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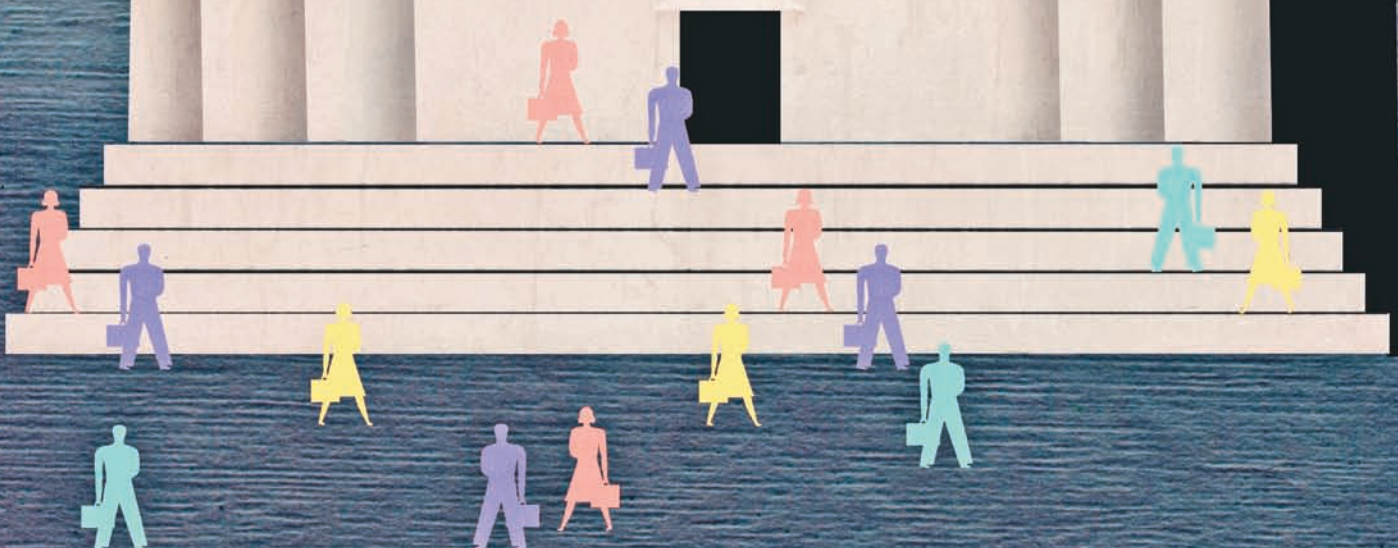
SUNY BUFFALO LAW FORUM

THE MAGAZINE OF SUNY BUFFALO LAW SCHOOL
THE STATE UNIVERSITY OF NEW YORK



GLOBAL GATEWAY

*The state's public law school is perfectly positioned
to teach international students New York law*



SUNY BUFFALO LAW FORUM

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SUNY Buffalo Law School
The State University of
New York*



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Congratulations to our 2013 Distinguished Alumni Award winners

HONOREES:

*For the
Judiciary*



Hon. John M. Curran '84
Supreme Court
Justice
New York State
Supreme Court
Eighth Judicial
District, Buffalo

*For Private
Practice*



James P. Harrington '69
Partner,
Harrington &
Mahoney,
Buffalo

*For
Community
Service*



Christopher L. Jacobs '99
Erie County
Clerk, Buffalo

*For Public
Service*



Mark G. Pearce '78
Chairman,
National Labor
Relations Board,
Washington,
D.C.

*For
Business*



Carol M. Matorin '76
Senior Vice
President and
General
Counsel,
Marc Jacobs
International,
New York City

*For Outstanding
Service by a
Non-Alumnus*



Lauren D. Rachlin
Partner,
Hodgson Russ,
Buffalo

For more photos and video visit: www.law.buffalo.edu/forum/extra



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SUNY Buffalo Law Forum

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MESSAGE FROM THE DEAN

We are on the ascent

Once again, it gives me great pleasure to speak with you at a time of enormous activity and vitality at SUNY Buffalo Law School. Those words cannot be used to describe many law schools in the country. But yet, with your generous support and wise counsel, we are not only weathering the turbulence that has hit legal education and the legal profession, we are in fact on the ascent.

My belief is that the law school of the future must be global in orientation and outreach. American legal practice realized this fact long ago, but law schools have been slow to respond to globalization. We are taking steps to rise to this challenge. This year, I appointed Professor David Westbrook as director of global strategic initiatives. In this capacity, Professor Westbrook is working closely with me, the faculty and staff to elevate our international presence and create synergies between SUNY Buffalo Law School – the State of New York’s public law school – and downstate, the nation and the world. We need to claim our position as the affordable gateway to New York law –

“My belief is that the law school of the future must be global in orientation and outreach.”

– Dean Makau W. Mutua

the global center of international finance and law. We need to build on our excellent New York City Program in Finance and Law.

But the game-changer for us will be in becoming a magnet for international students for both the J.D. and LL.M. cohorts. We have asked, and received approval, from the ABA and the New York Court of Appeals to offer a two-year J.D. for international students who already hold a first degree in law from their countries. We believe these



Law School Dean Makau W. Mutua, left, and UB President Satish K. Tripathi with cheerleaders at the festive Campaign for SUNY Buffalo Law School kickoff event on April 26

students will help globalize our school, create excitement among our domestic students and enrich our alumni. Already UB is ranked among the top 15 public research universities in the nation for international students. The Law School can harness these synergies with the rest of the University to become a premier international center for excellence in legal education.

The other enterprise that speaks to our vitality is the tremendous success of the Campaign for SUNY Buffalo Law School (www.law.buffalo.edu/campaign). We have just launched the public phase of the Campaign this April after reaching 60 percent of our total goal of \$30 million. What is most impressive is that your generosity has come through during the most trying period economically since the Great Depression. We are riding a great wave, including our celebration of 125 years of SUNY Buffalo Law School this aca-

demic year. That event in downtown Buffalo – the grandest in the history of the school – was attended by 1,000 strong. Thank you for your commitment, support and belief in our work together.

Finally, let me reiterate the growth in junior faculty over the last five years. We have hired 17 excellent new professors to cover our comprehensive curriculum, especially in black-letter law. We educate future lawyers with a conscience so that they can help the world entrench a culture of justice. We are grateful for the unstinting support of UB President Satish Tripathi and UB Provost Charles Zukoski in our campaign for academic excellence. I could not ask for a greater alumni community. You humble me – and the entire Law School – with your dedication.

EXTENDING OUR GLOBAL REACH

It's a small world, after all. Nowhere is that more true than in the legal profession. Law schools are finding that they need to prepare future attorneys for practice in global contexts and are trying to become more international – and SUNY Buffalo Law School is moving aggressively as a leader in that direction.

Under the guidance of **Dean Makau W. Mutua** and **Professor David A. Westbrook**, the school's newly appointed director of global strategic initiatives, the Law School is looking to coordinate and build on existing international engagements, and to institute some major new programs that will make SUNY Buffalo a truly international law school.

"The Law School has long maintained a global presence. In the coming years we plan to expand our footprint significantly in the international arena. As New York State's

public law school we are uniquely positioned to introduce international students to New York law and legal culture, which has become a *lingua franca* world-wide," says Mutua.

"New York law is really important," Westbrook says. "It is practiced

all over the world. The New York State Bar Association has an international section; a huge percentage of New York lawyers are not in New York. Along with that, New York City is not just the center of financial markets and consequently law, it's also a place for the lawful settlement of disputes, both in courts and through arbitration, from all over the world. And, of course, the United Nations is in New York, as is the New York branch of the Federal Reserve, which manages the world's primary reserve currency. Taking all this together, New York law, both in the narrow sense of transactional practice and the larger sense of legal culture, is at the heart of global law. So New York law is an asset that the rest of the world has a genuine in-

terest in. All of this gives us a strategic advantage."

TWO YEARS AND DONE

The chief initiative, expected to begin this fall semester, is an accelerated program for students who already have earned a first law degree outside the United States. These highly qualified students, who will arrive with solid LSAT scores, will be given advanced standing, meaning that they can earn the J.D. degree in two years instead of the traditional three. These students will take the standard core courses that all first-years take, then pursue elective interests in their second year. The program is expected to attract international students who wish to sit for the New York State Bar exam.

The new program complements the two master of laws programs currently offered – the general LL.M. and the LL.M. in criminal law – which are also designed for international students. The LL.M. in criminal law will be strengthened by the addition, in the next academic year, of Professor Luis Chiesa to the faculty. Chiesa, cur-



"New York law is an asset that the rest of the world has a real interest in. All of this gives us a strategic advantage."

— *Professor David A. Westbrook,*
director of global strategic initiatives



High hopes and big dreams as SUNY Buffalo Law School goes international



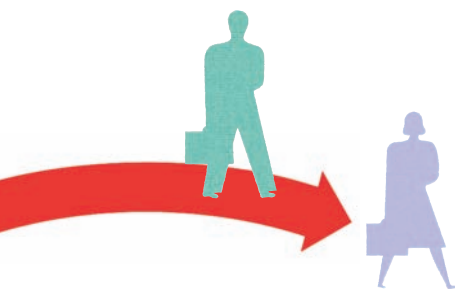
rently tenured at Pace Law School, is an internationally known criminal law scholar with extensive experience in Spain and Latin America, notably in the training of judges.

"We're trying to create a range of ways that different kinds of people can study at SUNY Buffalo Law School," Mutua says. "There will be the two-year J.D., the traditional three-year program, the master of laws programs, fellowship programs, and eventually, we hope, a Ph.D. program. As an international law school at a major research university, which both represents and serves New York, we want there to be a full spectrum of ways to participate."

Says Westbrook, "All of this fits together, if you think of SUNY Buffalo Law as accomplishing its traditional goals — teaching, research and service — in the interplay of the world in New York, and New York in the world. The thing that we have that nobody else has, as a marketing matter, is our relationship to New York law. Even though we are the law school of the State University of New York, and New York is so important internationally, we've never really pushed that button and represented ourselves that way to the world."

The Admissions Office and **Joseph E. Schneider**, director of post-professional and international education, are already gearing up recruiting efforts for the new two-year J.D. program, and for expansion of the existing LL.M. programs. **Lillie Wiley-Upshaw**,

Continued on Page 4



"We are trying to recruit a particular student. We want the perfect fit. It will not be for everyone, and at the same time we hope to continue to increase enrollment in our LL.M. programs."

*— Lillie Wiley-Upshaw,
vice dean for admissions and
student life*



Professor Meredith Lewis, director of the Canada-U.S. Legal Studies Centre



Continued from Page 3

vice dean for admissions and student life, is excited about this new opportunity and agrees with Schneider that the applicant pool – foreign lawyers looking to deepen their knowledge of U.S. law – is largely the same for the current master of laws programs and the new accelerated J.D. program. Students should find the chance to spend an additional year in the United States attractive, they believe, as the LL.M. programs are a single academic year.

"The LL.M. program is fast," Schneider says. "In the two-year program, students will have more opportunity to be immersed in the Law School and in American culture."

In addition, he says, significantly increasing the population of international students in O'Brian Hall "will change the culture of the building," adding new perspectives to class discussions.

English-language proficiency should not be a barrier, Schneider says, because students worldwide take the LSAT in English. Poor speakers of English wouldn't achieve the high LSAT scores that will be a prerequisite for admission. According to Wiley-Upshaw, "We are trying to recruit a particular student. We want the perfect fit. It will not be for everyone, and at the same time we hope to continue to increase enrollment in our LL.M. programs."

Schneider spent part of April in Tokyo, Seoul and Djakarta, Indonesia, participating in panel discussions at college fairs and representing SUNY Buffalo Law School to prospective students.

A WORLD CAPITAL

The Law School's international focus also incorporates an expected expansion of the school's successful New York City Program in Finance and Law.

"The New York City program has a stunningly cool design," Westbrook says, noting that students in the accelerated J.D. program will have the opportunity to participate in the program in their second year. "Moving forward, I want to think of New York as a place where we do programs, including the one we're now doing. I'd like to see us there during the entire academic year, with more students doing more kinds of things. So we'd like to expand the New York City presence in terms of numbers and in terms of subject matter," he says, citing commercial dispute settlement and public international law as two likely topics for future programs. Also under consideration is establishing a presence in Washington, D.C., that would complement the New York City program.

"We haven't made study elsewhere a normal part of getting a degree at Buffalo, and we would like that. We would like it to be completely ordinary for our students to spend at least one of their semesters in one of the other places we teach, either in New York, or maybe in D.C., or someplace with which we have an exchange agreement, such as Glasgow, or perhaps at a third institution, in Sao Paulo or Sydney or whatever might make sense for that student's education. And of course we're looking to welcome more exchange students to Buffalo, too."

Under its new director, **Professor Meredith Lewis**, the Canada-U.S. Legal Studies Centre is being reinvigorated. The center works to take educational advantage of Buffalo's location on the Canadian border, which creates cross-



SUNY
Distinguished
Service Professor
David Engel

border legal practices, such as international trade and immigration that students can explore in the real world.

The school also will reinforce its relationships with other universities worldwide and look to establish others, Westbrook says. SUNY Buffalo Law already has student exchange relationships with law schools in Barcelona, Spain, and Glasgow, Scotland. In addition, **Professor David Engel** takes a group of law students to Chiang Mai, Thailand, each January during the bridge term; there they learn about Thai legal culture and share ideas about U.S. legal culture with members of the Chiang Mai academic community.

These student exchanges are augmented by a pioneer program of the New York State Bar Association's International Law Section, initiated by **Lauren D. Rachlin**, a member of the international/cross-border practice group at the Buffalo office of the law firm Hodgson Russ. The program places SUNY Buffalo Law students in outbound legal internships worldwide. Last year students spent the summer in South America, Prague and Vienna. The internship program is expected to expand, and the Bar Association wants to establish a student chapter of the International Law Section at the Law School. "It is important to open the students' eyes to what is out there," says Rachlin. "They are working with civil law and other legal structures and they make lifetime contacts besides."

