in Los Angeles.

For USC students, the program consists of two years of study at USC Law followed by one year at LSE. If needed, students will spend a final, seventh semester at USC. Upon successful completion of the program, participants will receive a J.D. from USC and an LL.M. from the University of London.

Meanwhile, LSE bachelor of law candidates spend their third and fourth years of study at USC Law, eventually earning an LL.B./J.D. degree.

LSE is one of the largest and best-known schools of the University of London. More than half of its 6,000 students and many of the faculty come from outside the United Kingdom.



About 70 USC Law students began their fall semester with paintbrushes in hand at Community Service Day 2006. The volunteers spent a half-day painting an exterior fence to beautify the Challengers Boys & Girls Club, which serves 3,500 youth living in South Los Angeles.

George Hill, director of operations for L.A. Works, which co-sponsored the event with USC Law's Office of Public Service, said the fresh coats of paint will help the building appear as highly regarded on the outside as it is to the neighborhood on the inside.

"The kids were very excited when the USC Law students showed up, and they wanted to help," Hill said. "This is a good builder of community all the way around."

BEST NEIGHBOR

The University of Southern California was ranked No. 1 in a list of the top 25 colleges

in the nation that have made the greatest contribution to their communities.

The “Saviors of Our Cities” list — compiled by New England Board of Higher Education President and CEO Evan Dobbelle — features institutions that spearhead community revitalization and cultural renewal by serving as economic drivers of the local economy and as advocates of community service. Judgment criteria included faculty and student involvement in the community, relationships with city officials and partnerships with local schools, and the sustainability of neighborhood initiatives.

Several programs at USC Law contribute to the university’s overall commitment to the educational, economic and civic well-being of its surrounding environment. Through clinics offered by the school, faculty and students provide local residents with pro bono legal assistance for immigration, adoption, employment law, post-conviction and intellectual property issues.

In addition, the Office of Public Service (OPS) was created by the law school earlier this year to further expand student opportunities for pro bono legal work, internships and service-learning programs. OPS also has established a Student Advisory Council to assist all student organizations that have a service component or a desire to become involved in service to the community.

During the 2005-2006 academic year alone, USC Law students reported more than 2,500 hours of volunteer work with more than 23 different legal services organizations ranging from the Legal Aid Foundation of Los Angeles to the HIV & AIDS Legal Services Alliance. Most of these volunteer opportunities were offered through 30 pro bono clinics sponsored by the student-run Public Interest Law Foundation (PILF), one of the most active groups of its kind in the country.

Starting this fall, the law school is launching a “100 hours of public service” campaign, encouraging student organizations to create a project or adopt a PILF pro bono clinic for the academic year.

Third-year law students Sven Kaludzinski and Meredith Edelman, last year’s PILF pro bono co-chairs, agree that their fellow students’ commitment to public interest is clear.

“USC Law has continued to build upon a tradition of public service that places us at the forefront of progressive, engaged institutions,” adds Edelman. “We’re thrilled that our efforts at the law school reflect the great spirit of community fostered by the university.”

VERBATIM

“It has changed the landscape of prosecution and the ability of a defendant, who’s wrongly accused, to defend himself. I think there’s a comfort level with this sort of technology that doesn’t have an agenda. Technology doesn’t want the defendant to be convicted or the prosecutor to win. It simply exists.”

— Jean Rosenbluth '93, USC Law director of legal writing and advocacy and adjunct professor of law, on “NBC Today,” discussing the growing use of technological evidence in court cases, including time-stamped receipts from cash machines, cell phone logs and even a toll pass for the bridge.

NEW FACES



First-year students Derek Lazzaro and Michael Thompson

USC Law this fall welcomed more than 300 new first-year, transfer, and LL.M. students, including 217 J.D. candidates.

Several are entrepreneurs and a number have been educators, including one student who taught philosophy to fifth graders. A handful worked in law firms; several have founded web sites; one was a special assistant to Gov. Arnold Schwarzenegger; and another was a Thai classical dancer. As undergrads, students competed on athletic teams including soccer, baseball, crew and Ultimate Frisbee.

Joining the J.D. class were transfer students and several exchange students from the London School of Economics. Also entering USC Law are 97 Master of Laws (LL.M.), Visiting International Program for Lawyers (VIP) and Master of Comparative Law (MCL) students hailing from 20 countries, including China, Japan, Taiwan, Hong Kong, El Salvador, France, Germany and Denmark.

During orientation, Susan Estrich, the Robert Kingsley Professor of Law and Political Science, told students to expect to find a special atmosphere at USC Law.

“Going to law school here is a positive experience,” she said. “Students help each other. The attitude here is: We’re all in this together.”

After four years at the World Health Organization, Professor Alexander Capron returns to USC Law with a new perspective on tough health policy questions

Inside global health and ethics

SHOULD RESEARCH BE CONDUCTED IN POOR COUNTRIES ON DRUGS THAT WILL BE PRIMARILY USED BY PATIENTS IN RICH COUNTRIES? SHOULD POOR COUNTRIES BE ABLE TO SUPPLY THEIR PEOPLE WITH GENERIC EQUIVALENTS OF PATENTED MEDICATIONS? SHOULD GOVERNMENTS OR PRIVATE BROKERS BE ALLOWED TO PAY LIVING DONORS FOR ORGANS TO HELP INCREASE THE NUMBER OF LIFE-SAVING TRANSPLANTS? WHO SHOULD GET SCARCE ANTIVIRAL DRUGS OR VACCINES WHEN AN INFLUENZA PANDEMIC HITS?

SUCH ARE THE QUESTIONS ADDRESSED BY THE ETHICS UNIT OF THE WORLD HEALTH ORGANIZATION (WHO) AS PART OF THE ORGANIZATION'S EFFORTS TO PROVIDE USEFUL HEALTH POLICY GUIDANCE TO ITS 193 MEMBER STATES. IT'S NO SMALL FEAT, CONSIDERING THAT THOSE MEMBER NATIONS RANGE IN WEALTH AND HEALTH FROM THE UNITED STATES

Interview by Melinda Myers Vaughn
(Opposite) Alexander Capron in front of the World Health Organization headquarters in Geneva.



and the United Kingdom, where the average life expectancy is between 75 and 80 years of age, to countries like Equatorial Guinea and Niger, where life expectancy is closer to 42 years. Yet while member nations' cultural traditions and social, economic and health conditions vary dramatically, they face many of the same ethical dilemmas. Indeed, we may have a lesson or two to learn from smaller, less wealthy nations that have struggled with problems that are becoming increasingly urgent here in the United States.

Alexander Capron, University Professor, Scott H. Bice Chair in Healthcare Law, Policy and Ethics, and Professor of Law and

couple of years to improve WHO as an institution, I worked with members of my department on a huge range of assignments. For example, within any week, I might meet with colleagues from the World Trade Organization or the World Intellectual Property Organization on the policies that allow patients in poor countries to gain access to expensive, patented medications; with representatives of nongovernmental organizations concerned about human trafficking for organ transplantation; with WHO staff trying to find ways to reduce cigarette smoking or overcome chronic health conditions; with colleagues from UNAIDS regarding ethical guidance for

“We’re starting to wake up to the reality that many countries face routinely of having to make some wrenching choices about how to use our resources.”

Medicine at USC, was tapped in 2002 by WHO to head the new ethics and health unit. The following year, he became director of the WHO’s Department of Ethics, Trade, Human Rights and Health Law, which combined the ethics unit with teams focused on forces in international trade, human rights and national health legislation that help shape global health.

WHAT WERE YOUR GOALS AS THE FIRST HEAD OF THIS ENDEAVOR?

We developed a strategic focus that aimed to promote human dignity, justice and security in health. But our work was also very contextual; it related to particular issues and problems that our member states face, where health intersects with international trade and human rights agreements as well as where ethical or legal concerns arise. Rather than do everything with a broad brush, we tried to develop either new evidence through research or policies or technical assistance that would be relevant to a particular issue.

In the ethics field we divided our work into five areas: public health ethics, such as the use of quarantine or compulsory vaccination in responding to a pandemic; technology ethics, such as vaccines and organ transplantation; research ethics, particularly the use of human subjects in research; professional ethics, such as when providing treatment would expose physicians and nurses to risk; and, finally, health services ethics, such as the value choices inherent in health resources being scarce, whether through explicit allocation rules or in pricing policies for medications and hospitals.

WHAT WAS THE MOST EXCITING ASPECT OF YOUR WORK?

The variety of topics that I had to deal with. In addition to having a role in a lot of interesting initiatives that were launched in the past

countries on how to ensure fair processes and results in allocating treatment for HIV/AIDS; or with researchers trying to ensure that trials of vaccines in Africa or Southeast Asia were carried out ethically. Then there were meetings — usually by videoconference — with our focal points in WHO’s six regional offices, on topics such as how to develop WHO’s strategy on health and human rights, because a lot of the issues we deal with can be seen from a rights-based approach as opposed to solely a disease-based approach. In that same week, I could also be working with outside experts on our project to develop a model public health act for countries, to provide an up-to-date outline of the powers that public health agencies need to do their work.

