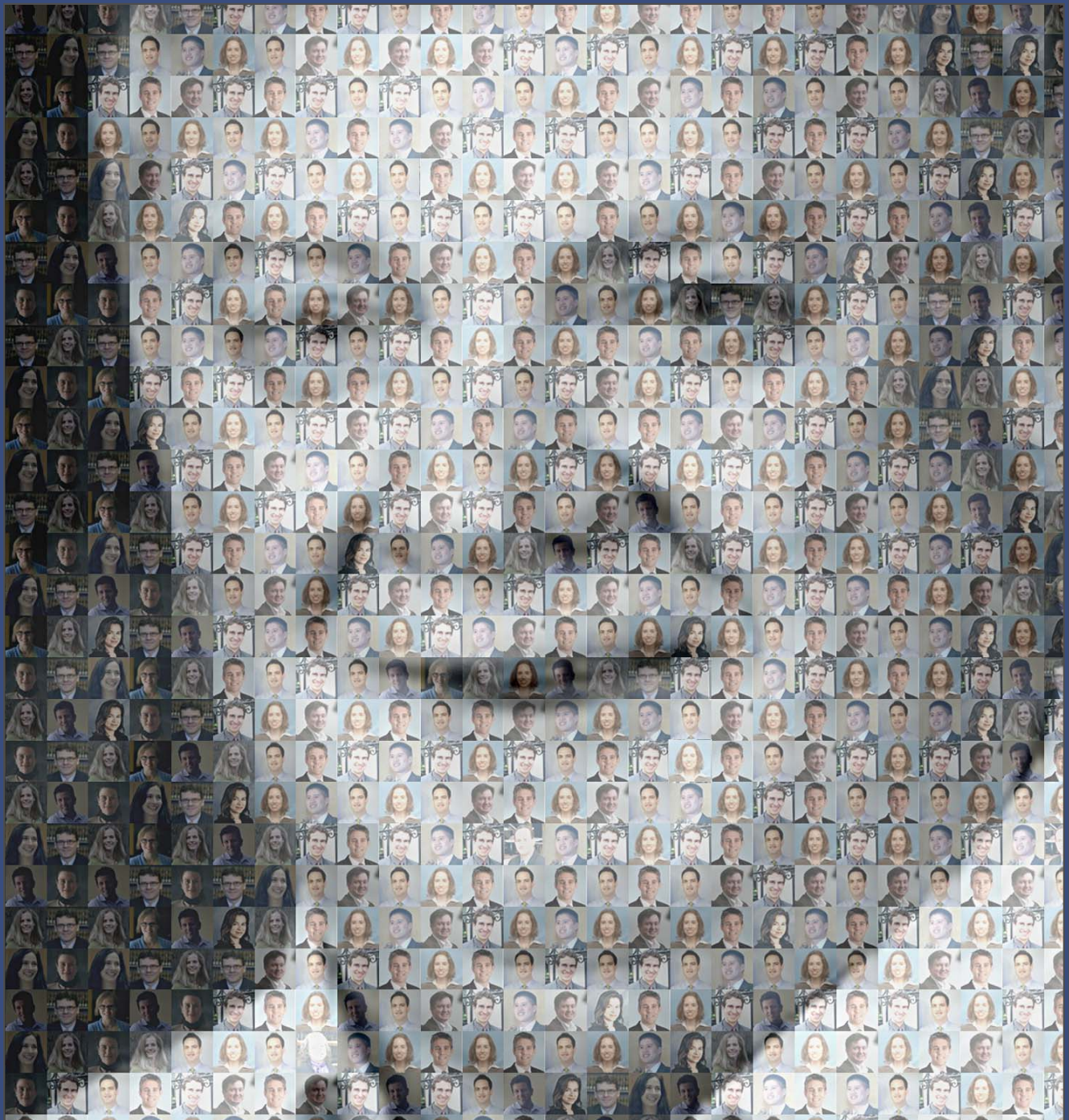


FALL 2011

# UB LAW FORUM

*THE MAGAZINE OF THE UNIVERSITY AT BUFFALO LAW SCHOOL  
THE STATE UNIVERSITY OF NEW YORK*



## THE CHANGING FACES OF UB LAW



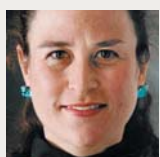
*Cover photo montage of Professor Emeritus Ken Joyce  
composed of our 15 new tenure-track faculty.  
See article on Page 4*