SUNY Buffalo faculty have traditionally been engaged around the world. Westbrook hopes to build on this tradition by encouraging junior faculty to speak, teach and collaborate internationally, and perhaps by offering short courses. The highly successful fellowship program of the Baldy Center for Law & Social Policy brings talented scholars, many with international expe-

rience, to the Law School to research, teach and engage in informal networking. In the past several years, the Law School has hosted visiting scholars from Azerbaijan, Bangladesh, Brazil, China, Kyrgyzstan, Norway, Poland, Spain, Turkey and Zimbabwe. In addition, the recently established Baldy Center Fellowships in Interdisciplinary Legal Studies have drawn highly qualified young scholars, at the post-doctoral stage, from around the world. The center expects to establish more fellowship programs as well, and down the road would like to establish a Ph.D. program.

BY THE NUMBERS

All of these efforts, Westbrook says, are "very much integrated with UB 2020," the University's long-range strategic plan. (Wiley-Upshaw serves on the Law School's Strategic Planning Committee.) "We are talking and listening to everyone throughout the Law School. As we think about our future we are intent on considering all possibilities," says Wiley-Upshaw.

Says Mutua, "We are taking advantage, and will take more advantage, of being part of a major public research university. Making the Law School more international will make it more like the rest of UB, which is already one of the more international universities in the nation."

"We have in New York the most important legal culture in the world. There is no reason why SUNY Buffalo Law School cannot be one of the great law schools in the country."

"Significantly increasing the population of international students in O'Brian Hall will change the culture of the building."

— *Joseph E. Schneider, director of post-professional and international education*



Internships aplenty

More federal judges welcoming

SUNY Buffalo Law students to their chambers



Last summer's clerks for Judge Julio M. Fuentes '75: left to right, Clay H. Kaminski, Kristen L. Richer, Megan Quattlebaum, Peter J. Anthony and SUNY Buffalo Law students Kristie A. Means '13, Ryan M. Mura '14, Reg J. Miller '13 and Earl K. Cantwell III '14



U.S. District Judge Jeffrey S. White '70



U.S. District Judge Cynthia M. Rufe '77



U.S. District Judge Paul L. Friedman '68

This summer is shaping up to be an extraordinary one for SUNY Buffalo Law students with an interest in how the courts work.

An unprecedented number of first- and second-year students have accepted summer internships with judges. The placements are at all levels of the judicial system, but especially notable is the surge of interns in the chambers of federal judges – many of them SUNY Buffalo Law alumni themselves.

While judges in the Western and Northern Districts of New York often hire SUNY Buffalo students as summer law clerks, this year the national reach will expand. Buffalo students will work this summer with **U.S. District Judge Jeffrey S. White '70** in the Northern District of California; with **U.S. District Judge Cynthia M. Rufe '77** in the Eastern District of Pennsylvania; with **U.S. District Judge Paul L. Friedman '68** in the District of Columbia; and with **U.S. Court of Appeals Judge Julio M. Fuentes '75** in the Third Circuit, who



U.S. Court of Appeals Judge Julio M. Fuentes '75 advises a law student.

hears cases in Philadelphia. Fuentes will have four SUNY Buffalo Law interns this summer. He has been taking a large number of Buffalo students for many years.

"Internships in federal courts tend to be highly visible, highly regarded opportunities that can be profile-raising for students' resumes," says Marc Davies '03, associate director for career services. "These students are landing positions in very competitive geo-

graphic markets. Many of the students who are going to go into judicial clerkships are perhaps not interested in the courts as a career but as a stage of education, a short period of experience that will help make them better attorneys and more attractive candidates to employers nationwide."

This summer's successes reflect work by Davies and the Career Services Office to help students get a foot in the door. "I am a connector of sorts," he says. "In the fall we get on the phone and call more than 70 federal judges throughout the Northeast, and ask if they are willing to accept applicants. At the same time, we are gauging the level of interest of first-year law students by meeting with each one. We advertise those opportunities to our students and advise them through the application and interview process, and the faculty weigh in on their relative writing abilities."

Typically, he says, crossing the threshold for the first time with a judge is the hard part. "Getting the opportunity opened up to your student is the first order of business," Davies says. "But then beyond that, if the judge is going to continue to consider applicants, those who come into chambers have to perform at a high level."

The SUNY Buffalo Law connection shared by some federal judges, he says, "may make them a little more inclined to consider our applicants. They understand that you have top performers at law schools throughout the country, and not just the most visible law schools. They're giving an opportunity for this meritocracy to take shape."

The experience that students gain is manifold: exposure to the judicial decision-making process, experience with the different actors in the court system, the opportunity to develop mentoring relationships, the chance to get a foothold in the geographic area where they want to practice. And there's no substitute for the intensive research and writing that is the substance of these in-

Completing a prestigious clerkship

ternships. "In many cases," Davies says, "they have the opportunity to test and develop the depth of their analytical ability, to really get a sense of how legal problems are thought about and resolved."

That was how it was for Joseph Jansen '12, who now practices corporate law with the international firm Freshfields. His internship in summer 2010 with Judge Fuentes was, he says, "a phenomenal opportunity."

"We basically did what the clerks did, under their guidance," Jansen says. "You would research the law on whatever case you were assigned, and then you would read the briefs both sides submitted, then eventually do drafting. The judge would make the decision on whether the case was going to be upheld or overturned, and we would do the initial draft of how that would look. The judge would meet with us and go over our writing and what he liked and didn't like. We would be going back and forth with the clerks as well. It really kept you on your toes, knowing that these incredibly smart clerks and the judge would be looking at what you're doing."

"It was definitely intimidating," he admits. "You've gone through just a year of law school. I didn't even really know how the whole process worked, but you pick that up pretty quickly."

Davies notes that the internships typically are unpaid. "The better our students do in these jobs, the more the reputation of the school's program is going to spread throughout the chambers in those districts," he says. "But it does come with a cost. There are very limited fellowship opportunities available. Some students are able to get course credit, so they can get student loans for that time. Some students work second jobs to help support themselves. . . . We are talking about making this a giving opportunity, exploring and developing funding to support fellowships for high-achieving students."

The federal district court internships come on top of other opportunities for students. In past years (including last

For one SUNY Buffalo Law alumnus, landing a prestigious post-graduation clerkship meant beating daunting odds.

Patrick Reinikainen '12 is now completing his one-year clerkship with **Judge Thomas P. Griesa** of the federal District Court in the Southern District of New York.



Patrick Reinikainen '12, left, is now completing his one-year clerkship with Judge Thomas P. Griesa.

Reinikainen is going on to a position with the national white-shoe law firm Davis Polk as well as an appellate clerkship with Judge Julio M. Fuentes '75 in the Third Circuit.

The Southern District is one of the most selective districts in New York, itself an extremely competitive arena for landing federal judicial clerkships. According to data from the Federal Judicial Center, more than 55,000 applications from students and practicing attorneys were submitted through law

schools for the 89 federal clerkship openings throughout New York State in 2011.

"With an overwhelming number of highly qualified attorneys vying for these positions, many federal judges have moved to selection criteria that include graduation from a Top 10 law school plus litigation experience as a practicing attorney," says Marc Davies, associate director for career services. "Nowhere in the state, nor throughout the country for that matter, is the competition for these jobs as fierce as it is in the Southern District of New York."

year) federal Magistrate Judge Lois Bloom '85 has hired SUNY Buffalo Law students as interns in the Eastern District of New York, as have State Supreme Court Judge Joan Kenney '85 and First Department Appellate Justice Judith Gische '80 in New York City. In the past three summers, more than 120 students have interned with judges, Davies says.

In addition, the school's extensive externship program, run by Lise Gelernter, sponsors placements typically during the school year, some of them with judges.

And a large program that spans the 8th Judicial District places about 20 first- and second-year students each summer with judges and courts throughout Western New York—family court, city and county courts, and State Supreme Court.

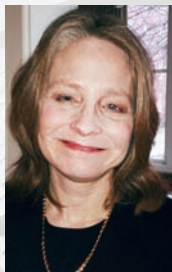
Oliver C. Young '80, principal court attorney for the 8th District, has coordi-

nated that program since the late 1980s. The internships started as paid positions, he says, but are now unpaid and eight weeks in length; students commit to two seven-hour days per week, though some put in more time. Most are from SUNY Buffalo Law, though there are also interns from other law schools who are home for their summer break.

"I encourage the judges to give them a task that develops their ability to do research and to write, because that's so critical," Young says. "It's something we should all strive to improve on. Students realize it's critical as well."

The program fills quickly, Young says, because students who have had an internship talk it up. "Most of them have talked to other students who have been through it," he says. "And the judges are volunteers as well. They love having students in the course, love being teachers, love the work product that these students provide."

State's top judge highlights SUNY Buffalo Law School Commencement ceremony



Helen A. Drew '88



Hon. John T. Curtin '49

New York State's highest-ranking judge presented the keynote Commencement address for the state of New York's only SUNY-system law school.

SUNY Buffalo Law School's 124th Commencement exercises took place May 18 at the Center for the Arts on the University's North Campus, featuring **Chief Judge Jonathan Lippman**. Last year, Judge Lippman led the nation by enacting the first pro bono service requirement for law students designed to provide additional legal resources to expand access to the justice system for low-income New Yorkers.

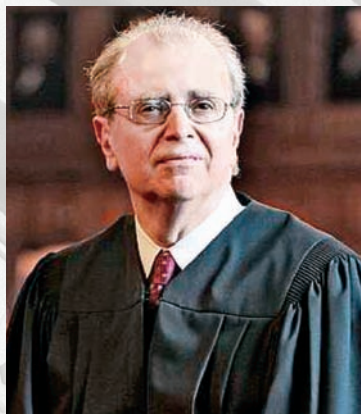
A total of 237 J.D.s graduated in February, June and September 2013, 107 of whom are female. Ten LL.M.s also graduated.

Judge Lippman, who was appointed chief judge in 2009, previously served for 11 years as the state's chief administrative judge. His career in the court system has spanned four decades, starting as an entry-level court attorney in the Supreme Court in Manhattan. He received his J.D. from New York University School of Law in 1968.

In proposing the pro bono initiative, he said, "We are facing a crisis in New York and around the country. At a time when we are still adjusting to the realities of shrinking state coffers and reduced budgets, more and more people find themselves turning to the courts.

"The courts are the emergency rooms of our society – the most intractable social problems find their way to our doors in great and increasing numbers. And more and more of the people who come into our courts each day are forced to do so without a lawyer."

The 50-hour requirement takes effect for those who seek admission to New York practice after Jan. 1, 2015. Many SUNY Buffalo Law students already have a significant record of public-service legal work through the school's legal clinics, summer intern-



Chief Judge Jonathan Lippman

ships and other opportunities to gain real-world legal experience.

Other 2013 Commencement highlights included presentation of the Dean's Medal to **Hon. John T. Curtin '49**, senior U.S. district judge for the Western District of New York. The Dean's Medal is given annually to an individual who is distinguished by his or her commitment to justice and the rule of law. Curtin, among Western New York's longest-serving U.S. District Court judges, has presided over some of the area's highest-profile federal cases over more than 35 years.

"Judge Curtin has championed issues of social justice throughout his long and distinguished career, bringing equality and the rule of law to the Buffalo community in multiple arenas. It is with the greatest respect and admiration that I pay tribute to a man of such stalwart principles," said SUNY Buffalo Law Dean Makau W. Mutua.

Judge Curtin served as U.S. Attorney for seven years before ascending to the bench in 1967. He was named chief judge in 1974 and served in that capacity until 1989, when he assumed senior status.

The Ken Joyce Medal for Excellence in Teaching and Longstanding Service to the Law School was presented to

Helen A. Drew '88. The award, named after SUNY Distinguished Teaching Professor Emeritus Ken Joyce, a renowned teacher and specialist in tax law, honors teaching excellence and service among SUNY Buffalo Law School's extensive adjunct faculty.

Drew is a longtime adjunct instructor at SUNY Buffalo Law School with special expertise in sports law. Having taught about issues in sports law at the school since 1996, her courses include sports law, drug testing in professional sports, and professional sports contract negotiation and arbitration. A well-known booster of girls ice hockey at the high school level, Drew has served as associate in-house counsel and corporate officer to Buffalo's National Hockey League team, the Sabres, and as an associate attorney with the Buffalo law firm Cohen, Swados, Wright, Hanifin, Bradford & Brett, where she worked on NHL matters as well.

Dean Mutua said the choice honors an excellent teacher and points up the Law School's commitment to graduating profession-ready lawyers in diverse fields.

"Helen's teaching truly bridges the gap between theory and practice and offers our students outstanding skills training that goes well beyond the field of sports law," Mutua said. "She draws upon her vast legal experience in professional and amateur sports to teach students skills in negotiating, drafting and interpreting as well as in the use of alternative methods of dispute resolution – skills every attorney needs, regardless of specialty."

Professor Charles Patrick Ewing, who as vice dean for academic affairs oversees the school's adjunct faculty, said, "Helen's courses are always extremely popular with our students, and for good reason. The broad topic – sports law – is inherently interesting to most. But more than that, she is a gifted teacher who is dedicated to her students and to our Law School."