WERE THERE ANY ISSUES THAT YOU ENCOUNTERED AT THE WHO THAT SURPRISED YOU, THAT YOU MIGHT HAVE THOUGHT WOULDN’T BE OF GLOBAL IMPORTANCE?

The one that surprised me most was organ transplantation, because I tended to think of transplantation as a therapy principally of interest to the richest countries. Kidney transplantation is a key issue; many countries have developed some capacity for dialysis treatment, and they’re spending a lot of money on end-stage renal disease. But dialysis treatment is much more expensive in the long run and yields less satisfactory results for most patients than does transplantation, so there is a strong interest in a number of countries in developing transplantation programs.

Back in 1991, the World Health Assembly approved a set of “Guiding Principles” for organ transplantation based on three propositions: that deceased donors should be preferred over living; that among living donors, related donors are preferable to unrelated; and that there should be no commercialization of organs in any case.

Many countries responded by adopting statutes that embodied those principles, though others either don't have such statutes or don't enforce them.

Since 1991 several things have happened. We've seen huge growth in transplantation around the globe, and a change in attitudes. The number of paid donors has burgeoned and, in some places like the Philippines and Pakistan, and probably China, there is a booming business in organ sales. This certainly seems to involve exploitation of the necessitous circumstances of very poor people, though some theorists believe there's nothing wrong in allowing people to make the choice to become an organ "vendor." There's also been huge growth in the use of processed tissues, bones, skin and so forth. Those materials resemble commodities — they're sterilized, processed, stored, sorted and distributed in the same way as



ALEXANDER CAPRON, University Professor, Scott H. Bice Chair in Healthcare Law, Policy and Ethics, and Professor of Law and Medicine at USC, is a globally recognized expert in health policy and medical ethics. He returned to USC Law in fall 2006 after four years on leave as director of Ethics, Trade, Human Rights and Health Law at the World Health Organization in Geneva. He teaches Torts; Law, Science, and Medicine; and various seminars in health policy and ethics. He also teaches at the Keck School of Medicine at USC and is co-director of the Pacific Center for Health Policy and Ethics, an interdisciplinary research and education center. His numerous publications include *Law, Science and Medicine* 2nd ed. (with others, Foundation Press, 1996), *Treatise on Health Care Law* (with others, Matthew Bender, 1991), and *Genetics, Ethics and Human Values* (edited with Z. Bankowski, Geneva: CIOMS, 1991). Professor Capron holds a B.A. from Swarthmore College and an LL.B. from Yale University, where he was an editor of the *Yale Law Journal*. He was a Clinton-appointed to the National Bioethics Advisory Commission, where he served for five years. He also is a trustee of The Century Foundation, president of the International Association of Bioethics, and a member of the Institute of Medicine.

any industrial product. This yields a product with a price tag on it, which sets up a tension with the principle of voluntary donation and non-commercialization.

What's interesting to me is the way in which many of these issues have been on the agenda in the United States for some time and are now very relevant all around the world, so we may also be able to benefit from their experience.

WERE THERE ANY ISSUES THAT YOU TACKLED AT THE WHO THAT ARE NOT BEING ADDRESSED IN THE UNITED STATES?

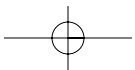
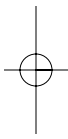
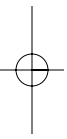
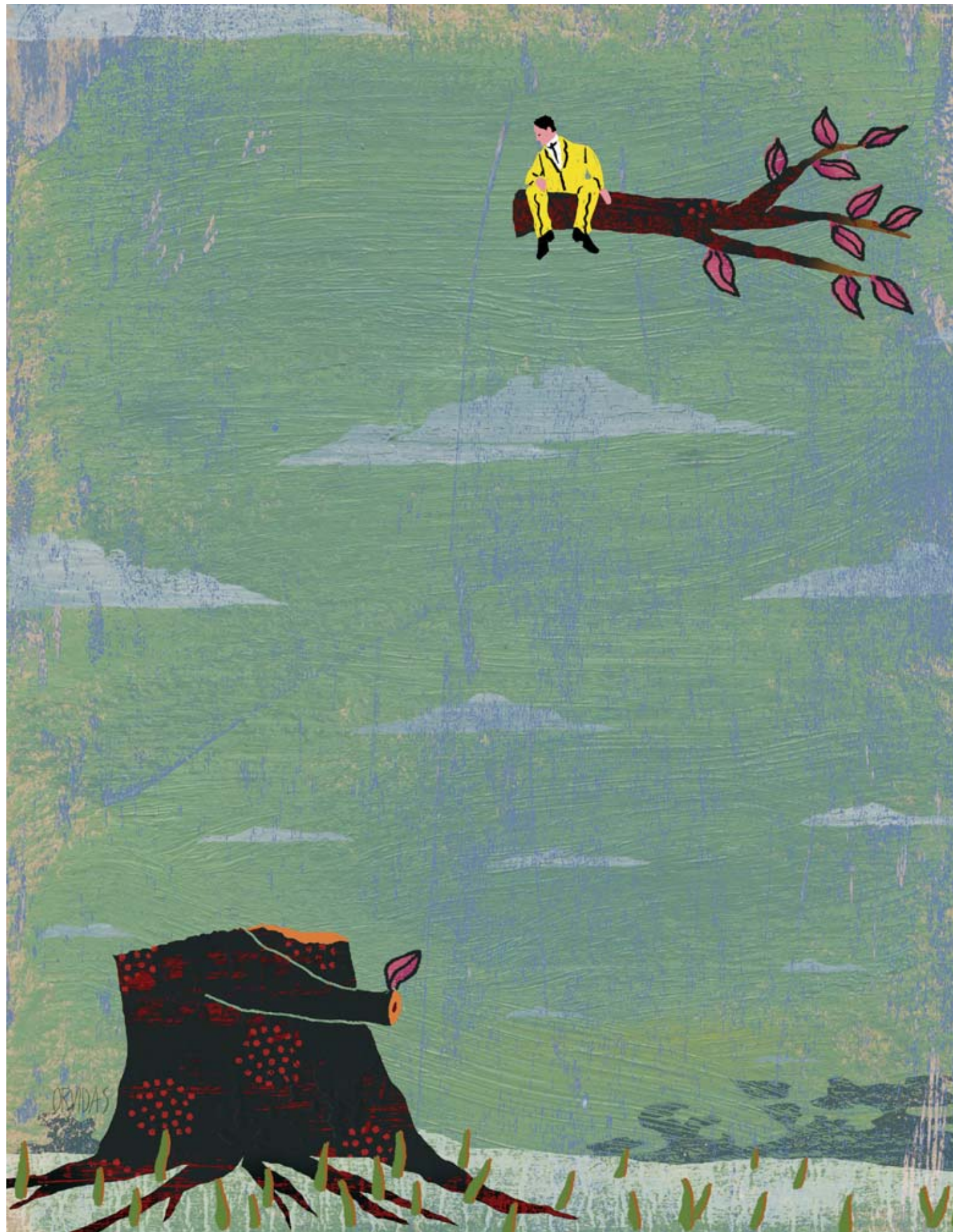
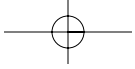
Concerns about access to life-saving medicines are acute right now for many developing countries facing the onslaught of HIV/AIDS and other lethal diseases. We tend to think of this as a problem just for poor countries, but it will be of critical importance for us if we have an influenza pandemic, for instance, because it's doubtful that we will have an adequate supply of vaccines or of antiviral drugs. Indeed, the general issue of rationing health services is only going to get worse here. That's reflected in part in rising numbers of uninsured people as businesses find it harder to pay for workers' health care, and even within health insurance plans when some medical interventions produce such a small marginal benefit that insurers argue that these interventions shouldn't be part of what the system provides. We're starting to wake up to the reality that many countries face routinely of having to make some wrenching choices about how to use our resources.

HOW DOES THE WHO GO ABOUT ADDRESSING THESE QUESTIONS?

Again, our goal is to provide norms and guidance to member states, so they can develop legislation and policies that work for their particular circumstances. We start by asking, "What is the effect you want and why?" If you think of it in epidemic terms, if a country faces a disease that could affect just about everyone and could have a high mortality rate — even 10 to 20 percent would be very high — and only has enough drugs to treat 20 to 30 percent of the population, who should it be? Should it be those who are at the most risk of dying? Those who have the best chance of surviving if you give them the medication?

If the goal is to save lives, these would be the groups to select, and you wouldn't care what they did. You're just saving lives, and they're all worth the same. But there are also secondary benefits that might be relevant to the individual or the individual's family — having a breadwinner to support a family, for instance. Or you look at the social effects — keeping doctors and nurses alive to run the health system, providing public safety and other services, or generally having a productive society. So the guidance from WHO aims to help countries to see that these are value questions for which there isn't a single "technical" answer and assist in finding fair and transparent means of setting out the choices and arriving at just solutions.

All of this, and the whole experience I had at the WHO and the wonderful colleagues I met there and around the world, were illuminating for me. I see a real relevance for law and medical students at USC, and I'm excited to be bringing this global perspective to my classes and to my research.