**Samantha Barbas**  
Ph.D., University of  
California, Berkeley  
J.D., Stanford  
University



**Mark Bartholomew**  
J.D., Yale  
University



**Irit Braverman**  
LL.B., The Hebrew  
University of  
Jerusalem  
S.J.D., University of  
Toronto



**Todd Brown**  
J.D., Columbia  
University



**Matthew Dimick**  
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Wisconsin, Berkeley  
J.D., Cornell  
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Ph.D.,  
Yale University  
J.D., Stanford  
University



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LL.M., New York  
University



**Sagit Leviner**  
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of Michigan  
LL.M., University  
of Michigan



**Tara Melish**  
J.D., Yale  
University



**Anthony O'Rourke**  
J.D., Columbia  
University



**Jessica Owley**  
Ph.D., University of  
California, Berkeley  
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California, Berkeley



**Matthew Steilen**  
Ph.D., Northwestern  
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J.D., Stanford  
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**Rick Su**  
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University



**Mateo Taussig-  
Rubbo**  
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**Winnifred Fallers  
Sullivan**  
Ph.D., University  
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J.D., University  
of Chicago



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The State University of New York*

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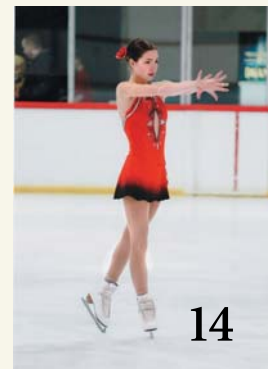
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# President Tripathi:

*“A great advocate and supporter of the Law School”*



Dean Makau W. Mutua

It's time to ring in a new academic year. As we bridge the future with the past, we take stock of the great strides that UB Law has made. The conclusion to last year was exciting – Sen. Kirsten Gillibrand delivered a rousing Commencement address to the Class of 2011. It was a fitting tribute to UB Law and the graduates who have gone into the world to earn a living and do good. The year also ended with the selection of UB Provost Satish Tripathi as the university's 15th president. President Tripathi, whose investiture was Sept. 23, has been a great advocate and supporter of the Law School. His wise counsel and support have allowed UB Law to grow amid a national economic contraction. His commitment to help put UB Law among the top law schools in the country has been unwavering. I know that with President Tripathi at the helm, UB Law's best days lie ahead.

The most enduring legacy over my years as dean has been the hiring of excellent junior faculty. All told, we have 14 junior faculty. This academic year alone, we have been joined by four outstanding junior faculty. Samantha Barbas (Ph.D., Berkeley; J.D., Stanford) will teach legal history; Matthew Dimick (Ph.D., Wisconsin; J.D., Cornell) will teach labor law, corporations and contracts; Matthew Steilen (Ph.D., Northwestern; J.D., Stanford) will teach constitutional law and civil procedure; and Tony O'Rourke

(J.D., Columbia) will teach criminal law and procedure. This impressive group of junior faculty brings its enormous talents to Buffalo to teach in crucial areas of legal education. In the coming year, we expect to hire two more colleagues to teach in the areas of criminal law and commercial law, including international business law. We also hired two new faculty members for our transformed Legal Skills Program – Bernadette Clor (J.D., Cornell) and Monica Piga-Wallace (J.D., UB Law). We are building a faculty that's second to none.

Last year was a year of great achievements. Professors Guyora Binder and James Gardner, also the vice dean for academic affairs, were named SUNY Distinguished Professors, the highest honor that SUNY can bestow to an academic. They were so recognized for their outstanding and peerless academic work. Professor Binder is a global leader in criminal law while Professor Gardner is internationally recognized in state con-

stitutional law. I could not be more proud of these fitting achievements.

This year has begun on high note. Our entering IL class has the highest GPA in the history of UB Law. Our development office has never been busier, thanks to the generosity of our alumni. I know that you are the foundation on which we stand. Your philanthropy will take us to the top. Renovations of our first floor – the most lived space in the Law School – are almost complete. We have a new entrance to the school complete with a reception desk, new lighting and flooring, and a new first impression for all of our visitors. Please come and take a look. We also have installed modern learning technology in several of our classrooms, including the biggest. These are exciting times.

I end where I started. UB Law is on wings. We will fly as high as we want to fly. Together, we will reach the heights that we richly deserve.