At left, 40th Annual Albert R. Mugel National Tax Moot Court Competition



Spring moot court and trial competitions

At home and across the nation, SUNY Buffalo Law students have excelled in moot court and trial competitions this spring. Among the best performers:

Herbert Wechsler National Criminal Law Moot Court Competition

March 23

- *Advanced to quarterfinals:* Matthew Hoffman '13 and Shea Kolar '13
- *Third best oralist:* Hoffman



Left to right: Stephen C. Earnhart '14, Nicholas A. Romano '13, Christine O'Connell '14, Erin A. Kulesus '13

National Ethics Trial Competition

March 15-17

- *Best Overall Advocate:* Nicholas A. Romano '13
- *Advanced to semifinals:* Nicholas A. Romano '13, Erin A. Kulesus '13, Stephen C. Earnhart '14 and Christine O'Connell '14

ABA National Appellate Advocacy Regional Competition

March 7-9

- *Best Overall Oral Advocate:* Caitlin Higgins '13
- *Fourth Best Overall Oral Advocate:* Corey Forster '13
- *Second Best Brief:* Higgins and Kinsey O'Brien '13
- *Regional finalists:* Forster, Adam Durst '13 and Phil Modrzynski '13
- *Regional semifinalists:* Higgins and O'Brien

Florida State University College of Law National Mock Trial Competition

March 7-9

- *Best Direct:* Carrie Anne Zimbardi '14

Albert R. Mugel National Tax Moot Court Competition

Feb. 28-March 2

- *Advanced to semifinals and second place for appellate brief:* Kevin Dwyer '13 and Kevin Campbell '13
- *Fifth-place award for oral argument:* Dwyer

Niagara International Moot Court Competition

Left to right: Jennifer Bryant '14, Carey Beyer '14, Melissa Overbeck '11, Matthew Hoffman '13, Angelyn Delgado '12, Erin Ross '13, Andrew Dean '14 and Adam Barth '13

Niagara International Moot Court Competition

Feb. 28-March 2

- *First place:* Carey Beyer '14 and Matthew Hoffman '13
- *Second Best Respondent Argument:* Jennifer Bryant '14 and Andrew Dean '14
- *Third Best Advocate:* Bryant

National Trial Competition New York State Regionals

Feb. 7-10

- *Best Advocate:* Cathleen M. Roemer '13

Philip C. Jessup International Moot Court Midwest Regional Competition

Jan. 31-Feb. 3

- *Advanced to semifinals:* Michael S. Das '13, Jonathan Dominik '13, John Land '12, Jessica Noto '12 and Henry Zomerfeld '12

Frederick Douglass Moot Court Northeast Regional Competition

Jan. 23-27

- *Advanced to national competition:* Franz M. Wright '14 and Adam M. Faeth '14
- *Advanced to quarterfinals:* Kimberly A. Rowles '13 and Ian A. Bigelow '14
- *Best Petitioner Brief Award:* Shayna D. Eichen '14 and Sarah E. Tanbakuchi '14

Healthy thinking

Exploring practical implications of environmental justice

The practical implications of environmental justice – fighting for the rights of poor and minority persons in neighborhoods unfairly burdened by toxic wastes – got a thorough airing at a forum co-sponsored by SUNY Buffalo Law School.

The “Environmental Justice Forum for Buffalo Homes and Neighborhoods” took place on April 26 – Arbor Day, as one speaker pointed out. It brought together about 50 students, academics, law enforcers and activists to share ideas and strategies on such issues as air and water quality, healthful and affordable housing, zoning and land use, and neighborhood contamination. The forum dovetailed with the Law School’s Healthy Homes practicum, whose law students provide legal support to the National Green and Healthy Homes Initiative.

Speakers acknowledged the presence, especially in the City of Buffalo, of an aging and deteriorating housing stock and environmentally unhealthy conditions in many neighborhoods.

The first speaker, Erin Heaney, executive director of the Clean Air Coalition of Western New York, gave a brief history of the environmental justice movement. “Who reaps the benefits and who is carrying the burden of the adverse impact of a modern industrial society?” she said. “Environmental justice comes down to who is winning and who is losing.”

Heaney described the work of her coalition in addressing the problems in two local communities: Buffalo’s West Side, where heavy car and truck traffic crossing the Peace Bridge has led to high rates of cancer and miscarriage, among other ill effects; and the Town of Tonawanda, where a heavily industrial section produces the highest levels of airborne benzene in the state, and where Tonawanda Coke was recently found guilty of violating the federal Clean Air Act and its environmental control officer was convicted of obstructing justice.

William J. Hochul Jr. ’84, U.S. Attor-



“We simply want businesses to play by the rules.”

— William J. Hochul Jr. ’84,
U.S. Attorney,
Western District
of New York

ney for the Western District of New York, talked about that case and seven other pollution-specific cases prosecuted by his office. “Not only are there issues related to exposure to carcinogens,” he said, “but it’s also critical that we get to the root of it so that we can stop the process, remediate if possible, but simply get corporations and employees to do the right thing. We simply want businesses to play by the rules.”

He detailed as well a case against an asbestos remediation contractor in Rochester whose workers – many of whom spoke no English – were exposed to high levels of the carcinogenic material. “It was so thick that it was falling like snow,” Hochul said. “The workers repeatedly asked the company, Are we working with any hazardous material?, and they

were told no.” A trial in federal court resulted in conviction and “hundreds of thousands of dollars in fines.”

Two speakers joined the forum by teleconference from the Environmental Protection Agency’s new Office of Environmental Justice: Matthew Tejada, its director, and Suzi Ruhl, a senior attorney with the office.

“Everybody in the agency is talking about environmental justice and has made it their own,” Tejada said. “The amount of work and the level of success that has been achieved here over the last few years is just tremendous.” He enumerated the principles underlying this work at the federal level: sound science, the rule of law, and meaningful engagement with the local communities grappling with environmental problems.

Ruhl cited President Obama’s Executive Order 12898, which stipulated that “each federal agency shall make



Participants discuss impacts on homes and communities.



Jane Cameron, assistant attorney general with the Environmental Protection Bureau



Left to right, Cara Matteliano, Community Foundation for Greater Buffalo; Laura Mangan, coordinator for UB Civic Engagement and Public Policy; and Law Professor Kim Diana Connolly, vice dean for legal skills



Kerisha Hawthorne '14, law student in the Healthy Homes Practicum

achieving environmental justice part of its mission,” and noted: “We don’t have an environmental justice law, but we have a whole suite of federal environmental laws.”

Forum attendees broke into working groups to tackle issues of particular interest to them, then reported back to the full group before the final speaker: Jane Cameron, an assistant attorney general for the Environmental Protection Bureau, part of the state attorney general’s office.

Cameron spoke about the bureau’s role in initiating litigation, noting that “ours is the only state attorney general’s office to have a staff scientist.” The office, she said, by charter represents state agencies, but has the latitude to sue to protect the public’s health and safety, and to petition for the redress of interference with a “right common to all”—such as clean air and water, and freedom from excessive noise.

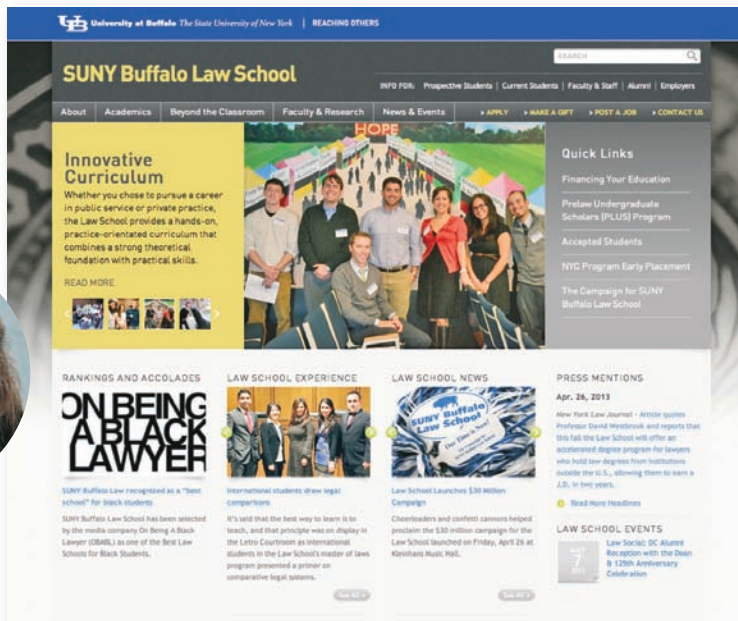
“We need to think through how to truly do partnerships and how to work

together. We need more advocacy, more training, new laws, resources and continued overall engagement. I’m very hopeful. I think this is the first step in bringing it together in this new context,” said Law Professor Kim Diana Connolly, lead organizer of the forum.

In addition to the Law School and University, the event was co-sponsored by Neighborhood Legal Services Inc. and the Community Foundation for Greater Buffalo.



Kristina Lively,
SUNY Buffalo Law
School webmaster



A site to see

Law School's new website combines function and elegance

After an 18-month journey of listening, rethinking and remaking, the Law School's website—its virtual “front door” to the world—has been reinvented for a new generation of users.

Under the guidance of webmaster **Kristina Lively**, the site has an elegant new look. More importantly, perhaps, its content has been streamlined and reorganized so that vital information is easier to find and the site reflects the dynamism of everyday life in O'Brian Hall.

“A great website is critical to our future,” says **Ilene R. Fleischmann**, who as vice dean for alumni, public relations and communications has responsibility for the Law School's external relations. “When the University decided to install a new content management system, it became important for the Law School to participate and leverage the University's and the Law School's resources.”



Ilene R. Fleischmann,
vice dean for alumni,
public relations and
communications

The content management system enables University departments, including the Law School, to easily share photos, stories and videos, and creates a framework for timely updates to the website. But the Law School's site (www.law.buffalo.edu) is unique to its special position in legal education.

“This is a strategic website to help us primarily with external audiences—to recruit students, recruit faculty, and inform donors and alumni of what's going on,” Fleischmann says. “It also enables our faculty to publicize their work and helps to enhance our reputation.”

Work on the new site came after a series of focus-group interviews with key stakeholders in the school, who contributed their ideas about what the site should accomplish and how it should work. Lively worked with other web experts in UB's Office of University Communi-

cations to create a design consistent with the Law School's other marketing communications.

“The website is the mother ship,” Lively says. “It's the most complete, most up-to-date, most thorough information we can provide.” And so, she says, all the other ways the Law School communicates—*SUNY Buffalo Law Forum*, the online newsletter *SUNY Buffalo Law Links*, the school's Twitter feed and Facebook presence, its LinkedIn and Flickr accounts, and its printed mailings—will link back to the website.

When they get there, web surfers will find an attractive site heavy on photographs and video. Set against an image of the school seal, the page-top banner showcases feature stories about people and events at the Law School. A clickable “carousel” of photographs leads to other feature stories.

Beneath the banner are three major sections:

- **Rankings and Accolades** reports on positive mentions of the Law School by ranking organizations. “Law School Experience” helps prospective students imagine what their experience would be like at SUNY Buffalo Law, with stories about happenings that involve students.

- The **Law School News** section points to the most recent news and upcoming events.

- **Press Mentions and Law School Events** compiles media appearances by Law School faculty and a school event listing.

Farther down the page are links to the Law School's Twitter feed and a featured video, which will become an increasingly important part of the website. “Prospective students are very curious about what life in law school is like, and videos are very good at portraying that,” Fleischmann says.

“Audience navigation” buttons across the top allow for easy access to major areas of interest—an “about” button with general information, and buttons for academics, educational opportunities beyond the classroom, faculty and research, and news and events. There are also buttons that point to “key tasks” that visitors might be seeking: apply for admission, give to the Law School, post a job and contact the school.

A user favorite, “Did We Miss Something?” is an interactive dialogue box that enables users to make suggestions.

Doing even more good

Pro bono requirement will reinforce and expand Law School's public interest work

Starting next summer, law students who want to be admitted to the New York bar will face a new requirement: completion of 50 hours of pro bono legal work. For decades, well over half of the students who graduated from the SUNY system's only law school have already done such work and more. Now, plans are in place to help all SUNY Buffalo Law School students meet this new condition.

This new mandate, issued by Chief Judge Jonathan Lippman on Law Day 2012, has two purposes: providing future attorneys solid experience, while simultaneously giving underresourced clients access to legal advice. According to Vice Dean for Student Affairs Melinda Saran, "Students are eager to apply their law school learning through pro bono work, such as working with veterans in Genesee County and assisting refugees applying for asylum."

Dean Makau W. Mutua was the only law school dean to serve on the statewide advisory committee convened by the chief judge to issue recommendations for practicable implementation. "I was honored to serve on Judge Lippman's committee," Mutua says. "I thought it said a lot about the value that he places on SUNY Buffalo Law School as the state's public law school."

"The committee was open and receptive to the concerns and ideas of law schools in implementing the pro bono rule. I want to commend Judge Lippman for being forward-thinking and creating an opportunity for us to inculcate in law students the spirit and substance of public service for the underserved. I hope New York's becomes the model for other states."

The requirement will affect the Class of 2014 first, and current second-year students may start accruing pro bono

hours now. "This is a requirement for bar applicants, not a mandate on the Law School," says Connolly. "But many students enroll in our institution hoping to sit for the New York State bar exam, so we have indirect responsibility for assisting in compliance. Fortunately, we have a history of supporting students in completing similar work, so it was easy to roll out a plan to assist all students."

To ensure adequate opportunities for all its students to meet the pro bono requirement, SUNY Buffalo Law School has:

- Created a "community partners advisory committee" to work directly with traditional civil legal service providers, such as Neighborhood Legal Services, Legal Aid, Volunteer Lawyers Project, Legal Services for the Elderly, and others.

- Assessed the school's roster of service learning coursework, such as clinics, planning to make more opportunities available for students.

- Added practicum courses that count toward the requirement, including a Criminal Law Practicum, the new Healthy Homes Legal Practicum, and coming this fall, a practicum dealing with post-incarceration "re-entry" issues of released prisoners.

- Established a tracking system to help students find places to volunteer during the semester and over the sum-

mer and partnered with the Computer Assisted Legal Instruction organization to implement innovative approaches.

- Arranged with providers of legal research services to continue students' access to Lexis/Nexis, Westlaw and Bloomberg materials post graduation, while they're working to fulfill the pro bono requirement.

Multiple options in the regulations will support various pro bono options. For example, Connolly explains that a student working at a law firm over the summer can get pro bono credit for assigned work if the firm is not billing for the time. Students' work for judges and the district attorney also counts toward the requirement. The basic overall understanding, she says, is that the work must be both legal in nature (building houses for Habitat for Humanity wouldn't count, but drafting a legal document for that non-profit would), and supervised by licensed attorneys or law faculty.