Students in a corporate ethics course hear first-hand accounts of the decade's biggest scandals from a top-notch instructor and impressive guest speakers

Lessons learned the hard way

By Gilien Silsby

When USC Law student Sven Kaludzinski enrolled in "Understanding the Enron Era: Lessons Learned," he knew the class would be a unique experience. One look at the course description proved that.

Still, nothing prepared him for what he would learn — or who he would encounter — during the 14-week course taught by Robert Fairbank, a highly respected attorney retained by the Regents of the University of California to consult in the Enron, WorldCom, AOL/Time Warner and Dynegy securities fraud cases.





Bob Fairbank

Launched in 2004 at the height of the Enron securities scandal, the course focuses on corporate ethics and, during the semester Kaludzinski took it, followed the daily legal proceedings of the former energy giant, which crumbled into bankruptcy proceedings in late 2001 after years of accounting fraud. The course also has examined the collapse of several other corporations that met similar fates.

“No two class sessions were ever the same,” says Kaludzinski, who took the course this spring. “Whoever was lecturing on any given day was likely the best in their field. Hands down, it was the best class I have taken at USC Law by a long shot.”

Often, even the instructors didn’t know exactly how the course would unfold. But semester after semester, the 25-student class has witnessed first-hand what happens when executives have lapses in ethical judgment and how poor decisions can spin out of control.

“We watch the news on a daily basis and design our course in response to what is exploding,” notes Fairbank, who for the first two years taught the course with Rock Hankin, an investment banking and damages consultant for the Regents. “We wanted to do this class differently. We wanted to bring in the best people in the field and teach it as it was developing.”

That meant no textbooks, no set syllabus — simply lectures delivered by a Who’s Who of securities fraud litigation. Students

have heard from investment bankers, judges and attorneys, including Bill Lerach, lead attorney in the Enron case; Joe Cotchett, lead attorney in the Homestore.com case; Marshall Grossman, who represented Arthur Andersen in a major fraud trial; and retired federal judge Lawrence Irving ’63, also consulting with the Regents in the Enron case.

In addition to legal analysis of the issues, the speakers discuss investment banking elements, accounting components, and governance concerns associated with the collapse of several multinational companies.

Reading assignments often are just-released plea agreements, legal analyses, recent court decisions or articles from the day’s *Wall Street Journal*.

“QUITE A COUP”

Fairbank and Hankin themselves are well-known names in corporate law circles and have impressive credentials. According to USC Law Dean Edward J. McCaffery, attracting them to USC Law was “quite a coup.”

“One of the most important things we do is teach our students about law and corporate ethics,” McCaffery says. “We have some of the best people — right from the frontlines — helping students see that.”

The course initially focused on Enron, but as corporate accounting scandals grew, Fairbank and Hankin expanded the class to look at such companies as WorldCom, Homestore.com and AOL/Time Warner.

Because Enron is nearly resolved, the course name will be changed to “Major Corporate Civil and Criminal Fraud: Lessons of Enron” when it is taught next, in spring 2007. Today, Fairbank is the class’ sole teacher, although Hankin continues to be a guest lecturer.

The course was developed after Hankin casually mentioned to USC President Steven B. Sample that he and Fairbank were consulting on Enron for the Regents.

FROM THE FRONTLINES

Past and future speakers in the USC Law course “Major Corporate Civil and Criminal Fraud: Lessons of Enron” include the following:

Terry Bird

- Criminal defense attorney and trial lawyer in Homestore.com, Qwest, L90 and Salomon Smith Barney

Joe Cotchett

- Class action plaintiffs’ attorney and trial lawyer in Lincoln Savings & Loan and Homestore.com; large institutional plaintiff’s attorney in Enron and WorldCom

John Emshwiller

- Co-author of *24 Days: How Two Wall Street Journal Reporters Uncovered the Lies that Destroyed Faith in Corporate America*

Mark Epstein

- Defense attorney and trial lawyer in Disney/Eisner/Ovitz case

Doug Fuchs and Michael Wilner

- Criminal prosecutors in Homestore.com

Stanley Gold ’67

- Chairman of the USC Board of Trustees; president and CEO of Shamrock Holdings

Marshall Grossman ’64

- Defense attorney and trial lawyer in major Arthur Andersen trial

Rock Hankin

- Consultant to the UC Regents in Enron, WorldCom, AOL/Time Warner and Dynegy fraud cases

John Hueston

- Prosecutor for Enron criminal trial of Jeffrey Skilling and Ken Lay

Mark Holscher

- Defense lawyer for Jeffrey Skilling

Judge J. Lawrence Irving ’63 (retired)

- Head of team of consultants to the UC Regents in Enron, WorldCom, AOL/Time Warner and Dynegy fraud cases

Ken Klee

- Bankruptcy expert and member of Irving team in Enron and WorldCom fraud cases

Richard Koppes

- Corporate governance expert and institutional investor ex-general counsel

Bill Lerach

- Class action plaintiffs’ attorney in Enron and Dynegy; large institutional plaintiff’s attorney in WorldCom and AOL/Time Warner fraud cases

Martinn Mandles

- ABM Industries chief administrative officer and chairman of the board

Jessica Rigley Puathasnanon

- SEC attorney in Homestore.com

Robert Monks

- Author of *Corporate Governance and Power and Accountability*

“They were talking, and President Sample said this would be an ideal class for USC,” Fairbank says. “We made a proposal, and President Sample called to say it would be a great law and business class. We were given a lot of flexibility and decided to teach it in a very real-world way.”

Fairbank and Hankin taught the class by drawing from their personal encounters in the dot-com era.

“On tax day 2002, I got a call from a famous mediator — Judge Lawrence Irving,” Fairbank recalls. “He said the Regents may have a very interesting case for me to work on. That ended up being the understatement of the year.”

Fairbank was retained by the Regents as an independent consultant in the Enron class action. Irving and Fairbank ultimately created a multidisciplinary team, which included Hankin and Ken Klee, a prominent bankruptcy attorney. To date, the Regents have been awarded \$7.3 billion in settlements, the largest civil payout in history.

“The Regents oversee one of the largest pension plans in the United States,” Fairbank explains. “This was a tremendous assignment for a lawyer. We’re being paid hourly — we’re troubleshooting and figuring out where problems may arise. It was a different role than I’ve ever had in the past, but a wonderful role.”

THE REAL WORLD

One of Fairbank’s goals for the class is to give students a taste of the real corporate legal world.

In an end-of-semester assignment, Fairbank requires students to simulate a legal presentation to a corporate board of directors. The students come to class in business suits and are given 30 minutes to argue a corporate fraud case. The class plays the board of directors, and Fairbank is the chairman of the board.

“After we’ve spent the semester studying several cases, each team of four students is assigned a different corporate fraud case that hasn’t been discussed in class,” Fairbank says. “The overriding purpose is to work in a team to analyze a major legal problem and present it to a corporate client. All semester long, I bring in top people in the field who talk to students about this. At the end, the students themselves experience what it’s like to be a lawyer.”

The team project is incredibly time-consuming but worth it, according to students.

“I really liked the intersection of the corporate sphere with the legal world. By creating a presentation for a board of directors, I was able to build on skills I know I will use later in my career,” says Surjansu Kundu, a student who took Fairbank’s course this spring.

In a separate assignment, they also are required to write an individual analysis of an assigned corporate fraud case.

“I know the class is tough, but my goal is to prepare students for real-life situations and show that one ethical lapse can wind up in total destruction,” Fairbank says.

“I tell students to find what they love doing and to not worry about the resume so much or the money they’re going to make,” he adds. “My secret to getting exciting work is having enthusiasm and throwing your all into it. That also means walking away when you see something that may be lucrative but unethical. If you do good work, the resume always develops itself.”



From left: Joe Shew; Edward McCaffery, Shew and Bob Fairbank

FORMER HOMESTORE CFO TALKS TO USC LAW STUDENTS ABOUT PLEADING GUILTY TO SECURITIES FRAUD CHARGES

Looking back, his actions were truly egregious. But at the time — in 2001, when Homestore was at the top of the dot-coms — company CFO Joe Shew couldn’t see that.

During USC Law’s inaugural “Conversations with the Dean” speaker series Oct. 12, Shew and attorney Bob Fairbank cautioned students to keep their moral compasses intact amid many pressures of the legal and corporate worlds.

“It’s got to start here, and you’ve got to internalize it,” said Shew, scheduled to be sentenced in November to as much as five years in prison for securities fraud. “You’ve got to be able to say, ‘This isn’t right.’ Always have a presence at the table: Assert yourselves and become decision-makers with the heads of development.”

Shew pleaded guilty in 2002 to inflating Homestore’s revenues by millions of dollars in what is referred to as “round-trip” transactions, which flowed cash from Homestore through vendors and third-party advertisers — then back to Homestore. The company then used the “revenue” to meet Wall Street expectations.

“Here’s a guy of good quality, who worked at Disney and PriceWaterhouseCoopers before he worked at one of the top Internet companies of all time,” said Fairbank, Shew’s lawyer and a USC Law adjunct professor. “The point of this lecture is to say, don’t kid yourself, you could be in exactly this situation.”