# Celebrating UB's past, present and future

*Investiture of Satish K. Tripathi as UB's 15th president*



Internationally recognized as an accomplished researcher and transformative higher education leader, Dr. Satish K. Tripathi was one of the principal creators of the UB 2020 strategic vision to achieve academic excellence, and has led the university to realize significant growth in research and scholarly activity, enhanced student quality and diversity, and an expanded international presence. Building on this strong foundation, Dr. Tripathi's vision for UB's future focuses on moving the university into the highest ranks of the nation's leading research universities through expanding its reach and impact locally as well as globally.

The investiture of Tripathi on Sept. 23 was part of a larger Inauguration Week, a university-wide celebration from Sept. 19 to 24 that honored the university's proud past while celebrating its extraordinary present and vast potential for the future. It included a SUNY Distinguished Professors colloquium, international symposium and a speech by a former U.S. secretary of defense, as well as an outdoor concert on the lawn of UB's South Campus, a global fair and homecoming tailgate parties and football game.

The theme of the celebration was "Local Impact, Global Reach," underscoring the fact that the work of UB scholars, researchers and educators changes the world for the better. The celebration also reaffirmed UB's commitment to contributing to the greater public good through its pursuit of academic excellence, a foundation on which it continues to expand its reach, strengthen its impact and set its sights even higher for the future.



## NEW FACES

**Samantha Barbas**  
*Legal history***Mark Bartholomew**  
*Intellectual property***Irus Braverman**  
*Criminal procedure, law and geography***Todd Brown**  
*Torts and bankruptcy***Matthew Dimick**  
*Labor and corporate law***Michael Halberstam**  
*Civil procedure and corporate law***Stuart Lazar**  
*Tax***Sagit Leviner**  
*Tax*

# TRANSITION *and*

*With 15 new tenure-track faculty hired in the past four years,*

UB Law School is undergoing a sea change in its faculty the likes of which hasn't been seen in a generation or more. In just four years, 15 promising young scholars have set up shop in O'Brien Hall, following in the very large footsteps of a cohort of well-respected senior faculty who have retired.

"Over the past four years, UB Law has undergone a profound renaissance in many respects," says **Dean Makau W. Mutua**, whose vigorous advocacy for the Law School on the University level has made possible these hirings even in tight budgetary times. "The biggest change has been in the face of the faculty. One-third of the tenure-track faculty has been hired within the last four years. This is the deepest transformation of the faculty since I have been here."

These new professors bring new energy and new ideas to the school—and quickly learn that, as Jack Hyman has said, "Times may change, but the values of UB Law remain constant."

It helps to remember that the school's nearly 125-year history has been marked by several such large-scale transitions. **Professor Robert Reis**, currently the longest-tenured member of the faculty, notes several that have taken place in his four decades-plus at the Law School: the growth in the size of classes, which have gone from the 60s and 70s in the



Professor Errol Meidinger and SUNY Distinguished Professor James A. Gardner



1960s to around 200 students now; the school's experiment with the Q/H/P/F grading system; the burgeoning of elective options rather than a mostly required curriculum; the University's becoming part of the State University of New York system; and perhaps most challenging, the school's move to the UB North Campus in 1972. The Law School has not only survived but flourished through each transition, and each has become part of the history on which the next generations of scholars and teachers have built.

Change is never stress-free, and "an amount of turnover at this rate and magnitude is stressful for any in-

stitution," acknowledges **Professor James A. Gardner**, vice dean for academic affairs. Yet administrators, senior faculty and members of this new cohort of professors say the transition in the faculty brings significant advantages to what **Professor Errol Meidinger**, head of the Baldy Center for Law & Social Policy, and the Law School's vice dean for research and faculty development, calls the institution's "community culture."

This culture, Meidinger says, "can be both a strength and a potential liability. The challenge is to maintain the strengths that historically we have had, and adjust those areas that we see as weaknesses."



**Tara Melish**

*Human rights and international law*



**Anthony O'Rourke**

*Criminal law and procedure*



**Jessica Owley**

*Environmental law*



**Matthew Steilen**

*Civil procedure and constitutional law*



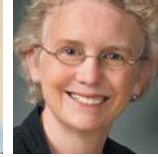
**Rick Su**

*Local government, property, immigration law*



**Mateo Taussig-Rubbo**

*Contracts, law and anthropology*



**Winnifred Fallers Sullivan**

*Law and religion, EU law*

# TRADITION

*UB Law propels a proud legacy into a promising future*

Like a highly intellectual variant of Match.com, the process of identifying and attracting faculty with star power to UB Law is part science, part chemistry. Meidinger notes that “for every person we hire, we typically look at four or five people.” An important consideration is ensuring that core areas of the legal curriculum are covered. Where the school has in the past pursued a “best available athlete” policy – bringing on board talented scholars largely regardless of their area of specialization – “we’ve swung further in the direction of trying to hire for curricular needs,” Gardner says. “We try to balance the needs of the curriculum with the general degree to which a person would be a desirable member of our community.”