And Saran points out the mandate also opens up for practicing lawyers, including Law School alumni, opportunities to get support for their pro bono efforts by working with students. The Law School stands ready to connect practitioners with students eager to meet the requirement. For information, visit the Law School's pro bono page at www.law.buffalo.edu/current/pro-bono.html.



Above, Diana Proske '03, right, discusses Neighborhood Legal Services at a recent job fair.

Long road to justice

Settlement for nursing home residents followed a 23-year battle by the William and Mary Foster Elder Law Clinic

Everyone connected to *Conrad v. Perales* has a war story, and most of them mention the SUNY Buffalo Law professor who was there from the beginning to the end two decades later.

The stories about **Professor Anthony Szczygiel** revolve around the Law School clinic he founded and the work it did during a 23-year legal battle that ended with an \$11 million settlement from New York State.

Jorien Brock '03 was part of the clinic in 2001 when word came that the state had finally agreed to hand over documents Szczygiel considered important to his lawsuit on behalf of 16,000 nursing home residents. The documents were buried in a truckload of boxes being deposited in the basement of the old federal courthouse. She and Szczygiel would spend hours in that basement going through the boxes. "It was truly a needle-in-a-haystack process," says Brock, now director of the Pride Center of Western New York. "Tony and I would go down there and spend hours sifting through those boxes looking for relevant documents. And we found some."

Forty to 50 Law School students worked with Szczygiel over the years as he pursued his 1991 complaint accusing New York State of cheating old, sick and poor nursing home residents. The class-action suit charged the state with double-billing nursing home residents who received both Medicaid and Medicare. Not only was the federal government billed twice for the same services, residents were forced to pay twice for their so-called "client share" of nursing home costs billed to the two programs.



It took decades, but Szczygiel and his army of volunteers at the William and Mary Foster Elder Law Clinic, as well as lawyers from Legal Services for the Elderly, would eventually win. "At some point, it became something of a cause, to right a wrong," Szczygiel says of the state's actions. "To me, it was just an egregious breach of their obligations."

Nan Haynes '92 remembers thinking that her early work on the lawsuit marked the start of something important. She saw the lawsuit as correcting a wrong, a way to use the court system to fix an injustice. It also provided her an

invaluable opportunity to help research and write the original complaint.

"It was a thrill to be on the ground floor of such an important case," says Haynes, now a lecturer at the Law School. "I also remember very clearly my reaction to what the state was doing. I was appalled by what was going on."

The 16,000 nursing home residents who took part in the lawsuit were, by all accounts, the sickest people in their nursing homes. They also were poor and either elderly or disabled. Even now, years after winning his case, Szczygiel finds it hard to imagine why the state targeted them

"At some point, it became something of a cause, to right a wrong. To me, it was just an egregious breach of their obligations."

— Professor Anthony Szczygiel, talking about the state's actions

Photo: Buffalo News

as part of a scheme to cheat the Medicaid and Medicare systems.

Szczygiel uncovered the scheme while working on a routine Medicaid appeal — one of dozens of administrative actions the clinic has handled over the past 30 years — for a clinic client.

Early on, the state expressed a willingness to correct its mistake and refund money to the plaintiffs. Over the next several years, the two sides worked together to list those who would receive refunds, only to see that effort collapse. "Initially the state said, 'We can get this done,'" Szczygiel says. "And then they didn't get it done."

What followed was a protracted legal battle over what defendants should be part of the case and whether the courts should certify the victims as a class.

Frustrated by the slow pace of the suit, U.S. District Judge John T. Curtin '49 encouraged the two sides to move the case along. Both plaintiffs and defendants filed motions for summary judgment. Curtin denied both motions, and the case entered litigation.

With a trial looming, Szczygiel realized he needed the help of an experienced trial attorney and a law firm with a litigation fund big enough to handle the costs of preparing for a major trial. That's when **Henry W. Killeen III '75**, a Buffalo lawyer with a reputation for aggressive tactics, and Peter Dellinger, an experienced litigator at the Empire Justice Center in Rochester, joined the case.

"It was extremely frustrating and very disheartening," Szczygiel says of the state's legal strategy. "I was perhaps too naïve to think we might succeed early on."

When the time came to again talk settlement, the plaintiffs were suddenly talking from a point of strength, not weakness. The plaintiffs, who had sought \$30 million, settled in 2006 for \$11 million.

By that time, all of the original plaintiffs had died, one of the sad consequences of the protracted legal fight. None of them had lived to hear about their court victory or spend their settlement checks. The money would instead go to their children or grandchildren.

"They didn't have much, and they could have had more," Szczygiel says of his clients. "It was disappointing they didn't get their money back."

The next five years were spent tracking down heirs, an effort that officially



"For me, he's an inspiration. When there are roadblocks that pop up unnecessarily, the tendency is to throw up your hands and say enough is enough. Not Tony."

— Nan Haynes '92

ended in October when Curtin finally closed the case.

For Szczygiel, *Conrad v. Perales* became the commitment of a lifetime. He spent more than two-thirds of his 33 years as a lawyer working on this one case.

"It was qualitatively different than any other work we've done," he says of how the suit compares to the routine Medicaid and Medicare appeals normally handled by the clinic. "This one certainly mushroomed well beyond that, and it was satisfying to see it to the end."

"For me, he's an inspiration," says Haynes. "When there are roadblocks that pop up unnecessarily, the tendency is to throw up your hands and say enough is enough. Not Tony."

Counsel in time of crisis

Student attorneys advise consumers under siege from creditors



Associate Clinical Professor Lauren Breen confers with Frank Ewing '12, an associate attorney at Hodgson Russ.

Students in the Law School's newest clinic are learning and serving the public in an area where they're sorely needed: the world of consumer debt judgments.

Associate Clinical Professor Lauren Breen, who began the Consumer Financial Advocacy Clinic last spring, says the need arises primarily from the high-volume debt buyer industry. Typically, she says, debt buyer companies purchase unsatisfied debts from original creditors who have written the debt off, for pennies on the dollar. The debt buyers most often obtain default judgments, then freeze bank accounts or garnish the wages of consumers to collect on the money judgments. Many of these consumer are not properly served with the summons and complaint, only to discover they have a default judgment against them when their bank account is frozen, wages are garnished or they are denied a job based on information in a credit report.

Surprisingly, says Breen, the debt may not even be theirs: "The judgment may or may not be from a lawsuit that has been conducted in a fair and equitable manner. . . . Many consumer debt lawsuits are not served properly, and debt buyers often do not purchase any of the

underlying documents to prove a debt is owed. Even debt discharged in bankruptcy is purchased by debt buyers."

Hence the clinic, in which student attorneys, working with legal services and volunteer attorneys, help staff the Buffalo Civil Legal Advice and Resource Office, or CLARO. A project of the Western New York Law Center, CLARO works with client "visitors" on Tuesday afternoons and Friday mornings. The project is modeled on one created at Fordham University Law School's Feerick Center for Social Justice in New York City.

When CLARO visitors arrive, Breen says, they go through an intake interview, receive guidance about their rights as consumers, and work closely with an attorney to prepare legal documents to address the consumer problem.

"Being able to talk through a consumer issue with an attorney or a student attorney is valuable to the visitors in both legal and non-legal ways," she says. "It's dramatic when a consumer debtor tells his or her story to the attorneys. We can see the relief on their faces when they leave. . . . We get all kinds of life situations. We see people who are on disability who strive to repay their debts. We also see people who at one time were making six-figure salaries who, due to a medical crisis or losing a job, fall from economic grace and are terrified when they receive a summons and complaint. They don't have the money to hire an attorney, but they know they probably should have an attorney. We generally do not see people who ran up credit cards with a lot of luxury items. We see people with a history of working who have faced medical and economic hardship that negatively impacts their ability to pay bills."

The student attorneys, she says, many of whom are facing the prospect of repaying their education loans, can relate to the visitors' situations. "I was struck by the natural respect and empathy they have for the visitors," Breen says.

The educational component, she

says, ranges widely. "Student attorneys generally learn New York State civil practice law and procedure rules," Breen says. "The mentoring that goes on with the students is really important. We are lucky to leverage the legal experience of many experienced attorneys from the Western New York Law Center and from private practice."

CFA Clinic student attorneys talk about clinic experiences such as dealing with a visitor who has just lost a job opportunity because of a credit report error, another with a mental impairment, or one who brings a relative who is not thrilled with the idea that they're meeting with a student attorney. "We can't predict who's going to come in the door, so talking about what worked and what we could do better next time is really effective for the student attorney," Breen says. "They're learning all sorts of things critical to practice that I may not even catch every week."

CFA student attorneys also write a weekly reflection paper, and Breen says she can see their attitudes toward people in financial trouble change as they do the work. They might come into the clinic thinking that "people were irresponsible, bought too many luxury items, things they didn't need, and weren't being careful. But the students say, I met somebody and here's how this person got into financial trouble – they got cancer, they couldn't work full time for a year, they charged \$10,000 on their credit card just to get by. So the students are very much learning to have an open mind about how people come to need legal assistance.

"The overwhelming number of CLARO visitors have been enormously grateful and so generous in terms of allowing student attorneys to observe and represent," Breen says. "They understand it's a teaching clinic. These are very personal situations, and it's been such a gift from these visitors to create this learning opportunity."

From both sides of the desk

Students in the Consumer and Financial Advocacy Clinic, and those they have helped, reflect on the experience:

"I'm really surprised by some of the cases," says third-year SUNY Buffalo Law student attorney Tyson Prince. "I just had a woman who had a lawsuit brought against her for \$18,000 for a credit card she never had. They never performed service on her and she never



Tyson Prince '13

was aware of the suit, so she didn't show up for the court date. This is a mother of five who works as a nurse's aide. She came to us and we were able to get the default judgment vacated and her bank account unfrozen.

We also counterclaimed to try to recover her bank fees. That makes me feel good.

"In law school you spend a lot of time in the classroom getting theoretical information. But being able to actually go out there and to interact with visitors, hearing their legal problems and figuring out the answers, and having it be a service to the community, it hits all the angles."

His classmate Christopher Grover says the work "personifies the legal system. It puts a face on someone. Before I started consumer law work, you'd just think someone didn't pay their credit card. There's not really the perspective until you sit with people who face these judgments and are praying they have enough gas to get home.

"Client interaction is something you can't just pick up right away," Grover says. "We're taking the legalese out of it, explaining to people the real-life situa-



Law student attorneys, left to right: Laura M. Esposito '13, Christopher J. Grover '13, Adil Ahsanuddin '13 and Ian P. McAvoy '13

tion they're in and helping to calm them down. Those are skills you can't learn in the classroom."

CLARO visitors say they found good advice and financial relief at the drop-in clinic. A visitor named Lisa tells her story: "I applied for a job that was absolutely perfect for me. After the second interview they told me they needed to do a credit check because I would be doing finances. Once they did the credit report, I never heard from them again. That hurt. I'm a single mother; I take care of two kids. I do have to be able to support my kids and I do have to be able to get off welfare so the other part of the world can stop paying for me to live. I should be able to support myself and my family. [The CLARO staff] made it very easy for me. They did all they could to make sure it was taken care of, and that means a lot to me."

Another visitor, a man named Pat, has a similar story: "I was recently applying for a position for which I thought I was qualified. I was contacted for an interview and I consented to a background check and a credit report. I

was unaware that a bank had filed a small judgment against me for a delinquent credit card. I did not receive a summons and complaint; they were therefore able to enter a default judgment against me. That information wound up on a copy of the TransUnion credit report. Unfortunately, that information on my credit report took me out of the running for the position.

"I sought out CLARO's help because I needed to get that situation resolved. I've been unemployed for some time now and I'm concerned that the length of time is working against me in securing new employment, as well as these issues with my credit report. CLARO was able to assist me in devising a strategy to petition the creditor that had filed the judgment and having that vacated, which with the help of CLARO I was successful in doing."

A matter of influence

Law School conference tackles lobbying and campaign finance

SUNY Buffalo Law School was the site of the nation's first-ever conference on the intersection between lobbying and campaign finance. The conference, called "Under the Influence? Interest Groups, Lobbying, and Campaign Finance," was organized by **Associate Professor Michael Halberstam** and Daniel Tokaji of Moritz College of Law. Tokaji is co-editor of the *Election Law Journal*, which expects to publish articles that arise from the March 8-9 conference.

Topics included the influence of outside money on state and local election contests and legislatures; the impact of the Supreme Court's recent First Amendment decisions on state authority to regulate state and local campaign spending and lobbying activity; the incentives provided by the tax code for corporate political spending; the possibility of public funding for lobbying efforts; and the promise and limits of disclosure.

Six panel discussions over the two days, with comments by respondents and spirited discussion by those in attendance, made up the formal work of the conference. A sampling of the ideas presented:

Richard Briffault, professor at Columbia Law School: "You do have a line of cases in the 19th century which acknowledge the legitimacy of legal professional services in aiding people in presenting their claims but are very troubled by the elements of personal solicitation and influence more generally. . . . Both campaign finance and lobbying were reframed around the First Amendment model, beginning in the 1950s."

Zephyr Teachout, associate professor at Fordham University Law School:

"I think one of the reasons we avoid the issue of lobbyists is that lobbying takes money and launders it into power through information and reason. We really value information and reason, and we don't want to say that anything that comes out looking like information and reason is bad."

Frank R. Baumgartner, professor of political science at the University of North Carolina at Chapel Hill: "If we

want to improve democracy, the issue is not who's going to win or can you purchase an outcome in Congress. I think you can, unfortunately, when it's a micro-issue. But in the sample we studied, when it's these big public policy changes, we don't see it."

Craig Holman, government affairs lobbyist for Public Citizen: "I left NYU in 2002 and became a lobbyist for Public Citizen. What I learned quickly was that I wasn't able to get a

whole lot done. Lobbying was really, at that time, done by K Street lobbyists using the type of tools of influence peddling that weren't available to Public Citizen – the money-in-politics kind of issues, not only campaign fundraising and bundling, but revolving door activities, giving gifts, providing free travel. These were the tools of influence peddling that really dominated back then. It was tremendously frustrating, and I recognized that is not how it was supposed to be. Lobbying is supposed to be about providing information in order to help lawmakers make wiser decisions."