The Homestore case and other major corporate scandals, including Enron, WorldCom and Dynegy, are examined in Fairbank’s USC Law course, “Major Corporate Civil and Criminal Fraud: Lessons of Enron.”

“The behavior involved in each of those cases was clearly wrong, not in a gray area,” Fairbank noted. “There’s not a case I’ve been involved in where you could objectively write it down and have it pass the red-face test.”

In response to a question from USC Law Dean Edward J. McCaffery, Fairbank said it has been uncommon for executives like Shew to admit their wrongdoing and actively cooperate with prosecutors and civil plaintiffs. He noted, however, that former Enron CFO Andy Fastow recently was sentenced to just six years in prison after helping prosecutors and civil plaintiffs build cases against former Chairman Kenneth Lay, former CEO Jeffrey Skilling and the bank defendants (in the civil case).

For his part, Shew said he finds that talking about his act of securities fraud not only is the right thing to do in business dealings, but also cathartic for him and a lesson for others.

“Even if just one person makes the right decision because I’m speaking out, it’ll make me proud like you wouldn’t believe,” Shew said.

— Lori Stuenkel

USC Law alumni champion students,
faculty by creating endowments

Supporting excellence

By Rizza Barnes

They come from different walks of life, grew up in different generations, and pursued different career paths. Yet one connection runs deep: their devotion to USC Law.

This year, to help the law school continue to attract stellar students and faculty, a trio of distinguished graduates — Ruth J. Lavine '43, William A. Rutter '55 and Stephen P. Rader '81 — each have pledged major gifts designed to support the law school in perpetuity.

“USC Law graduates are extraordinary people who share a deep love for the school, a passion for excellence and a desire to help,” says Dean Edward J. McCaffery. “We are especially fortunate to count Ruth, Bill and Steve among our most loyal and supportive alumni.”

One gift will support scholarships. Another will establish a teaching prize. A third will endow a chair. All will create a lasting legacy.

More than 60 years ago, Richard Lavine '42 introduced himself to fellow student Ruth Jacobson '43 in the law library. (A mutual friend encouraged the meeting.) The couple eventually married in April 1944 and would later become partners in the firm of Fain & Lavine.

When her husband passed away in 1994, Mrs. Lavine wanted to honor his memory with a gift to the law school. After a conversation with then-dean Scott Bice '68, she decided to designate that gift to scholarships.

"I was able to go to law school, and I want others to have the same opportunity and experience," Lavine says. "To me, scholarships are the purest form of academic philanthropy because they directly help the students. Scholarships help in the recruiting process and allow the law school to bring in the very best. I'm so pleased to be able to assist in that."

After years of providing scholarship assistance to USC Law students, the Lavine Family Foundation this summer augmented



Ruth Lavine and Catherine Unger

Philanthropist & Pioneer

Richard and Ruth Lavine Scholarship Fund will open doors for exceptional students

its longstanding commitment by pledging to endow the Richard and Ruth Lavine Scholarship Fund.

According to daughter Catherine Unger, the gift is a fitting tribute to her parents. She remembers her dad as a dedicated scholar, someone who was truly interested in learning, and she is proud of her mom, who is one of the relatively few women in her generation to attend law school.

"My grandparents believed strongly in education and in all of its benefits," Unger says. "They encouraged my mom and her sister to pursue their scholastic goals. It didn't matter that they were girls."

The Jacobson sisters began their scholarly pursuits in England, after their family left Germany on April 1, 1933, two months after Hitler's appointment as chancellor. When they immigrated to Los Angeles in 1938, both Mrs. Lavine and the late Leonore Jacobson Kunz '44 attended USC as undergraduates and as law students.

After passing the bar exam, Mrs. Lavine practiced part time while raising a family. Fifteen years later, she began working full

time with fellow USC Law graduates Robert Thompson '42, the late Laughlin Waters '46 and the late Conrad Moss '49. She then practiced with her husband and Harry Fain '46 until Mr. Lavine was appointed a Los Angeles Superior Court judge in 1980. She retired as a solo practitioner, specializing in probate and estate planning, in 1990.

Today she still attends continuing legal education courses and pays her bar dues. She also remains involved with USC Law.

"My parents both had a great law school experience at USC," Unger says. "Their love for the law school is just one of the many common interests they shared, including travel and serving the community. Each of them was always president of some organization — that's the kind of atmosphere I grew up in. They taught me the importance of giving back and, whenever possible, trying to make the world a better place."

When former USC Law Dean and Professor Orrin Evans took ill for a brief time in the late 1950s, William Rutter '55, then a private practitioner, stepped in as an adjunct professor to help teach a few of Evans' classes.

"That's when I realized that teaching ain't all that easy," Rutter recalls with a smile. "You think you know a subject fairly well until you try to teach it to somebody else. I was amazed at the amount of time it took me to prepare for class.

"To inspire students in some way, to get their minds working and keep them alert and interested — that requires a great deal of foresight, preparation and ideas. Great teachers have these abilities and are remembered for it."

Years later, after founding The Rutter Group, one of the leading legal publishing companies in the country, Rutter designed an award to honor the hardest-working people he knew: He established a teaching prize program at four University of California law schools, where promotions and raises were tied primarily to research and publications, and less credit was given to classroom performance.

Although this is not the case at USC, Rutter — a longtime Legion Lex and Board of Councilors member — says he had always dreamed of establishing a similar program at his alma mater. This year, with his \$1.2 million pledge to USC Law, the William A. Rutter Distinguished Teaching Award program was set in motion.

Honoring Great Teachers

William A. Rutter Distinguished Teaching Award to recognize excellence in the classroom

William Rutter



With a prize of \$50,000, the award will be given annually to a USC Law professor who demonstrates exceptional abilities in the classroom. The purpose, Rutter explains, is to recognize the additional time and effort great law teachers apply to preparation and classroom performance. Because such professors inevitably attract larger classes, Rutter notes, they spend additional time grading papers and interacting with students.

"I see this award going to the kind of professor who exposes students to different ways of thinking," Rutter says. "My hope and expectation is that the award will encourage younger faculty to devote more time to classroom teaching, in addition to their scholarly research."

After graduating from USC Law, Rutter practiced with classmate Sydney M. Irmas '55, specializing in business litigation and appellate work until 1970. During this time, he also wrote and published all of the original *Gilbert Law Summaries*, the most popular study aid for law students in the country, and with Irmas co-founded the company that became BAR/BRI Bar Review, which offers the largest bar review course in California. He founded The Rutter Group in 1979 and, as president, Rutter spends most of his time working with some of the best legal minds in the country — judges, justices and attorneys who write Practice Guides covering legal areas from alternative dispute resolution to real property transactions.

"I had prospered as an attorney and an educator, and I attribute that to the head start I got at USC," Rutter says. "Being a student at USC Law was also a fun time — one of the best times of my life. Some of the friendships I made in law school are with me to this day. For all these reasons, I am indebted to the school and always will be."

Stephen Rader's USC roots are deep and strong. Like his father, Stanley Rader '63, Stephen received his bachelor's degree in accounting and went on to the USC Gould School of Law for his J.D. And like his father, Stephen graduated at the top of his law school class.

His sister, Janis Rader '77, also earned a law degree from USC. His wife, Anne, and her two brothers and two sisters earned USC degrees as well; their father was a surgeon at LAC+USC Medical Center.

And today, his younger daughter, Haley, is a sophomore at USC, studying communications. (Daughter Katelyn graduated *magna cum laude* from New York University in 2006.)

"My family's ties to the university are very strong," says Rader. "When I decided to go to law school, I only applied to USC because I wanted to carry on the family tradition. Since my father passed away in 2002, one of my goals was to honor him, the family and our USC heritage. Creating an endowed chair seemed very fitting, especially because my father taught as an adjunct professor. I think he would have been excited about a gift that helps the law school attract the very best faculty."

This year, Rader pledged \$3 million to establish an endowment to fund the Rader Family Trustees Chair in Law. In addition



Stephen Rader

All in the Trojan Family

Rader Family Trustees Chair in Law honors a remarkable USC heritage

to commemorating his father, the gift is designed to help USC Law continue its rise in national prominence.

"I believe professionals feel an extra affinity for their professional schools," Rader says. "It's up to the alumni of those schools, if they have the means, to make sure their school has the resources it needs. I would like to see USC become one of the top 10 law schools in the country, and I know that takes money and resources."

While a student at USC Law, Rader served as a 1L section president and as executive notes editor of the *Southern California Law Review*. He also clerked for Judge J. Clifford Wallace of the U.S. Court of Appeals for the 9th Circuit.

After graduating in 1981, Rader practiced as a corporate securities attorney and a certified public accountant. He then served as a managing director for Bear, Stearns & Co., prior to joining Chartwell Partners in 1989. In 1997, he co-founded Rader Reinfrank & Co., LLC, a \$100-million Los Angeles-based private

equity fund. Today he is a co-founder and managing general partner of Clarity Partners, a private equity firm that invests in communications, media and related technology companies.