Part of the give-and-take of faculty recruiting is to help candidates understand the norms and expectations of that community, to be sure their values and intellectual curiosity are consistent with long-held institutional values. It’s a matter of fit, and when a promising candidate accepts an offer, it’s with the expectation on both sides that the match will be both comfortable and fruitful.

“Broadly speaking,” Meidinger says, “these faculty are likely to continue to exemplify the distinguishing hallmarks of our community” – such

characteristics as going beyond black-letter law to understand how the law works in society; education and experience in one or more affiliated intellectual disciplines, such as sociology, history or philosophy; and an emphasis on interdisciplinary analysis of legal issues, long a nationally recognized strength of UB Law.

In addition, Dean Mutua notes, “We teach law with a social conscience, and that is an identity we will nurture. My biggest challenge as dean is to make sure that we retain the institutional identity of great critical scholarship as the faculty turns over.”

But the shaping goes both ways. Because there is strength in numbers, the recently hired faculty have a larger say in governance issues than they might otherwise. Says Meidinger: “We have to explain how we do things, and sometimes that leads us to re-examine our practices. That is a good thing, because we can look at whether the old ways of doing things are still the most effective. We need to be open to

*“This is the deepest transformation of the faculty since I have been here.”*

— Dean

*Makau W. Mutua*



*Continued on Page 6*

# TRANSITION *and* TRADITION

*Continued from Page 5*

that kind of change.”

One of the advantages that the new professors bring is, for many, recent work in law practice, both private and public service. In a rapidly changing legal world, there is just no substitute for boots-on-the-ground experience.

“The new faculty, who are younger, have brought vitality to the school,” Dean Mutua says. “Their perspectives on law and the legal profession were forged in the 1990s and 2000s. As the legal profession changes – because of market pressures and social upheavals at large – our new faculty stands to play a large role in shaping those changes both at UB Law and beyond. That’s because they better understand these forces because they are part and parcel of them.”

“It’s very fortunate that we’re bringing in so many relatively young, energetic, intellectually searching people as we are,” Meidinger says. “It increases the Law School’s capacity to understand and adapt to these changes.”

“We needed an infusion of new blood,” Reis says. “I’m in awe of these young people – they are so bright, so caring, and so prolific in their scholarship. They put an enormous

amount of pressure on me to publish and to teach more courses. They have a different perspective on things, and it’s the perspective of the future.”

Indeed, many observers say that the relative youth of the new faculty forms a natural commonality with their students, most of whom, despite trends toward later-in-life law school enrollment, are young people themselves. (The average age of this year’s entering Law School class is 25.)

“They are tech-savvy and relate very easily to students who are getting younger every year,” Dean Mutua says. “The new faculty has been very engaged with students – partly because of the age factor, but also shared cultural dynamics in processing current social trends.”

“These professors are much more closely in tune with our students generationally,” Gardner says. “Certainly they have the same set of cultural references as their students. And they are natural technology users in their work and in the classroom.”

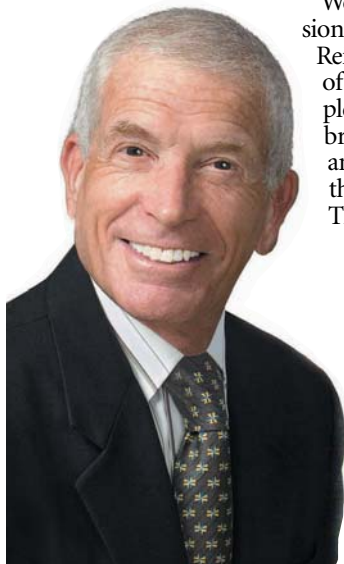
Adds Meidinger: “They just bring a lot of experiences and energy. It’s invigorating. The senior faculty gets a lot from the infusion of fresh energy and ideas that the junior faculty bring.”

Beyond the ways that this new group of teachers and scholars is changing the Law School now, perhaps more significant will be the ef-

fects of this transition as the school progresses through the next decade of its history.