Lee Drutman, senior fellow at the Sunlight Foundation: "We studied registered lobbying. There are people who don't register and try to structure their time in a way that doesn't require them to register under the [Lobbying Disclosure Act]. That's a hard thing to know."

Heather Gerken, professor at Yale Law School: "Both campaign finance regulations and lobbying regulations are designed to deal with the problem of political influence, and both require us to regulate a shape-shifter. In politics, we're rarely regulating stable legal entities. Instead we're oftentimes regulating a loose collection of interests that can take different forms as circumstances dictate. So each time a court or legislature tries to regulate a particular kind of political institution, political adversaries find a new outlet to channel their energies."

Nicholas W. Allard, dean of Brooklyn Law School: "Whatever is done can always be undone. That probably was the most important lesson I learned working on Capitol Hill. That is a great safeguard that's in the system. Even if there's a quick fix or money has some kind of an impact, it's a dialogue that goes on forever. The only basis for sustained results is the natural preference and leg up that the status quo has, and also that there be a legitimate public policy basis for the decision or the outcome. You may disagree with the policy or the outcome, but if there isn't a credible legitimate public policy basis for the result, it's going to be undermined a lot more easily."

Also participating in the conference were SUNY Buffalo Law Professors **James A. Gardner** and **Martha T. McCluskey**, and Associate Professors **Matthew Dimick** and **Stuart Lazar**.



Associate Professor Michael Halberstam organized the conference.

The power of ideas



Terrence M. Connors '71 and Kristin Graham Koehler '94

Buffalo Law Review honors Terrence M. Connors '71, Kristin Graham Koehler '94

Members and friends of the Law School's premier scholarly publication shared hard-won wisdom and a sense of satisfaction as they gathered for the 24th annual dinner of the *Buffalo Law Review*.

The April 18 event, at the Buffalo Club, brought together the student editors, faculty, staff and two dozen *Law Review* alumni to look back at what Caitlin M. Higgins '13, the outgoing editor in chief, called "a wonderful year. We are absolutely proud of what we published this year," Higgins said.

The journal's five issues included publication of the 2012 James McCormick Mitchell Lecture essays, commenting on the future of elder care in the United States, and a piece by Clifford J. Rosky of the University of Utah on the history and evolution of same-sex marriage.

At the dinner, the *Law Review* conferred awards of recognition on **Terrence M. Connors '71** and **Kristin Graham Koehler '94**.

Koehler, a partner in the Washington, D.C., office of Sidley Austin, represents clients in white-collar criminal and civil litigation. In accepting the award, she said

her experience on *Law Review* was "instrumental in the success I have had in my career and in my life," along with the personal milestone of meeting her husband, fellow *Law Review* member David Koehler '94.

The honoree left the current *Law Review* members, 19 of whom graduated in May, with three pieces of advice. "The law can be extremely rewarding, but it can also be extremely demanding," she said. "You need to think about what do you love, what are you passionate about, what are you good at? And then you need to do it. And each and every day try to do something that scares you, something that's hard. If you don't do that, you're not going to grow as a person or as a lawyer."

In outlook, she advised, "Be self-aware. Don't ever forget where you came from; don't ever take yourself too seriously; don't ever become too full of yourself. There are so many lawyers out there who fit that mold. Don't be one of them."

And finally, "Enjoy your life."

In his remarks, Connors noted that the lead article in the very first issue of the *Buffalo Law Review* was by an early mentor of his, Charles S. Desmond '20, a longtime member of New York's

Court of Appeals.

"I had the office next to him at Damon & Morey [after he retired from the bench], and I had the good fortune to pick his brain day after day," said Connors, a well-known Buffalo litigator. "It was a learning experience like I had never had, and it was terrific."

When he solicited Desmond's opinion on whether he should leave the firm and enter solo practice, Connors said Desmond opposed the idea at first. "But the next morning he called me in, he sat me down on a chair, looked at me and said, 'I think you should do it. Because if you don't do it, you'll never know how good you could be, and you'll regret it for the rest of your life.' So I did it, and it's been a great run for us."

"Our vocation is about taking a risk. It's about doing what you know in your heart is right."

Associate Publication Awards were presented to Andrew M. Dean '14, Jacob S. Sonner '14, Jessica L. Noto '14 and Ashley F. Watkins '14. The Justice Philip Halpern Award, presented to a senior for excellence in writing, went to Joshua M. Tallent '13, executive editor of the journal. And the Carlos C. Alden Award, presented to the senior making the greatest contribution to the *Law Review*, was presented to Adam L. Hayes '13.

The incoming editor in chief of the *Buffalo Law Review* is Emily A. Dinsmore '14.

The candlelight ceremony has become a favorite tradition to mark the students' progress through their law studies.

Looking toward the future

Students of Color celebrate their accomplishments

A billion-dollar lawyer. An attorney to the stars. A state Supreme Court justice. There were plenty of accomplishments to impress and emulate from among the prominent alumni lauded at the 2013 Students of Color Dinner, held April 11 at the Buffalo Marriott.

About 150 people attended the affair, primarily to wish well the members of the Black, Latin American and Asian Pacific American law student associations who would be graduating the next month and perhaps looking for some inspiration for their legal careers ahead.

This is where **Paul Korniczky '86**, **Anthony J.M. Jones '84** and **Hon. Janice A. Taylor '78** come in. The three were honored that evening as Distinguished Alumni, and with good reason.

Korniczky '86 is a shareholder and registered patent attorney with Chicago's Leydig, Voit & Mayer, one of the oldest and largest patent law firms in the country. He has served as trial counsel in patent infringement and intellectual property litigation in U.S. federal courts and in international patent disputes in Europe and the Far East. In a notable career highlight, Korniczky

won a \$1.2 billion lawsuit on appeal.

It has been a 27-year career that was put in motion when Korniczky was studying mechanical engineering and saw his academic adviser prepare to become an expert witness in a patent lawsuit.

"That's when I got the idea to go to law school," Korniczky said. "I chose Buffalo because they have more programs for students of color."

Joe Korniczky, joining Paul for the evening, said that his brother's accomplishments are even more impressive when one considers that he graduated from college at 19, got a master's degree at 21 and finished law school by 24.

Jones '04, in the relatively short time since he graduated, has established himself nationally as an expert in the transactional aspects of entertainment, sports and media law.

His vision of international justice was behind his involvement as adviser to the United Nations for the 2008 International Day of Remembrance of the Victims of the Transatlantic Slave Trade. Further, he recently launched the Global Social Ventures Initiative to help empower the world's poor through education, microfinance and entrepreneurial programs. Another avocation is encouraging youth

through music and sports.

Taylor '78 is a SUNY Buffalo Law standout, not just because she sits on the state Supreme Court in Queens County, but also because she was the first female African-American to do so when she was elected in 1997. She won a second 14-year term to the court in 2011.

Her path to the bench began in transportation, as an attorney for the New York City Transit Authority and as secretary of the Staten Island Rapid Transit Operating Authority, specializing in labor, employment and contracts law. She held those positions from the year she graduated until 1986. She next moved into private practice, where she specialized in labor, civil rights, family, estates and entertainment law.

Adding inspiration to the evening was keynote speaker **David Edmunds Jr.**, deputy commissioner of the state Liquor Authority. He offered a 10-point list of practical advice drawn from his own law career that included private practice and public appointments and election as the first and only African-American president of the Bar Association of Erie County.

Additionally, students honored two professors for their contributions to the law and teaching. Both said they were humbled by the recognition.

Remla Parthasarathy '94 was selected for the Trailblazer Award for her work in intimate partner violence prevention. Today, as a clinical instructor for the Women, Children, and Social Justice Clinic, she teaches students how to maximize interaction with victims, while avoiding burnout that can come with the demands of the field.

The Jacob D. Hyman Professor Award was given to **Associate Professor Anthony O'Rourke**, a specialist in criminal law and procedure, legislation and constitutional law, who is new to the Law School. He tries different approaches to the material he teaches and puts special effort into getting to know his students—a gesture that students appreciate, yet is a small investment of time, he said.

"I'm deeply moved and humbled because I've only been teaching for a year," O'Rourke said. "It's less of a recognition of what I've done and more of a vote of confidence."

Showing their pride

OUTLaw back in the swing with gala awards dinner

The Law School's advocacy organization for gay and lesbian students has regrouped after a fallow period, and it came back strong with a festive and well-attended year-end dinner and award ceremony.

OUTLaw says its main goal is to "educate our colleagues about the legal issues surrounding sexual orientation and gender identity." More than 100 people turned out for the awards dinner, held April 5 at the historic Chef's Restaurant in downtown Buffalo.

"We're living history right now, and every little event counts," said the group's president, Daniel DeVoe '14, in welcoming the attendees – LGBTQ students, faculty and staff and their heterosexual allies.

The evening's keynote speaker, Associate Professor Michael Boucai, is researching legal cases concerning same-sex marriage, especially in the early 1970s – "those heady years after Stonewall when it seems the '60s really happened," he joked. He shared with the attendees some observations about those early legal forays into what has become, of course, a highly visible issue with two marriage equality cases currently under consideration by the U.S. Supreme Court.

There has been, for example, "bitter debate about whether to pursue same-sex marriage at all," Boucai said. Typical of the time, that debate was generally couched in the language of oppression and liberation; Boucai quoted one scholar as lamenting, "Since when is marriage the path to liberation?"

And marriage itself, he said, was not really the point of these early cases that pressed the issue. "When same-sex couples today apply for a marriage license, they do so primarily in order to be married," Boucai said. "But marriage itself was not a realistic goal for litigation in the 1970s." Instead, he said, a case would be said to have succeeded if the attendant publicity opened the public's eyes to the idea that same-sex couples should have their relationships ac-



New York State Assemblyman Sean Ryan, Daniel DeVoe '14 and Jorien Brock '03

knowledgeed and honored. One litigant, he said, put it this way: "We accomplished our goal. We got the whole world talking."

OUTLaw also recognized two honorees for their contributions to LGBTQ causes. The honorees were Jorien Brock '03, senior director of the Pride Center of Western New York, and Assemblyman Sean Ryan.

"My adult life has been focused on pursuing social justice and social change," Brock said. She talked about her work with the Pride Center, a one-stop resource for LGBTQ people in Buffalo, saying that the city's poverty, racial segregation and violent crime complicate the task of advocating for gay and lesbian persons.

"The things that have touched me," she said, "are those one-on-one moments," such as seeing a severely disabled young man come out of his shell during an Afro-Brazilian drumming program, or hearing a 65-year-old woman say that she "finally felt she could be true to herself and find her new community" after her parents passed away.

Ryan, who was elected to the Assembly in late 2011, co-sponsored the Gender Employment Non-Discrimination Act to protect the rights of transgender persons and also has advocated for anti-bullying legislation.

"We know times are changing," Ryan said. "We have groundbreaking rules in New York State which allow marriage equality, after a long, long fight. Whether the Supreme Court grants marriage equality almost doesn't make a difference, because we know the future. Whether it happens legislatively or judicially, the tide of progress is never held back."

His hope, he says, is that widespread adoption of same-sex marriage "sets a standard for normalcy. We hope that kids who come out in the future will not be treated as poorly, that their journey is made easier because they are coming into something that's accepted by society."

And Ryan challenged the lawyers-to-be in the audience to consider their role in society. "It's for you to decide what you are," he said. "Are you a gay American or an American person who is gay? You decide what comes first."

Managing the wild



Associate Professor Irus Braverman gets a kiss from an admirer.

Two fellowships will support Braverman's inquiry into conservation management

With prestigious fellowship support, **Associate Professor Irus Braverman** will embark on her next project while in residence at Cornell University during the 2013-14 academic year.

Braverman has been chosen to receive two major fellowships: a Society for the Humanities fellowship at Cornell, co-sponsored by that university's Atkinson Center for a Sustainable Future; and a Charles A. Ryskamp Research Fellowship, a prestigious

award of the American Council for Learned Societies that is funded by the Andrew W. Mellon Foundation.

Braverman says she is particularly excited about working with two senior scholars from the University of California, Berkeley, who will be at Cornell in the fall: political scientist Wendy Brown and cultural studies scholar Judith Butler.

The Society for the Humanities fellowship is structured around the focal theme of "Occupation," and Braverman's proposal draws on an ethnographic study of sev-

eral important conservation institutions to explore how legal regimes facilitate the schism between captive (occupied) and wild (unoccupied) management.

During her time at Cornell, Braverman will be thinking and writing about the genealogy and significance of the *in situ/ex situ* dichotomy in nature conservation. Latin for "in" and "out" of place ("*situ*"), this dichotomy often stands for the dichotomy between nature and captivity. On one end, *in situ* is defined as on-site, natural conservation; on the other end, *ex situ* is off-site, or captive conservation. Working from interviews with leading conservationists, Braverman intends to look at how those terms have been understood and how this division has shaped the practices, models and regulation of the animal conservation movement. Furthermore, Braverman plans to question

the simplistic division between wild nature and civilized culture by illuminating their interdependency. More broadly, she is considering the possibility of conservation without nature.

Braverman says her research will focus on a few conservation organizations that take different sides on the *in situ/ex situ* question: the Conservation Breeding Specialist Group of the International Union for Conservation of Nature; the World Association of Zoos and Aquariums; and the Amphibian Ark. She expects to spend part of the year doing fieldwork in various locations, including Europe and the United States.

The project began last summer, Braverman says, during the process of writing her book *Zooland* (Stanford University Press, 2012). That book recently received a bronze medal, recognizing it as an outstanding book on current events, from the Independent Publisher Book Awards. It describes the world of the American Association of Zoos and Aquariums. Braverman shows how in the past 50 years, accredited zoos have come to redefine their mission from primarily one of entertainment to one of care and stewardship. She also describes how these zoos work cooperatively to manage their animals.