Aside from his involvement on the USC Law Board of Councilors, Rader — whose daughter Haley was diagnosed with type 1 diabetes at age 5 — also is active with the Juvenile Diabetes Research Foundation, serving as a board member in the Los Angeles chapter and chairing several fundraising events. Rader is an avid photographer as well; he has exhibited internationally and has won several awards.

"I could not have accomplished what I did in my business career without my legal background," Rader says. "My training at USC Law and my professors taught me how to think, how to solve problems, and how to articulate my thoughts and ideas. They taught me how to focus on important issues and to ask the right questions. My three years at USC Law allowed me to flourish in my business and my career."

Faculty

*Footnotes (a selection of recent faculty activities)



Kareem Crayton, assistant professor of law and political science, is a legal/political consultant on the USC interdisciplinary project Re-Imagining California, an initiative to use digital games/simulations to encourage greater civic participation. He introduced a proposal for states to consider adopting measures to protect minority voting rights, based on the experience of California's adoption of a voting rights act, at the Duke University Symposium on Voting Rights. He also presented "Importing Democracy from Abroad – South Africa's Lessons on Election Administration" at the Law & Society Summer Workshop in South Africa.



Ariela Gross, professor of law and history, participated in a Roundtable on New Legal Histories of Race and Nation at the Organization of American Historians' annual meeting in Washington, D.C. She presented a commentary titled "Slaves, Race, and Color in 18th and 19th Century Latin America: Some Comparative Observations" at the "Colloquium: Statutes, Science and the Seas: Slavery and Freedom in the Atlantic World" conference, held at the University of Michigan. She presented a paper titled "'The Caucasian Cloak': Mexican Americans and the Politics of Whiteness in the 20th Century Southwest" at the University of Pennsylvania Legal History Workshop. She spoke on "Native Identity, Citizenship and Land Allotment in the Early 20th Century U.S." at the ARENA Conference on Nations and Nationalism in Seville, Spain.



Gillian Hadfield, Richard L. and Antoinette S. Kirtland Professor of Law and Professor of Economics, discussed "The Quality of Law in Civil Code and Common Law Regimes: Judicial Incentives, Legal Human Capital and the Evolution of Law" at several law schools and academic conferences including Yale Law School, the University of Toronto, the University of British Columbia, New York University, and the American Law and Economics Association Annual Meeting. She participated in a conference on the Law and Economics of Contracting at Columbia Law School and presented a paper on

"The Role of Lawyers in the Promotion of the Rule of Law in (Emerging) Market Democracies," at the 13th Annual Clifford Symposium on The Rule of Law at DePaul Law School.



Ehud Kamar, professor of law, presented his article "Beyond Competition for Incorporations Law" at the Law and Economics Seminar at the University of California, Berkeley, Boalt Hall School of Law. The article is forthcoming in the *Georgetown Law Journal*. He presented "Going-Private Decisions and the Sarbanes-Oxley Act of 2002: A Cross-Country Analysis" (co-authored with Pinar Karaca-Mandic and Eric Talley) at the Law and Economics Workshop at New York University School of Law and at the Blue Sky Lunch at Columbia University School of Law. He also presented "Does Shareholder Voting on Acquisitions Matter" at the Law and Economics Workshop at Tel Aviv University Faculty of Law; at the Law and Economics Workshop at Hebrew University Faculty of Law; and at the Annual Meeting of the American Law and Economics Association.



Gregory Keating, William T. Dalessi Professor of Law and Philosophy, was named associate dean for academic affairs at USC Law effective Jan. 1, 2007. He presented a paper, "Strict Liability and the Mitigation of Moral Luck," to the USC Center for Law and Philosophy Conference on "The Morality of Fortune." His article "Abusing 'Duty'" (*Southern California Law Review*, 2006), co-written with Dilan Esper, was cited in an Aug. 28 California Supreme Court dissent for *Priebe v. Nelson*, written by Associate Justice Joyce L. Kennard '74. He was elected to the American Law Institute in May.



Dan Klerman, professor of law and history, was awarded the 2006 Gabriel and Matilda Barnett Summer Professorship at the USC law and business schools for support of research in law and economics. He delivered his paper, "Jurisdictional Competition and the Evolution of the Common Law" at the Annual Meeting of the American Law and Economics Association

and at the National Bureau of Economics Research (NBER) Law and Economics Summer Institute. He presented his paper, "Jurisdictional Competition and the Evolution of the Common Law," at Columbia Law School's Law and Economics Workshop and at the 17th British Legal History Conference in London. He delivered the keynote address at a symposium on "Judicial Independence and Legal Infrastructure: Essential Partners for Economic Development" at the McGeorge School of Law. He presented his paper, "Trademark Dilution after Victor's Little Secret: Identifying the Harm," at a symposium on the Jurisprudence of Justice Stevens at Fordham Law School.



Thomas Lyon, professor of law and psychology, was awarded a \$1.7 million five-year grant from the National Institutes of Health to study honesty in maltreated and non-maltreated children, and to assess the means by which children can be encouraged to divulge secrets without creating false allegations (see story on Page 3). He presented trainings on interviewing children at the Statewide Judicial Branch Conference in San Diego, the 20th Annual San Diego Conference on Child Maltreatment, the 10th Annual Juvenile Court Conference in Los Angeles, and to the Los Angeles District Attorney's office, the Los Angeles Child Advocate's Office, and the Los Angeles Department of Children and Family Services.



Andrei Marmor, Maurice Jones Jr. – Class of 1925 Professor of Law and Professor of Philosophy, presented in a plenary session "The Nature of Legal Positivism" at the International Association for Philosophy of Law and Social Philosophy (IVR) Conference in Granada, Spain. He presented "Constitutional Interpretation" at the Columbia Law School legal philosophy workshop and "Are Constitutions Legitimate?" at the Legal Philosophy Conference at Universidad Nacional Autonoma de Mexico in Mexico City.



Nomi Stolzenberg, Nathan and Lilly Shapell Chair in Law, spoke on "Gender, Sex, Culture and the Paradox of National Liberation" at the conference on "The State of Israel: The Theological-Political Predicament," sponsored by the UCLA Center for Jewish Studies. She presented a talk titled "Rule Without Others" at the Jewish Law panel at the Association of American Law Schools Annual Meeting in Washington, D.C. She participated in a panel discussion on "Creating the Public School Curriculum: Intelligent Design, Intelligent Spaghetti, and the Power of Parody in Public Deliberation," one of the USC Coffeehouse Discussions in Philosophy and Law.



Elizabeth Garrett (center)

PROFESSOR NAMED USC VICE PRESIDENT

Less than a year after moving to USC's executive offices in Bovard Hall as the vice provost for academic affairs, USC Law Professor Elizabeth Garrett received another unexpected offer, this time from USC President Steven B. Sample: He asked her to be the vice president for academic planning and budget, a new position at the university.

"When President Sample described the position, it seemed like a natural fit," says Garrett, the Sydney M. Irmas Professor of Public Interest Law, Legal Ethics, Political Science, and Policy, Planning, and Development. "My scholarship has long focused on budget issues and how revenue and fiscal concerns affect governmental decisions. I worked as a tax and budget counsel on Capitol Hill. This job deals with similar issues in an academic setting. Needless to say, I was enormously intrigued and immediately accepted."

In her new job, Garrett plays a key role in academic budgetary planning, using USC's strategic plan as a tool to devise priorities and initiatives. She also is working closely with Provost C. L. Max Nikias on budget issues for individual USC schools, as well as allocations of the central administration budget.

"We are privileged to be able to call on the expertise of Professor Garrett for this important role," said Sample in a memo announcing her appointment. "I believe that our academic mission will be further advanced by bridging various academic, administrative and financial boundaries through this new vice-presidential post."

In between meetings, university events and strategic planning sessions, Garrett continues her scholarship, which looks at democratic institutions, including the initiative process, and budget policy.

She also continues to direct the USC-Caltech Center on Law and Politics and is chair of the finance committee and vice chair of the national governing board of Common Cause. She recently finished serving on President George W. Bush's nine-member bipartisan Advisory Panel on Federal Tax Reform and was called upon to testify on tax matters before the Senate Finance Committee.

– Gilien Silsby



Daria Roithmayr

Notable critical race theorist joins USC Law faculty

Stellar scholar

Daria Roithmayr, a nationally recognized critical race theorist, has joined the USC Gould School of Law as a professor.

Roithmayr, who was recruited from the University of Illinois, specializes in critical race theory, an academic discipline that examines the intersections of race, justice and society. Her scholarship focuses on discrimination, immigration, evidence law, civil litigation, and trade and globalization.

For the past decade, she has examined similarities between race discrimination and market monopolies. She has developed a theoretical model based on market monopolies that explains why racial disparities in jobs, housing and education might persist even if people no longer intentionally discriminate. Roithmayr will publish her findings in her book, *Locked in Inequality: A Market Lock-In Model of Racial Discrimination*, in 2007.

“We are thrilled to have Daria here at USC Law,” says Edward J. McCaffery, Dean and Carl M. Franklin Chair in Law, Economics, and Political Science. “Daria is an innovative scholar, an engaging teacher and a wonderful, spirited colleague. Our faculty and students alike look forward to working with and learning from her.”

Roithmayr received a B.S. in psychobiology from UCLA and her J.D. *magna cum laude* from Georgetown University Law Center, where she was a member of Order of the Coif and served as senior notes editor for the *Georgetown Law Journal*. After graduation she clerked for Judge Marvin J. Garbis, on the U.S. District Court for the District of Maryland.

USC Law’s interdisciplinary scholarship and high-caliber faculty attracted Roithmayr to the school.

“I came to USC because the faculty here is top-notch and because the unique mix of people here — people who do law and economics working together with people who do more law and social science — fits perfectly with my intellectual interests,” she said. “The diversity of the law school student population and the vibrant activism of Los Angeles also were very important factors to me.”

Before joining the faculty at the University of Illinois in 1996, Roithmayr twice served as special counsel for Sen. Edward Kennedy on the Senate Judiciary Committee, advising him on the nominations of Justice David Souter and Justice Clarence Thomas.

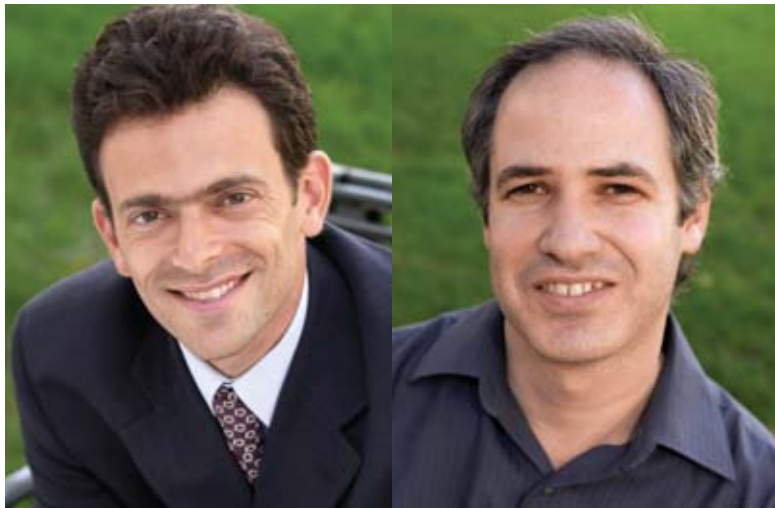
“Working for Senator Kennedy during the Clarence Thomas and David Souter nominations was incredibly exciting, particularly during the Thomas nominations,” she said. “During the Anita Hill hearings, I began to understand how law, politics, race and gender interact in a way that reproduces power, even when the form of power changes.”

Roithmayr also has worked in private practice in Washington, D.C., and Phoenix, and served as special counsel to the Mississippi Attorney General, litigating the state’s lawsuit against tobacco companies.

In the spring, Roithmayr will participate in a fellowship at the Center for Comparative Study of Race and Ethnicity at Stanford University, where she will finish her book and conduct research on racial cartels and the lock-in process.

— *Gilien Silsby*

USC Law welcomes scholars in business and IP law



Jonathan Barnett and Shmuel Leshem

Rising stars

The USC Gould School of Law has recruited two new assistant professors, further enhancing the school's prominence in business and intellectual property law.

Shmuel Leshem specializes in law and economics, focusing on game theory, and Jonathan Barnett is an expert on intellectual property, corporations and business organizations.

"USC Law has a history of hiring excellent young scholars who quickly become national leaders in their fields, and I think we've found two stars in Shmuel and Jon," says Edward J. McCaffery, Dean and Carl M. Franklin Chair in Law, Economics, and Political Science.

Barnett comes to USC Law from Cleary Gottlieb Steen & Hamilton in New York, where he was an associate attorney handling private equity investments, private and public mergers and acquisitions, and a variety of financing transactions. He also taught antitrust and contracts and led an advanced antitrust analysis seminar at Fordham University School of Law in New York.

A *magna cum laude* graduate of the University of Pennsylvania, Barnett received his M.Phil. from Cambridge University and his J.D. from Yale Law School. His publications include "Shopping for Gucci on Canal Street: Status Consumption, Intellectual Property and the Incentive Thesis" (*Virginia Law Review*, 2005); "Private Protection of Patentable Goods" (*Cardozo Law Review*, 2004); and "The Rational Underenforcement of Vice Laws" (*Rutgers Law Review*, 2002).

"I was attracted to USC by its sterling reputation for combining legal analysis with the best of social science scholarship and its faculty's strong commitment to cultivating young scholars," says Barnett.

Leshem is a recent J.S.D. graduate of New York University School of Law. He received a joint degree, *magna cum laude*, in law and economics from the Hebrew University in Jerusalem in 1997. In addition, he has an M.B.A. in finance from the Hebrew University and an LL.M. degree from NYU. Leshem's current research focuses on a signaling theory of termination fees in mergers. His recent works include "Settlement Authority, Signaling and Contingent Fees" and "Cross Ownership: Control and Competition in the Israeli Media" (with Yaron Ezrahi and Zohar Goshen; The Israel Democracy Institute, 2003).

Leshem says he was drawn to USC Law because of its strong interdisciplinary programs and reputation. He is particularly impressed by the close familiarity of faculty members from various disciplines with law and economics, as well as by the supportive and collegial atmosphere at the law school.

— *Gilien Silsby*

Professor wins distinguished fellowship



Mary Dudziak

USC Law Professor Mary Dudziak has won a prestigious fellowship from the American Council of Learned Societies for 2006, which will support her book project, *Exporting American Dreams: Thurgood Marshall's African Journey*.

Dudziak was one of 60 scholars and the only law professor this year to receive a fellowship from ACLS. The organization made awards totaling just under \$2.3 million to scholars for postdoctoral research in the humanities and humanities-related social sciences. The recipients were selected from 878 applicants.

Dudziak, the Judge Edward J. and Ruey L. Guirado Professor of Law, History and Political Science at USC, is working on a book about the role of law in the transition to independence in Africa and in the struggle for civil rights in America. At the heart of both stories was Thurgood Marshall.

A leading figure in American law and the first African-American to sit on the U.S. Supreme Court, Marshall aided African nationalists in negotiations on an independence constitution for Kenya when he was a civil rights lawyer in 1960.

"He played an influential role in a conference held by the British government to draft a Kenya constitution, writing a draft bill of rights and focusing especially on minority rights and property rights," Dudziak notes. "Scholars often ignore constitutionalism in Africa, but in Kenya in 1960, constitutional politics provided an alternative to warfare. Marshall did not simply transplant American norms in this context. Instead, he brought a forward-looking vision of what he hoped someday to achieve in America."

Dudziak adds: "I went looking for information on Marshall at the U.S. National Archives, and I found an even bigger story. Groups in Kenya that had been killing each other fought instead with constitutional clauses. Meanwhile, the civil rights struggle in the U.S. took a new direction, and the role of law was less clear. In the middle of these dramatic stories was Thurgood Marshall, whose faith in law remained undaunted."

Oxford University Press will publish the book in 2008, the centennial of Marshall's birth. Oxford also will publish another book by Dudziak, *How War Made America: A 20th Century History*. In this next book, to be completed after the Thurgood Marshall project, Dudziak intends to reconsider central assumptions in the history of law and war — such as the idea that a pendulum swings between rights and security, favoring rights in peacetime and security in wartime.

"Military engagement has been a consistent feature of American life, especially since World War II," Dudziak says. "If we nevertheless think of war and militarization as an exception to normal life, something that happens and then goes away, we miss the sustained impact of war and militarization on American state-building and democracy over time."

— Gilien Silsby

USC Law faculty receive endowed appointments



Matthew Spitzer, Andrei Marmor and Gillian Hadfield

This fall, three USC Law professors were named to endowed professorships in a ceremony that commemorated their scholarship and the school's benefactors.

"We spend a lot of time talking to donors and philanthropists, and they are lovely people who have done good things and are doing good things by giving back," says Edward J. McCaffery, USC Law Dean and Carl Mason Franklin Chair in Law, Economics, and Political Science. "It is really their heartfelt giving that enables so much of what we do here. One of the things they get most excited about is creating chairs. They believe in what we do as scholars."

Matthew L. Spitzer '77 was named the Robert C. Packard Trustee Chair in Law. An expert in law and economics, broadcast regulation, and communications and mass media law, he is the former dean of USC Law and is a visiting associate in the Division of Humanities and Social Sciences at the California Institute of Technology. He also holds a joint appointment with USC's Department of Political Science.

Spitzer's position is named for the late Robert C. Packard '47, one of the nation's leading airline defense attorneys and a model of professionalism over the course of his nearly 50-year career with the law firm of Kirtland & Packard. As a generous supporter of the University of Southern California, his contributions total more than \$16 million.

Gillian Hadfield was appointed the Richard L. and Antoinette S. Kirtland Professor of Law. She studies the design of legal and dispute resolution systems in advanced and developing market economies; the markets for law, lawyers and dispute resolution; contract law and theory; economic analysis of law; and gender in economics and law. She is the executive director of the USC Center for Law, Economics and Organization, and is a 2006-07 fellow of the Center for Advanced Study in the Behavioral Sciences.