The Ryskamp fellowship will provide additional financial support for Braverman's work during the coming academic year. According to its sponsor, the fellowship "recognizes those whose scholarly contributions have advanced their fields and who have well-designed and carefully developed plans for new research."

Braverman's work is interdisciplinary in nature and draws on her interests in law, geography, anthropology, and science and technology studies. In addition to her Law School appointment, she serves as an adjunct professor of geography at UB.

Leading scholar

Professor Lynn Mather has been named a SUNY Distinguished Service Professor

Lynn Mather, a professor of law and political science at the University at Buffalo, is one of 16 faculty members from across the State University of New York's system to receive the title of SUNY Distinguished Service Professor this academic year.

According to SUNY, promotion to this rank requires a demonstration that the professor has achieved a "distinguished reputation for service not only to the campus and the University, but also to the community, the State of New York or even the nation, by sustained effort in the application of intellectual skills drawing from the candidate's scholarly and research interests to uses of public concern."

According to Law School Dean Makau W. Mutua, "Lynn has surpassed this standard in every way. Her record of scholarship, public service and teaching is exceptional. Lynn has done pioneering work at the crossroads of political science, law and anthropology. Her service to a wide range of institutions, including the Law & Society Association, the Baldy Center for Law & Social Policy, the American Association of Law Schools and the American Political Science Association, is equally impressive."

A leading scholar in the field of law and society, Mather has published extensively on lawyers, legal professionalism, women in the legal profession, and trial courts. Her most recent book, *Lawyers in Practice: Ethical Decision Making in Context* (University of Chicago Press, 2012), co-edited with Leslie Levin, is required reading in Legal Ethics courses around the country. Her earlier books include *Private Lawyers and the Public Interest: The Evolving Role of Pro Bono in the*



SUNY Distinguished Service Professor Lynn Mather

Legal Profession (Oxford University Press, 2009), co-edited with Robert Granfield, *Divorce Lawyers at Work: Varieties of Professionalism in Practice* (co-authored; Oxford University Press, 2001), *Empirical Theories About Courts* (1983) and *Plea Bargaining or Trial? The Process of Criminal-Case Disposition* (1979).

Mather was director of the Baldy Center from 2002 to 2008. Before joining SUNY Buffalo Law School in 2002, she held the Nelson A. Rockefeller Chair in Government at Dartmouth College.

Mather joins other Law School members of the SUNY Distinguished Academy

Guyora Binder
SUNY Distinguished Professor;
Vice Dean for Research and Faculty Development

David M. Engel
SUNY Distinguished Service Professor

Charles P. Ewing
SUNY Distinguished Service Professor; Vice Dean for Academic Affairs

James A. Gardner
SUNY Distinguished Professor;
Joseph W. Belluck and Laura A. Aswad Professor of Civil Justice

Makau W. Mutua, Dean
SUNY Distinguished Professor
Floyd H. and Hilda L. Hurst Faculty Scholar

Professor Lazar's new book demystifies the partnership tax code

Subchapter and verse

As the Internal Revenue Code goes, Subchapter K is not verbose. Its 36 sections deal with the law governing the taxation of partnerships, in which two or more persons are in business together.

Even so, says Associate Professor Stuart Lazar, partnership tax is “probably one of the harder areas of tax law to actually master. It is actually not the statute that is so tough to decipher but the guidance that has come out, the regulations that the IRS has published are so complicated and confusing.”

Lazar's first book, just published by Carolina Academic Press, brings some clarity to that morass of statute and regulations. *Mastering Partnership Taxation* takes readers through the life cycle of a partnership – beginning with partnership formations, covering how earnings and distributions to the partners are taxed, and ending with the tax implications of partnership liquidations and mergers.

Under U.S. law, partnerships don't pay taxes on their income. Instead, the owners of the partnership are taxed on their “distributive share” of the partnership's income. The owners of the partnership decide how the income will be allocated among them, but by law this allocation must reflect the economic reality of the business



arrangement, as tested under complicated rules.

Lazar, a tax specialist who teaches a course in partnership taxation, says of the 364-page book: “It's not a casebook and it's not really a textbook. The book is a tool designed to help students easily and efficiently master the substance and content of material found in a law school partnership tax course. It is designed for students who are taking partnership tax and maybe also for practitioners who are getting into the field or want to get a basic familiarity with the field.”

The book contains a number of pedagogical features designed to improve learning and retention. Each chapter of the book, which is part of Carolina Academic Press' “Mastering” series, starts with a “Roadmap” setting out what the chapter will cover, and ends with a “Checkpoint” for effective study re-

view. “It's a really good series of books,” Lazar says, “and I had a lot of fun writing this one.”

Most of the students in his course on partnership taxation are third-years, Lazar says – students who have taken at least a basic tax course and have an interest in tax law, whether as a practice specialty or as an aspect of corporate law practice.

Tax is an interest that Lazar formed at the University of Michigan, first as an undergraduate and then at Michigan Law School and New York University School of Law, where he earned a master of laws degree in taxation. “I just found the intricacies of the law fascinating,” he says. “To me, the complexities of the statute are like solving a puzzle.”

“Some people think tax is just about numbers,

about filling out a tax return. It's a lot more than that. Obviously there is that part to it, but there are plenty of tax lawyers who never look at tax returns. I practiced as a tax lawyer for a long time, but I never looked at a tax return in practice.”

“So much of tax law is policy and thinking about, how do you use the tax law to shape policy? And so much of it is ‘what do the words mean?’ To me, it's all very interesting.”

And it's a subject that continues to change as the IRS issues new regulations surrounding Subchapter K. “Even though there are changes, a lot of the basic foundational stuff is settled law,” Lazar says. “But I already have some ideas for how to improve the book and move things around for the second edition.”

Looking to the East

*New professor Anya Bernstein
has a deep interest in Taiwan and China*

As a sophomore studying religion at Columbia College, and needing to fulfill a distribution requirement, Anya Bernstein wandered into a class in Chinese philosophy and, she says, “got wrapped up in it.”

She went on to pursue a certificate program in China at the Johns Hopkins-Nanjing University Center, then earned a Ph.D. in anthropology at the University of Chicago, with a dissertation on political participation in Taipei, Taiwan. But, Bernstein says, “I came to feel like anthropology wasn’t really getting me at the questions I wanted to get at. I’m interested in how the state is organized and how people within the state operate, questions that I think are essential to help understand government and law in general. I thought studying law might help me get there.”

Bernstein received her J.D. from Yale Law School in 2010. After a year spent clerking for Judge Guido Calabresi in the federal Court of Appeals, Second Circuit, in Connecticut, she taught legal research and writing and Topics in Chinese Law as a Bigelow Fellow at the University of Chicago Law School.

Now Bernstein is joining the faculty at SUNY Buffalo Law School, and she says she’s delighted to be in a place where scholars bring social science disciplines to bear on questions of law. “In most places a Ph.D. in economics or political science is pretty standard,” she says. “What I think is remarkable about Buffalo is the diversity of the intellectual training that people have had – including anthropology, sociology, philosophy, even literature. These disciplines give you a really interesting and different way to approach the law.”

Born in Russia, Bernstein was 5 when her family moved to the United States and settled in western Massachusetts. She learned to speak English in kindergarten, but kept on with other languages, and now she is proficient in Mandarin Chinese, can converse in

“What I think is remarkable about Buffalo is the diversity of the intellectual training that people have had – including anthropology, sociology, philosophy, even literature.”

— Professor Anya Bernstein



Russian, and has some facility with German and Taiwanese/Southern Min as well.

She hopes to use her language skills in January bridge-term courses involving travel to China and Taiwan, much as Professor David Engel takes a group of students to Thailand each January. “I’m pretty confident I’ll be able to do some interesting comparative work this way,” she says, “so students can see the way these different systems function – that even though it’s a democracy, it doesn’t work the way the U.S. system works. . . . The shock of confronting something that doesn’t make any sense to you, and then working through until it does make sense to you, is really powerful. Then, when you turn it back on your own country, it helps you see connections and fissures that you wouldn’t

see otherwise.”

Having just completed a major article on “predictive government databases,” Bernstein is looking next to a project of reading case law about the boundaries of government. As government functions are increasingly being outsourced to private contractors, she says, the Supreme Court has struggled to draw the line between what is government and what is private industry.

Bernstein comes to Buffalo with two children – Isaiah, 4, and Mila, almost 1 – and her husband, Nicholas Day, a writer of narrative non-fiction who has just published his first book, *Baby Meets World: Suck, Smile, Touch, Toddle* (St. Martin’s Press). Their downtime, she says, tends to be spent at zoos and children’s museums, but, she says, “we’re really looking forward to exploring upstate New York.”

A passion for criminal law

Luis Chiesa comes from a legal-minded family

"I had always been attracted to Buffalo because of its criminal law program."

— Professor Luis Chiesa

Luis Chiesa, who joins the SUNY Buffalo Law faculty this summer, comes from a legal-minded family. His father is a law professor in Chiesa's native Puerto Rico, and his mother is a practicing attorney. But, he says, it wasn't always certain that he would end up in academia.

Chiesa studied business and accounting as an undergraduate at the University of Puerto Rico, and passed the exam to become a certified public accountant. But, he says, a love of the law ran deep inside him, and as he considered career paths, "my sense was that legal academia was a really cool lifestyle choice. As a law professor you work a lot but you also have a lot of flexibility. You can choose what you want to read and research; you can be passionate about something and follow that; you're given the time to do your research well and publish and workshop your papers and your ideas. I just found that to be very attractive. I knew I wanted to teach as opposed to go to a big law firm."

He followed that passion to the University of Puerto Rico Law School, where he graduated first in his class, and to Columbia University, where he earned master's and doctoral degrees in law. Since 2007, he has been at Pace University Law School in White Plains, N.Y., where he has taught in his specialty, criminal law, as well as criminal procedure, torts and jurisprudence. He also has had visiting professorships in Bogotá, Seattle, Buenos Aires, Puerto Rico and Ottawa.

"I had always been attracted to Buffalo because of its criminal law program," Chiesa says. "I decided that now was the time to move and go to a faculty where I would be surrounded by people who do what I do."

What he does is substantive criminal law, which studies the elements of crime—describing, naming and understanding the conduct that is prohibited by criminal law. He brings the perspective of comparative law to the task, looking at the ways the criminal law



codes of other countries can inform an understanding of our own laws.

"You can learn a lot about your system by looking at other systems," Chiesa says. "The way I explain it to my students is, in the legal world you can focus on the executive branch (the district attorney or attorney general), the legislative branch (Congress and state legislatures) or the judicial branch (a judge or clerk). Comparative law may be relevant in all three spheres. For example, the Supreme Court is looking at how harshly other countries are punishing their criminals as a way of informing their understanding of the Eighth Amendment. In legislatures, if you want to change your criminal laws, it also makes sense to look at what other states and other countries are doing to see if they are coming up with new approaches to deal with old problems. If others are doing the same thing that you are, it probably means you are on the right track. If other countries have completely different views, that should raise a red flag."

Chiesa also has published in the area of animal law, including an article titled "Why Is It a Crime to Stomp on a Goldfish?" that examines five ways to answer that question, concluding that the ani-

mal itself can have "coherent moral claims against being harmed." The question, he says, is: "What sort of morally relevant features does an entity need in order to impose moral claims on people? Ultimately what matters is sentience, the capacity to feel pain."

At SUNY Buffalo, Chiesa will teach criminal law and procedure, as well as other courses. He also will direct the Buffalo Criminal Law Center, organizing symposiums, inviting scholars to Buffalo and contributing to the school's master of laws program in criminal law. He's also planning a book on comparative criminal law, and he hopes to use Spanish, his first language, in working with the Latin American Law Students Association and to "reach out to people in the SUNY Buffalo community generally, as well as scholars in different faculties."

Chiesa and his wife, Karla, do a lot of skiing in winter and a lot of hiking in summer. He says they have skied all along the East Coast as well as out West, and have hiked trails in New York's Catskills and the White Mountains of New Hampshire.

An opportunity for change

Anjana Malhotra will establish an immigrant justice and human rights clinic

It was during her undergraduate years at Duke University that Anjana Malhotra had her mind opened to a whole different way of looking at the world.

Malhotra, who grew up in Hyde Park, N.Y., says that at Duke “I was broadened significantly in terms of my intellectual and political interests and analytical capacity. I also became very interested in civil rights issues and racial justice.” Malhotra also became involved with an organization that promoted diversity on campus, and was recruited to participate in institutional efforts to address racial conflict and promote equality at a university level.

Then, a year before graduation, she went with a Duke delegation to Beijing and a huge NGO Forum on Women. The experience changed her. She began studying critical approaches to economic theory, and after graduation worked for local and national organizations in union organizing, strategy and research.

“In working on these organizing campaigns throughout the country, I really came to see how people were leaving their rights at the door,” Malhotra says. “People could get fired for merely exercising their federal rights, with devastating consequences to them and their families. To understand the issues at stake at each workplace where workers requested my assistance with their organizing efforts, I had to learn the federal and state labor laws and standards that were

in place to assess each employer’s compliance and challenges in workers’ exercising their rights. Seeing the systematic discrepancies between the law and the reality of employer practices that flout that law in workplace after workplace motivated me to go to law school and make the law real in people’s lives.”



“It’s exciting for me to be back in my home state and teaching and supervising students to address civil and human rights issues I have long cared about.”

— Professor Anjana Malhotra

Malhotra graduated in 2002, cum laude, from New York University School of Law, where she worked as a student advocate in the school’s Immigrant Rights Clinic for two years, representing immigrants at risk for deportation or who faced workplace violations. Following law school she had a fellowship with the American Civil Liberties Union’s Immigrants’ Rights Project; worked on immigration and securities cases with the New York City firm Wilmer, Cutler, Pickering, Hale and Dorr; and handled labor law class-action cases with Gladstein, Reif & Meginniss, also in New York. In August 2011, she joined the Seattle University School of Law, where she launched and co-taught the school’s Civil Rights Amicus and Impact Litigation Clinic.