Hadfield's professorship is named for the late Richard Kirtland '32 and his wife, Antoinette Schamoi Kirtland. Mr. Kirtland was a

longtime supporter of USC Law and co-founder of Legion Lex. He specialized in insurance and malpractice defense at the law firm of Kirtland & Packard, of which he was a founding partner. Mrs. Kirtland, a gifted anesthesiologist, has served as a talented and respected member of the local medical community. She established the professorship in honor of her late husband and his lifetime of dedicated service to the legal profession.

Andrei Marmor was named the Maurice Jones Jr. – Class of 1925 Professor of Law. A prolific author on issues concerning the relationships among law, morality and politics, he is the director of the USC Center for Law & Philosophy and the editor-in-chief of the *Journal of Ethics & Social Philosophy*, an online peer-reviewed journal in moral, political and legal philosophy.

Marmor's professorship is named for the late Maurice Jones '25, a senior partner with the law firm of Jones, Bell & Simpson, who was deeply committed to education and civic affairs. The professorship was endowed through the energy and generosity of Jones and his USC Law classmates.

— *Kristen Natividad*

In 16th century England, a chair, complete with arms, legs and back, was a rare — and therefore prized — article of furniture. Common people sat on three-legged stools or wooden benches; the gentry used cushions on the floor; monarchs and high clergy sat on impressive chairs and thrones.

When a worthy teacher was accorded the rank of professor, he or she also received an actual chair, with arms, back and legs, as a symbol of his or her status in the world of learning. The early academic chair was established by a king or bishop, whose generosity was recognized in the title of the professorship.

Today's holders of academic chairs and named professorships are therefore part of a centuries old international community of eminent scholars.



Extreme dean

Heidi M. Hurd '88 embraces academic life with joy and moxie

Backpacking along the Continental Divide. Whitewater rafting through Dinosaur National Monument. Skydiving out of a Super King Air plane at 14,000 feet.

Just another summer in the life of Heidi Hurd '88: dean of the College of Law at the University of Illinois at Urbana-Champaign, scholar of law and philosophy, and outdoor enthusiast.

In some ways, Hurd says she approaches her job like she does her hobbies — with a spirit of adventure.

“The ultimate goal of an administrator is to build a vibrant community that faculty members find fruitful and engaging, and where students catch the intellectual bug and get jazzed about ideas,” says Hurd, also the David C. Baum Professor of Law and Professor of Philosophy and co-director of the Program in Law and Philosophy at Illinois.

“As dean, I’m always looking for new initiatives that will galvanize the intellectual energy of our law school. I’m big on experiments, so in that sense, I am a risktaker. If I think there’s a very worthy goal, and I’ve got to gamble big to achieve it, then I’m ready to roll the dice.”

Hurd’s strategy has paid off for Illinois. Since she was named dean in July 2002, the College of Law has added 13 members to its faculty, including 11 high-profile lateral hires, and faculty productivity has moved from the mid-30s to ninth in the nation, as measured by the number of articles posted on the Social Science Research Network. In the past three years, incoming students’ LSAT averages also have jumped from the 86th percentile to the 95th, and in 2006, the school — based on the 75th percentile LSAT scores of its most recent incoming class — ranked No. 1 in the nation for making the biggest improvement in its student body. Hurd also has sustained the College of Law’s standing as

the most diverse in the state of Illinois and among Big Ten Conference schools.

Today she remains an active scholar, publishing five articles on such topics as political theory and jurisprudence in 2005-2006 alone. She also regularly teaches criminal law and torts.

“I’m always miserable if I don’t have a writing project,” Hurd admits. “I also love students, I love the classroom, and I’m not willing to give up that fix. Through teaching, I feel connected with student concerns and interests.”

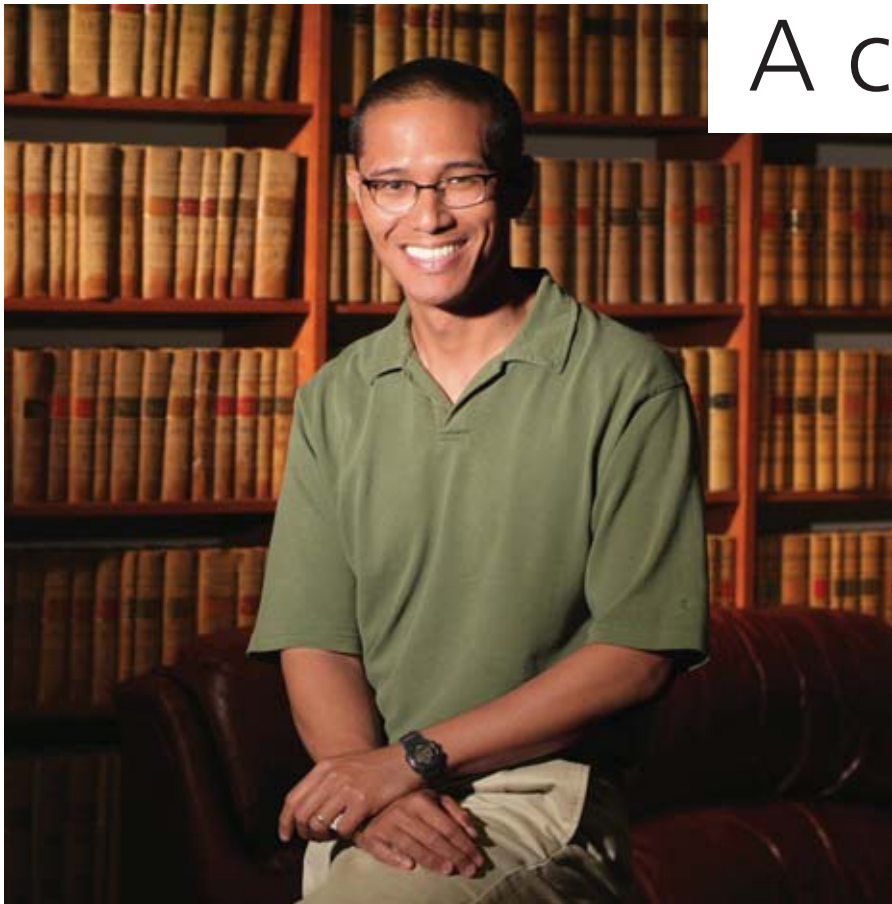
Sometimes, that connection transcends classroom walls — and travels up the earth’s atmosphere. Such was the case on Sept. 23, when Hurd joined 16 of her first-year criminal law students in her second skydiving expedition. According to Hurd: “My students found out what I did over the summer, so they put the squeeze on.”

After graduating from USC Law, Hurd spent most of her career as a professor at University of Pennsylvania Law School, where she also served as associate dean for academic affairs and co-founded and directed the Institute of Law and Philosophy. She was named the Herzog Research Professor of Law at the University of San Diego Law School prior to joining Illinois.

A native of Laramie, Wyo., Hurd was raised in Canada where she graduated with honors from Queen’s University in Kingston, Ontario, and received a master’s in philosophy from Dalhousie University. But she credits USC for shaping her career path.

“USC made me who I am today,” says Hurd, who received both her law degree and doctorate in philosophy from the University of Southern California. “My experiences at the law school, especially, forged me as an intellectual and as an ambitious legal academic. People have asked me through the years: What constitutes the model for my administration at Illinois? I tell them USC Law is a terrific model. I find it one of the most ambitious, intellectually engaging, fiercely tough-minded law schools in America. I’m a loyal alumna because USC molded my academic values.”

— *Rizza Barnes*



A call to academia

*Victor Romero '92 pursues passion
for teaching and scholarship*

Victor Romero '92 credits his USC Law professors for providing guidance when he decided to pursue a teaching career. The decision to become an academic, however, was prompted by a fellow alumnus.

After earning his law degree, Romero was a litigation associate for Folger, Levin & Kahn before U.S. District Court Judge David Kenyon '57 sought him out for a clerkship. The two first met when Romero externed for Kenyon as a law student.

"As a clerk, Victor just fit the bill," Kenyon says. "He has a fine legal mind, and I marveled at his keen interest in our student externs. When they were working through tough issues, Victor got those young people deeply involved in serious discussions, and you could tell Victor loved it, and they loved him. I said he should become a law school teacher because he's the best teacher I'd ever seen."

With Kenyon's encouragement, Romero, who served as notes editor for the *Southern California Law Review* during his last year at USC Law, decided to pursue his passion for teaching and scholarship in academia.

"I was blessed with having an excellent mentor in Judge Kenyon and some terrific teachers at USC," Romero says. "My late maternal grandfather, who was both a judge and a law professor in the Philippines, also was an inspiration."

Soon after completing his clerkship, Romero became an assistant professor at the Dickinson School of Law, the oldest law

school in Pennsylvania. In 1998, he was promoted to associate professor; he received tenure in 2000, when the school merged with Pennsylvania State University. Five years later, he was named the Maureen B. Cavanaugh Research Professor, and this summer, he became the associate dean for academic affairs for the school's University Park campus location.

As associate dean, Romero handles academic affairs concerning both faculty and students and develops interdisciplinary relationships with other campus departments. The university is investing approximately \$100 million to remodel the school's building in Carlisle, Penn., and to construct a new facility on Penn State's main campus, where Romero is based.