Now Malhotra is joining the SUNY Buffalo Law School faculty, where she will teach a seminar on theories of social justice lawyering and, in spring 2014, establish a new immigrant justice and human rights clinic.

“It’s exciting for me to be back in my

home state and teaching and supervising students to address civil and human rights issues I have long cared about in the region and more broadly,” Malhotra says. Of the new clinical offering she says, “It’s really important to me that the new clinic is responsive to community needs. Every community has a different set of issues, and clinics can be a laboratory for change for both students and the community. They engage students in really interesting live-client work and allow them to learn how to use the law to make a difference in their clients’ lives.”

If the clinic she has run at Seattle University School of Law is any indication, work on major immigration civil lawsuits is another possibility. Under her supervision, students in the Seattle clinic are leading the appeal challenging the constitutionality of an Arizona law banning ethnic studies in primary and secondary schools. The state selectively enforced the law, says Malhotra, who is of Indian-American heritage, to eliminate the Mexican-American studies program in the Tucson Unified School District. In April, Malhotra and her students filed an appeal in the U.S. Court of Appeals for the Ninth Circuit on behalf of Tucson students challenging the law. While at SUNY Buffalo, she will continue in her role as lead appellate litigator in the case and incorporate the case into the immigrant justice clinic.

Having worked in a variety of legal settings – public-interest law, private practice, a clerkship in the Ninth Circuit federal court of appeals – Malhotra says she has learned that teaching makes the best use of her gifts and her interests. “I’ve always been interested in clinical work,” she says, “and I decided that I love teaching, I love cultivating knowledge and engaging with students on their work, understanding of the law and hearing their legal theories.”

Through the years

Paul R. Comeau '73 marks an anniversary with a major gift

As he left his small high school in Northern New York, **Paul R. Comeau '73** remembers, the guidance on career options was limited. "There were about four choices," he recalls. "If you were good at public speaking, they said you should be a lawyer."

He was, and the die was cast. Comeau worked his way through University at Buffalo as an undergraduate sociology major and had his appetite for the law whetted by a pre-law course taught by Professor Bill Greiner. At the Law School, where he served as articles editor of the *Buffalo Law Review*, he stumbled onto what would become his life's work when he took Professor Lou Del Cotto's introductory tax course.

"It seemed to baffle a lot of people, but to me it was perfectly logical," Comeau says. "He talked about statutes, regulations and cases, but also explained policy and social engineering: the broader reasons why the law was what it was and how it got to be that way. I ended up taking every course offered by Professor Del Cotto, and some from Ken Joyce as well."

He also found a summer legal job with the Buffalo firm Hodgson Russ, one that opened the door to what is now a four-decade association with the firm. As a partner and former chairman of the firm, Comeau has built a nationally recognized practice in tax planning and multistate tax issues, focusing on businesses and high-net-worth clients. He practices in the firm's Buffalo, New York City and Palm Beach, Fla., offices, has authored numerous books and articles, has given nearly 1,000 speeches, taught Corporate Tax at UB during a Del Cotto sabbatical, and currently serves on the



"My gift has been motivated by many things – the timing of the 40th anniversary of my Law School class, a career that has been quite satisfying for me, appreciating the quality of UB students hired by Hodgson over the years and feeling that it's about time I do something more significant than my annual giving."

— Paul R. Comeau '73

New York Tax Commissioners Advisory Group, the NYSBA Tax Section Executive Committee, the NYS Business Council Board and other boards and committees.

Now, as his class prepares for its 40-year reunion, and the school celebrates its 125th anniversary, Comeau and his wife, Victoria D'Angelo, are making a major commitment to the Law School with a six-figure gift.

"After 40 years of gratitude and more modest contributions to the Law School, I thought it was time," Comeau says, "and maybe my classmates might want to consider similar gifts. My gift has been motivated by many things – the timing of the 40th anniversary of my Law School class, a career that has been quite satisfying for me, appreciating the quality of UB students hired by Hodgson over the years, and feeling that it's about time I do something more significant than my annual giving."

He says meetings with UB President Satish K. Tripathi and Law

School Dean Makau W. Mutua cemented his feeling that "the University as a whole is heading in a good direction under Satish's leadership, and the Law School is in excellent hands with Dean Mutua and his commitment."

He also notes that Hodgson Russ is "an excellent firm, with phenomenal clients and wonderful attorneys." Hodgson has been generous in its support for the Law School, as well as providing mentors for Comeau and others. Early mentors included people like Richard Heath and Donald Lubick, who both taught at the Law School at one time while working at Hodgson. They helped Comeau learn the intricacies of tax, business and estate law.

He says the analytical skills he developed in Del Cotto's and Joyce's classes have served him well, especially the ability to interpret the tax code against a broader backdrop of social and economic policy.

New support for New York

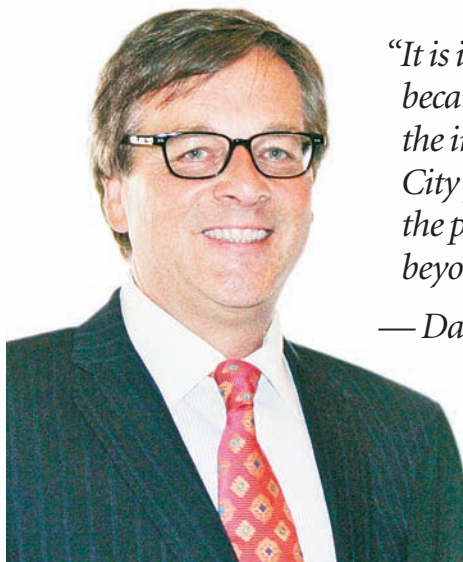
Major gift by David Franasiak '78 strengthens a signature program

“It’s a little like real estate,” says **David Franasiak ’78**, referring to the Law School’s New York City Program in Finance and Law, of which he has been a principal supporter in both time and resources. “Location, location, location. New York City is part of New York State, and we are the only public law school in the entire SUNY system, so it’s important for SUNY Buffalo Law School to be there.”

And the results are clear: In the nine years since the program was established, “I’ve been told that the quality of students applying to the school has increased because of this program, and placements are up because of this program. I think it is an important program for the school and an important program for the students, both those considering applying and those who find work because of it. Dean Mutua’s vision is that the program would become self-sustaining, and there is good reason to do that down the road.”

Toward that end, Franasiak and his wife, Mary Pat, who holds a master’s degree in business administration from UB, have committed \$200,000 in new giving in support of the New York City program. Combined with their previous annual giving, they have earmarked a total of \$340,000 in support.

Franasiak, senior partner on the Executive Committee of the Washington, D.C., law firm Williams & Jensen, works on public policy issues for clients including corporations, not-for-profit organizations, accounting firms, broker dealers, hedge funds, fi-



“It is important to step up, because the dean has recognized the importance of the New York City program and maybe even the possibility of expanding it beyond financial services.”

— David Franasiak ’78

ancial institutions and associations. Previously he worked on similar issues with Ernst & Young, and before that held positions with British Petroleum, the U.S. Chamber of Commerce, a major chemical company, congressional staff and local governments.

Through those varied responsibilities, he says, the lessons of SUNY Buffalo Law have remained. “I did learn to think like a lawyer,” he says, “which is particularly helpful in a highly regulated industry like chemicals, but in business generally, too. It certainly works in government, because after all, the government writes the laws.

“When I get a client, I try to understand every detail of their business. Once I understand their business and I understand the problem, then I make sure I understand every aspect of the applicable law. Legal training gives you another way of analyzing issues, problems, and of identifying solutions.

“What I do is like the game of golf:

You just play it as it lies. I’m in Washington, so I know what’s going on politically. It’s not always going to be exactly perfect, so you have to find ways to navigate around both sides of the aisle.”

And of his support for the New York City program, for which he also teaches a seminar each year, Franasiak says: “It is important to step up, because the dean has recognized the importance of this program and maybe even the possibility of expanding it beyond financial services. New York City is the center of the financial services industry. That is what it is known for. If I applied to the University of California, I probably would want a program related to entertainment, film or Silicon Valley, because that is what they are known for.

“We are in New York State, and this is what we are known for – financial services.”

Paying dividends

Alumni reflect on their gains from the New York City program

Professor
Phillip
Halpern,
director of the
New York City
Program in
Finance and
Law



Reflecting a new consciousness of the necessity of consumer protection, the Law School's New York City Program in Finance and Law this year added a weeklong learning series on consumer financial protection issues.

Organized by Associate Clinical Professor Lauren E. Breen, the week's instruction included speakers and presenters from government agencies, public interest groups and the financial services industry. Speakers included James Kim, an enforcement attorney for the federal government's newly established Consumer Financial Protection Bureau.

The New York City program is an immersive experience in which a select group of students spend a semester of their second or third Law School year in Manhattan, learning from their professors and from cutting-edge practition-

ers in the high-stakes world of law and finance.

Professor Philip Halpern, who directs the program, notes that as the legal job market has contracted, the New York City program – now in its ninth year – was an early response to that challenge. “Law schools are facing significant challenges, as shown by the declining opportunities for law graduates,” Halpern says. “Law schools have responded by innovating with new programs that emphasize specialized practice areas and clinical opportunities.”

Especially through their work on small-group projects under the supervision of experienced practitioners, Halpern says, students experience “very specialized areas of the law such as financial derivatives that they would not typically encounter in any detail in Law School. Working with these practitioners emphasizes the importance of traditional legal skills, such as critical analysis, problem solving and careful structuring of arguments, so that the idea of learning to think like a lawyer that one associates with traditional legal educa-

tion is not passé but is very much present.

“The students see that lawyers need to know in great detail about pieces of the world that are non-legal and then, armed with this knowledge, take the analytical approach they learned in the Law School to solve problems. The approaches can be legal, business-oriented or political, but frequently they involve all three.”

In addition to the focus on consumer financial protections, Halpern says, the most recent iteration of the program has included special instruction on options trading, including presenters from the Options Clearing Corp. in Chicago and from the New York Stock Exchange, and a special presentation on taking a company private through equity investment. There's also a continuing emphasis, Halpern says, on issues resulting from the implementation of financial regulatory reform under the Dodd-Frank Wall Street Reform and Consumer Protection Act.

The learning is intensive, and often, even years later, alumni of the New York City program say the experience has stayed with them, whatever role they find themselves in after law school. Conversations with a handful of successful graduates reveal that this first taste of high finance is not easily forgotten. Indeed, some alumni of the program say the connections they made have been the key to their new careers.

For **Daniel Kelly '12**, the program helped transform him from “an average



public speaker who wasn't very comfortable in front of an audience” into a confident and assured presenter. “That was ultimately the biggest thing for me. The

program gave me the chance to present in front of an audience and speak in front of my peers and professionals on



Left to right: Melle Xu '13, Lauren Opsahl '12, Professor Philip Halpern, Daisy Tomaselli '13 and Dan Fabian '13

a regular basis," says Kelly, who now practices tax law as an associate with the law firm Hodgson Russ. He credits the program's emphasis on preparation – "being ready to discuss intricate topics with attorneys at some of the best law firms in New York" – as well as the final oral presentation of the students' semester-long small-group projects.

The material covered, he says, also has been invaluable. "The program offered a diverse curriculum that was applicable in law school courses and also in my practice," says Kelly, who regularly assists clients with state and local tax matters. "The program covers a lot of relevant ground, including transactional work, regulatory requirements, the Uniform Commercial Code, and litigation, particularly concerning the Securities and Exchange Commission Division of Enforcement. Having knowledge in these and other areas covered by the program has been, and will continue to be, useful."

Ryan Seher '11 returned to New York following his Law School graduation. There he works with the investment



bank Bank of America Merrill Lynch, negotiating International Swaps and Derivatives Association agreements that govern derivatives trading between the bank and hedge funds. "Every day there's something new that comes up that I need to work with," he says. "It's really exciting, and I do have fun with it."

"Our group does a lot of work with Dodd-Frank," Seher says, "and it's really

nice that I can put to use all the work we did on Dodd-Frank in the program." His small group, Seher says, looked at what were then proposals for new regulations and how they would affect over-the-counter derivatives: "We read a lot about Dodd-Frank and Title 7. Learning the language of finance helped a lot. Once you get the language down, it's easier to read about and understand it."

As well, he says, "I got to meet a ton of people. The program opens you up to so many alumni in law firms, banks and financial agencies who do this work every day. I credit my project sponsor with helping me to get the job I have now."

Karen Oddo '12, who practices as an associate in the litigation department of the Boston-based law firm Ropes & Gray, says the program has proved its utility in practice. "I think that the most valuable type of legal education would be one that re-



quires students to frequently (1) observe practitioners in action, and/or (2) work on actual case work or case simulations conducted by practitioners," Oddo says. "The New York City program was easily the most valuable part of my legal education because it afforded me the opportunity to do exactly this."

"I was able to learn from global leaders in corporate law and finance, through interactive discussions about their real-world experience. The practitioners always injected strategic considerations into our discussions, including how a particular situation could have been handled better (or how a particular contract could have been written better, etc.)."

"Particularly helpful was the program's focus on allowing students frequent contact with documents regularly handled by corporate lawyers and teaching us how to review them efficiently. As a first-year associate, familiarity with

these documents and their key provisions (or at least, the knowledge about how to determine which provisions are key) has been invaluable."

Jason Lee '07, who practices as an associate with the New York City law firm



Cahill Gordon & Reindel, says the program "allows you to get a broad overview of various practices that happen in the financial capital of the world."

There are a lot of different things happening, and you probably won't ever learn everything that goes on in the financial markets and the legal markets supporting the financial services industry here. Too many times you start out a job and you get put into a practice group and all your life you're doing this one niche thing, and you never really see the big picture. To get that early on in your career is really valuable."

Lee has returned to the program as an instructor, sharing his professional knowledge of corporate finance law. At Cahill, he typically works with lenders and represents the underwriters in a securities offering.

About his current work he says, "There are certain aspects of the practice that are stressful, and plenty of weekends, plenty of all-nighters when you've got to get it done, plenty of canceled dinner plans. But the satisfaction I get is, I enjoy working with highly intelligent, highly motivated colleagues and clients. I like negotiating; I like drafting legal documents. Once you start to get the hang of it, a lot of these documents are like a puzzle to be solved. When you get the document and have a clear understanding of what needs to happen, you get into the zone. It's challenging work. I've never really been bored in this job."

Margaret W. Wong '76 receives Jaeckle Award at gala alumni luncheon

An accomplished alumna who emigrated to the United States and has helped countless others to become American citizens has been accorded SUNY Buffalo Law School's highest honor.

Margaret W. Wong '76, born in Hong Kong and now a nationally renowned immigration lawyer based in Cleveland, received the Edwin F. Jaeckle Award at the New York City Alumni Luncheon on Jan. 25.

The award recognizes Wong's "significant contributions to her University, her Law School and the legal profession. . . . As a longtime member of the Dean's Advisory Council, she has helped to enhance the quality and reputation of the Law School. Herself a Law School scholarship recipient, she has endowed a substantial scholarship program and a full professorship, gifts that place her among the most generous alumni in the Law School's 125-year history."

Wong came to the United States on a student visa along with her younger sister, Cecilia. Between them they had four suitcases and \$200. She worked her way through college in Iowa and then Illinois as a waitress and spent summers doing hotel work in New York's Catskills resorts. After completing her SUNY Buffalo Law School on a full scholarship, she struck out on her own in Cleveland, handing out her business card on buses to develop a client base. Now Margaret Wong & Associates has offices in Cleveland, Chicago, New York City, Columbus, Atlanta and Detroit, serving both individual and corporate clients.



"I could never be who I am if I did not come to SUNY Buffalo Law School." — Margaret W. Wong '76

At the awards lunch, master of ceremonies Francis M. Letro '79 (winner of last year's Jaeckle Award) and Law Alumni Association President Brian M. Melber '96 welcomed those in attendance, including much of Wong's extended family. Dean Makau W. Mutua gave a brief update on developments at the Law School, including its participation in the UB 2020 University-wide planning process and the hiring of three promising young faculty members. He noted that of the 20 professors hired during his five-year tenure as dean, "we have hired in areas of black-letter law."

Letro shared some words of congratulation from UB President Satish K. Tripathi, and Kenneth Forrest '76, Wong's Law School classmate and himself a Jaeckle Award honoree, said, "There is no member of the Class of 1976 who has achieved more than Margaret Wong. There is no better advertisement for SUNY Buffalo Law School than Margaret."

In conveying the award, Dean Mutua said, "Margaret is a force of nature. She is irrepressible, she is simply indomitable, she is smart, she is hard-working, but most importantly she is very selfless. She gives and then gives



Left to right, first row: Dean Makau W. Mutua and Margaret W. Wong '76; Second row: Rose Wong, Francis M. Letro '79, Cecilia Wong and George Hwang



Dean Mutua presents the 2013 Edwin J. Jaekle Award to Margaret W. Wong '76.



Margaret Wong '76 with classmates Jeffrey L. Tanenbaum '76, left, and Kenneth B. Forrest '76



Margaret W. Wong '76 with her mother, Alice Kuan

and then gives some more."

The dean noted that Wong is typically at work by 5 a.m. and works into the evening, but also makes time to contribute her service to numerous community organizations. "I think she must sleep very little, to do all these things," he said. He also noted her deep commitment to family, including the pull-out-all-the-stops Wednesday night dinners that she and her husband, pharmacist Kam Chan, have hosted for many years for their large extended family. (Their daughter Allison Chan '11 now works for her mother's law firm.)

It was with her family that Wong began her remarks, thanking them for their support – including her 93-year-old mother, who was in the audience, and her aunt and uncle, new immigrants themselves at the time, who supported her through her college and Law School years.

Of her alma mater, Wong said: "I could never be who I am if I did not come to SUNY Buffalo Law School. Somehow, somewhere, they found me a scholarship. I didn't have money to get a good haircut, I didn't have money to buy beautiful glasses, but UB treated me like an equal. I never

walked out thinking I'm a second-class citizen. We took the bar, we passed it and we became lawyers. And we walked with our heads high."

The New York City Luncheon planning committee included Letro as chair; Melber; Rebecca Monck Ricigliano '99, chair of the New York City chapter of the Law Alumni Association; and from the Law School, Vice Dean Ilene R. Fleischmann and Assistant Dean Lisa M. Mueller '93, executive director and assistant director, respectively, of the Law Alumni Association.

We took our party on the road!



It all began in Buffalo at the Hotel Lafayette with a party of nearly 1,000 gathering to kick off the 125th anniversary of the Law School. But that was just the beginning!

Since then, the party has continued on with satellite celebrations in Rochester, New York City, Syracuse and Albany attended by alumni and friends across the state.

And it's not over yet! Watch for photos of our upcoming celebration in Washington, D.C., in the next issue of the *Forum*.

Party on!

Sarah Haque '14,
Amanda S. Ciccone
'14 and Katherine E.
Bagley '14

Allan D. Mantel '76, Dean Makau W.
Mutua and Vikki L. Pryor '78



Development Officer
Jeffrey J. Piscitelli and
Robert M. Kornreich '67



Jessica Ortiz '05, Michael D. Mann
'06, NYC Alumni Chapter Chair
Rebecca A. Ricigliano '99 and
Jason J. Almonte '07



ROCHESTER

The Inn on
Broadway
Feb. 27



NEW YORK CITY

The New York
Athletic Club
March 5



SYRACUSE

Prime
Steakhouse
March 13



ALBANY

Jack's
Oyster House
March 14



Hon. Michael L. Hanuszcak '84 and
Patricia C. Campbell '95

Melanie J. Bailey '12,
Rachel A. Krone '10 and
Robert W. Clark '10





James S. Kraus '81 and
Margaret (Peggy) M. Fabric '81



Central New York Alumni
Chapter Chair Samuel
Tamburo welcomes guests.



Richard P. James '89, Nancy L. Caple
'81 and Kristin B. Greeley '98

Vice Dean Alan S. Carrel '67 and
Douglas G. Roberts '73



Brian M. Melber '96, Paul S.
Groschadl '75, Laura A. Groschadl '12
and Franz M. Wright '14



Lorisa D. LaRocca '02, Wende J. Knapp
'10, Victoria A. Gleason '09, Johanna V.
Bartlett '92, Penny A. Dentinger '04,
Rochester Chapter Chair Jennifer K.
Meldrum '10



Helen K. Root
'11 and
Anthony R.
Scalia '12



Associate Dean
Karen R.
Kaczmariski '89,
Hon. Gerald J.
Whalen '83, Vice
Dean Kim Diana
Connolly and
Hon. Rose H.
Sconiers '73

Denis R. Hurley
Jr. '88, Timothy
C. Hannigan
'11 and Anne
M. Hurley '88



Nicole E. Haimson
'12, Associate
Director for
Career Services
Marc R. Davies
'03, and Nicole J.
Ettlinger



Above,
John J.
Privitera '77
and Lewis F.
Steele '80

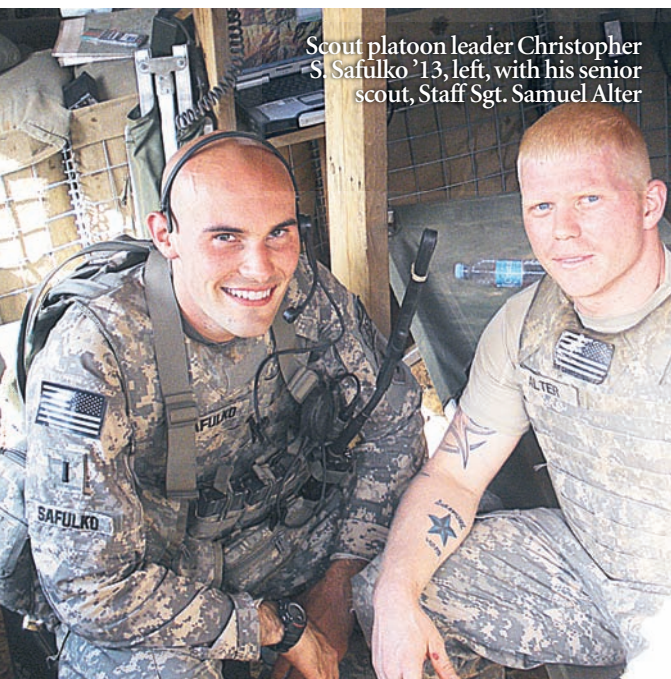


Right, Albany
Chapter Chair
Kevin M. Grossman
'04 and Melanie
Finkel Grossman '05



Ryan K. Micklus
'06 and Assistant
Director for
Development Lucy
A. Dadd '04

A soldier's story



Scout platoon leader Christopher S. Safulko '13, left, with his senior scout, Staff Sgt. Samuel Alter

Christopher Safulko '13 went from Amherst to Afghanistan and back

One of the first things that new law students learn is the importance of the rule of law – the ancient ideal that everyone in a society should be governed by the same laws and the same application of those laws.

It's a lesson with special resonance for Christopher Safulko, who graduated this year from SUNY Buffalo Law School. Safulko entered the Law School immediately on the heels of a career as an active-duty Army officer, with extensive experience as part of Operation Enduring Freedom in Afghanistan.

As a result of that experience, he says, "I have a different perspective than many people, because I see what's at stake. I spent time in a place where the state of nature is in play. Where I was in Afghanistan, there was no rule of law. I saw how people behaved and what happens when you don't have confidence in your ability to petition the government.

That bolsters or validates my decision to go into the practice of law, because I understand how important the integrity of the system is."

The story of Safulko's service in Afghanistan is one of several interlocking narratives in a best-selling book from last year, *The Outpost: An Untold Story of American Valor* by Jake Tapper, now a CNN anchor. The book tells of the battles to defend Combat Outpost Keating in Afghanistan's Nuristan province from attacks by Taliban insurgents. Safulko served as an executive officer and scout platoon leader there, and was wounded by shrapnel (which he still carries in his leg) when a recoilless rifle round struck a Humvee and exploded on the ground near him and other soldiers. For his service, Safulko was awarded the Purple Heart and the Bronze Star.

Tapper called him in 2010 and subsequently conducted multiple interviews, followed by a two-year process of fact-checking to get the story right. "I'm happy with what he did," Safulko says. "He included the human side. We talk a lot about the cost of the war in dollars and cents, but what it costs in human terms is less told. I feel lucky that my story was incorporated and was told. Everybody who was out there over those three to four years is fortunate in that respect."

He still has a soldier's reticence to tell his own story, but has made an exception when speaking out about veterans issues such as post-traumatic stress disorder and the high suicide rate among military members. "It's a difficult experience to rehash these things over and over again," Safulko says. "But if I'm educating the public by telling my story again, I'll do it. It's important to know what kinds of conditions existed out there. . . . Less than 1 percent of the U.S. population at any one time in the past decade has served in Iraq or Afghanistan. The rift between civilian and soldier is so wide now. Most of the people who have fought in Iraq and Afghanistan are strangers to most of the American public."

One debility he wants the public to understand is moral injury – essentially an emotional wound caused when a soldier is forced to do something that violates his or her moral, religious or ethical belief system, typically in combat. Sa-

fulko says it may manifest as depression or "survivor's guilt."

In his own adjustment to civilian life, Safulko says what was hardest for him was slowing down. His final day of active duty was followed straightaway by the first day of SUNY Buffalo Law School orientation. "I was used to being very, very active all the time," he says. "The sedentary lifestyle of sitting in class and studying so many hours a day was hard. I had more time to think about everything that had happened in the past few years."

The decision to enroll in SUNY Buffalo Law, says Safulko, who grew up in Amherst, was in one way an effort to find a new way to serve. "When I came back, in 2009, I knew I was ready to do something else," he says. "Everything I had joined the Army to do, I had done. And I decided this wasn't for me anymore. I still want to serve the public, still want to serve my community, but there are other ways to do it." A law degree, he recognized, would give him the freedom to live anywhere he wants, the skills to earn a living, and the latitude to do whatever pro bono work seems to him most helpful.

About half of his Law School costs have been paid through the GI Bill, he says, and by graduating with substantially less debt than he might have at a private law school, he has the freedom to pursue his professional interests.

At SUNY Buffalo Law, he has been part of the Trial Technique team and Moot Court Board. He also has served as a summer law clerk with the U.S. Attorney's office, had an externship as a law clerk with the Erie County district attorney's office, and most recently he worked as a law clerk at the Buffalo law firm HoganWillig, where among other matters he worked on wrongful-incarceration cases.

To stay in shape, Safulko does a lot of running. It fits with the pace of his life. "I feel," he says, "like I haven't stopped moving in seven years."

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SAVE THE DATE FOR YOUR CLASS REUNION!

Plan on coming to Buffalo Oct. 4 & 5, 2013

Classes of 1973, 1983, 1988, 1993 and 2003

The plans are set, but we need you to make the party complete!

Here is some of what you can expect:

Friday, Oct. 4

- Back to School – Opportunity to audit a class.
- Network the Nation – Small groups mentoring our students led by alumni volunteers.
- Reunion Class Cocktail Party with the dean and professors – At the Mansion on Delaware (the former Victor Hugo Mansion) with cocktails and hors d'oeuvres

Saturday, Oct. 5

- CLE with the New York State Trial Academy of Lawyers
- Light fare and tours of the Law School – Led by our student ambassadors
- Afternoon on your own or class-specific activities – Call some classmates or just take the afternoon to explore some of Buffalo's hot spots.
- Class parties – Reunion weekend concludes Saturday evening with the all-time favorite alumni event, the individual class parties.

More information will be posted in the coming months at www.law.buffalo.edu/ClassReunions. Make sure we have your email address! Late-breaking developments and class information will be shared via email – don't be left out.

Class of 1963's 50th Reunion

May 17 & 18
Commencement Weekend

Class of 1953's 60th Reunion

Wednesday, July 17

With comments or questions, contact Amy Hayes Atkinson, director of special events and reunions, aatkins@buffalo.edu or (716) 645-6224.