Romero also keeps busy with his scholarship. A prolific writer, he has published numerous articles and essays and is working on his second book, *Everyday Law for Immigrants and Foreign Nationals*. His first, *Alienated: Immigrant Rights, the Constitution, and Equality in America*, was published by NYU Press in 2005.

A native of the Philippines, Romero studies immigrant and minority rights. He has served as president of both the South Central Pennsylvania Chapter of the ACLU and the NAACP of the Greater Carlisle Area. He also has served as a visiting professor of law at Howard University School of Law and at Rutgers-Camden School of Law.

"The most rewarding aspect of my job is being given the freedom to think without having to worry about any particular agenda or particular limitations on my time," Romero notes. "The flexibility to think broadly about issues that are deeply interesting to me, about which I'm extremely passionate — that's what I love most about being a legal academic. A close second would be the privilege of having gotten to know and work with many fine students over the years. Just as I've been fortunate to have mentors, family and friends who have helped me through my career, I am equally lucky to have been a small part of so many others' lives as they've made their way through law school."

— *Rizza Barnes*

Obvious evolution

*Barry Currier '71 shepherds first
U.S. online law school*

The dean of Concord Law School, Barry Currier '71 knows the merits of the nation's first online law school, and he wants to ensure others know them, too.

"We're not trying to undermine the culture of traditional law schools," Currier says. "We're demonstrating that quality legal education can be done online, as well as in the traditional residential environment; you can do it well both ways. Distance learning can be a high-quality, rigorous, deeply challenging learning experience."

Currier began his career in academia at more traditional institutions three years after graduating from USC Law. Following a judicial clerkship in Washington, D.C., practice at Latham & Watkins, and one year as a research assistant to USC Law Professor George Lefcoe, he briefly taught at the University of Kentucky and Duke University schools of law. Currier then joined the University of Florida College of Law, where he taught for nearly 20 years and was named associate dean. He served as dean of the Cumberland School of Law at Samford University in Alabama for four years and then in 2000 began a four-year stint as deputy consultant on legal education for the American Bar Association. Then he was introduced to Concord.

"I was fascinated by the idea of an online law school," Currier says. "You see the way young people use technology and how they learn. Then you factor in how you are using technology in your own work. From there, Concord seems an obvious evolution for legal education."

Although Currier has always considered being a teacher and administrator to be in his make-up, he credits his USC Law experience with inspiring him to pursue a career in legal academia.

"The time that I spent at the law school was so rewarding and stimulating that it just seemed natural to me to want to go into teaching," he says.

After two years as Concord dean, Currier speaks of the school's 1,700 students with pride, noting that 40 percent have graduate degrees and nearly all are balancing some combination of work and family or other time-consuming obligations.



"The commitment of students in the distance learning world, particularly at Concord, exceeds anything I've seen in the rest of higher education," Currier says.

His own commitment is apparent to the entire Concord community, says fellow USC Law graduate Niki Mirtorabi '03, who teaches constitutional law and California community property for the school.

"Barry is a very dynamic leader who's concerned about the students and wants them to get a great education," Mirtorabi says. "At the same time he does whatever he can to facilitate the needs of the professors and the administration, so he really seems to be the glue that binds us all together."

Currently, graduates of Concord, a division of Kaplan, Inc., can only sit for the California bar. Increasing acceptance of Concord by the ABA or state bar admission processes depends on relaying Concord's message to the legal education community and the legal profession, notes Currier.

"What we can do is educate people about what we're doing, get feedback and make changes, and hope to accelerate the approval process," he says. "Distance learning will be a fact of life in legal education and, done well, adds choice and value for students who will be great lawyers."

—Lori Stuenkel

Seasoned educator

Brietta Clark '99 credits mentors with lighting her path to success



Two years after graduating from USC Law, Brietta Clark '99 went back to school and remains there, teaching future generations of lawyers.

Now in her sixth year at Loyola Law School, Clark recently received tenure and is enjoying the newfound flexibility and creativity that accompany her latest job title. Teaching has become more fun in this career phase, now that the stresses of being a new instructor are gone, Clark says.

"Once you get tenure, you really have this amazing power because of the security, visibility and resources at your disposal," she says. "For me, the challenge is to figure out how I can use this power to facilitate meaningful social change and greater health care access for our most vulnerable populations."

Clark teaches a variety of health law courses, as well as a business associations course, and recently has published articles examining gender equality in reproductive health and the diverting of hospital resources from urban to suburban and affluent communities. She also is a commentator for "Bioethics Forum," a service of the Hastings Center Report, and this fall examined the shortcomings of the prison health care system in California and nationwide.

A member of Loyola's appointments committee, Clark says she is grateful for having been groomed for success in academia by mentors at both USC Law and Loyola.

"I now see how little mentoring many candidates get, even at the top schools," Clark says. "It really surprised me — the more I know, the more I see of this process, the more thankful I am for

Tom Griffith, Ron Garett, and a number of other faculty at USC Law who mentored me, who guided me, who gave me the chance to write."

She says she chose Loyola in part because its faculty members were clearly dedicated to guiding junior faculty members to be successful and productive.

"They brought me here because they wanted me to succeed, and they helped me succeed," Clark says, by providing mentoring and support in teaching, scholarship and even finding opportunities for community service.

Clark always planned to teach in some capacity, and her experiences at USC Law showed her that law students were her ideal pupils — intelligent, inquisitive and full of passion. She taught legal writing as a student and later tutored first-year USC Law students while working as a first-year associate with Sidley Austin. The next year Clark received a summer fellowship with USC Law, where she developed her paper with input from a number of faculty members, including Garett, her former professor.

"As a student, she was totally engaged with the issues we were discussing in class, talking about them with seriousness; she was also probably the best listener in the class," Garett says. "She really wanted to hear what her classmates had to say and understand it. That level of respect for other students' opinions must make her a wonderful teacher. Students can tell when a teacher wants to hear what they have to say."

— Lori Stuenkel

Changing the world

By 2L Lindsay Toczyłowski



From left to right: Lindsay Toczyłowski with a Nicaraguan flag in front of Volcano Concepcion; with her co-workers at Centro de Mujeres Ixchen in Masaya; and atop an abandoned tank from the Contra war in the mountains of Northern Nicaragua.

I walked from my host family's home to my internship at Centro de Mujeres Ixchen in Masaya, Nicaragua, on a hot, humid morning in June. The streets were filled with the sounds and smells of a Nicaraguan summer — platanitos frying, taxis whizzing by, children playing tag in blue school uniforms, old women yelling out, "torrrrillas!" As I approached the building, painted bright pink, I felt both nervous and excited. The sign out front read, "Mujeres de Masaya, Ixchen está con vos." Women of Masaya, Ixchen is with you.

Ixchen is a non-governmental organization whose mission is to provide free and low-cost legal, medical and psychological services to women. Given the lack of free legal services in Nicaragua, Ixchen serves as a vital mechanism, giving women access to justice. Over the next 10 weeks I got to know the women of Masaya well.

Nicaragua is a poor country, and there is no way to sugarcoat that fact. The abject poverty my clients face cannot be divorced from their stories. Although Ixchen specializes in cases of domestic violence, we handled cases in a variety of practice areas including divorce, statutory rape, child support and guardianship.

One client who made an indelible impression on me came to Ixchen seeking assistance in obtaining child support for her children. She was accompanied by her 9-year-old-son who had to help get her in and out of the office because she was a double amputee and walked with great effort on a pair of precarious-looking prosthetics. According to the lawyer, the client lost her legs in an accident involving a landmine that had been left over from the war between the Sandinistas and the U.S.-financed and supported Contra rebels.

While I was interviewing this same client, she asked me where I was from. When I answered, she immediately said, "What do people in the states think of Nicaragua?" I looked at her and realized I did not have the heart to tell this woman — who had

lost so much as a direct result of choices made by our government — that most people in the United States do not even know where Nicaragua is located.

After that encounter, and many others like it, I began to realize our country's power to influence people's lives around the world. Months later, I was sad to leave a place where I had met such incredible friends and colleagues, but I returned to USC with renewed focus and energy. I feel as if I'm looking through a wider lens; my world is spinning on a new axis.

As president of the Public Interest Law Foundation, I have spent many hours encouraging my fellow students to make a commitment to pro bono service. Given my experiences this summer, that mission seems all the more urgent. Here at USC Law, I know I study among many future leaders of our society. This summer inspired me to do all in my power to ensure that these future leaders are aware of the global consequences of our decisions and of the obligation we hold as educated members of such a powerful nation to change the world for the better.

Lindsay Toczyłowski's internship in Nicaragua was made possible by the law firm Sonnenschein Nath & Rosenthal LLP. Through the Sonnenschein Scholars program, the firm — in commemoration of its 100th anniversary — awards \$4,000 stipends to 50 law students across the country to help underwrite their work at a public interest agency of their choice. The program, which will continue over the next four years, also enabled 2L Raúl Zermeno to spend the summer working at the U.S. Attorney's Office, Criminal Division, in Santa Ana, Calif.