“UB Law is now positioned because of younger faculty members to enter the next two decades with a core group of great talent in faculty,” Dean Mutua says. “They are all prolific writers and scholars who are plowing new vineyards. They project an image of vibrancy and academic vitality for UB Law to outsiders. And they make UB law an attractive and seductive place that faculty elsewhere want to visit or join.”

Adds Meidinger: “If we can keep all these people – and they will be in demand – it’s going to be a very dynamic, stimulating and insightful place. Looking ahead 10 years, I think this will be a great place to be.”



*“I’m in awe of these young people – they are so bright, so caring, and so prolific in their scholarship. They put an enormous amount of pressure on me to publish and to teach more courses. They have a different perspective on things, and it’s the perspective of the future.”*

*— Professor Robert Reis*



# Learning from the best

## *Faculty mentoring makes for superior teaching*



Professor Philip Halpern

**I**n the classroom as in so many other arenas, nothing succeeds like success.

To ensure the continuation of the high-quality teaching that has guided generations of UB Law students, new tenure-track faculty are mentored in effective teaching skills. Each new faculty member is assigned a three-person “visiting committee” of senior faculty that guides them along the path to achieving tenure.

The committee concerns itself largely with research, scholarship and publication, but nurturing classroom skills through class visits and detailed feedback is an important part of its work. “The goal is to get them through the promotion and tenure process, bringing them up to speed as effective professors,” says **James A. Gardner**, vice dean for academic affairs. “Committee members will observe their classes every semester and write a report, and they will sit down with the person they’ve observed and talk things over. Sometimes they review their PowerPoints and make suggestions, and talk about how to use technology in the classroom and when not to – really about how to present material most effectively.”

For **Associate Professor Irus Braverman**, the process began when her visit-

ing committee helped her decide what courses to teach, finally settling on criminal procedure. “That was the first hurdle,” Braverman says. “I needed to choose what my central teaching commitment would be.

“I’ve worked very closely with them,” Braverman says of her visiting committee, which consists of **Professors Errol Meidinger**, chair, **Guyora Binder** and **Athena Mutua**. “We’ve had a lot of debates about how to teach things – what methodology to use, when to use PowerPoint, when to lecture. I was most comfortable with sophist methods, asking a lot of questions, and some students were not so comfortable with that. I learned to soften things.”

Classroom management is part of the discussion, and after much consideration, Braverman decided to ban the use of laptops, with all their potential for distraction, in her classes. “That has been very successful,” she says. “Students love it. They come to me after class and say, ‘I won’t say it out loud, but I love it.’

“At first I wasn’t completely tuned in to American law students,” says Braverman, whose law studies were completed in Israel. “Now I get very good feedback. It’s a well-earned reward for a lot of work and thinking every day about how to approach things that might otherwise be very dry and technical. Students tell me they’ve never had three hours go by so quickly.”

**Associate Professor Mark Bartholomew** says the pedagogical feedback he has received from his visiting committee – **Professors Jim Wooten**, chair, **Robert Reis** and **Rebecca French** – has spun off the further benefit of professional relationships. Bartholomew has co-taught courses with two of those committee members: a colloquium on intellectual property law that he taught with Reis, and a seminar called Fashion and the Law, with French.

Just as profitable, he says, is the con-

tinual traffic in ideas, especially with Wooten. “He sends me things in the news, scholarly articles about things that are useful to my class,” Bartholomew says. In addition, the two colleagues served together on a panel to impart teaching tips to adjunct faculty members at the Law School.

“It’s been a really good process,” **Associate Professor Rick Su** says of his work with his visiting committee, which consists of **Professors James Gardner**, chair, **Teri Miller** and **Philip Halpern**. “Just having an outside observer is helpful. You prepare for class, you get a sense for who you are in front of a class, but having another person visit and observe has been incredibly helpful in that regard.”

Gardner’s feedback, for one, is almost a play-by-play, Su says. “He has a very good sense of how the students are reacting. Sitting in the back of the room, he’s good at documenting almost in a statistical way how many people are coming in on time, when the last person arrives, when they take notes, when they’re looking at the Internet. He’ll say things like, ‘In this section they were all paying attention, but after this discussion people started dropping off.’”

In response to feedback from his committee members, Su says, he has made changes in his approach, for example reconsidering the order in which he presents cases, and whether to set up the case with background first, or jump right into the discussion and bring in the fact pattern later.

Su also notes that there’s no one right way to be effective in the classroom. “You have to work with your subject and your own personality,” he says. “Although everyone has their way and they’re happy to share, they recognize that you have to develop a method that works for you.”

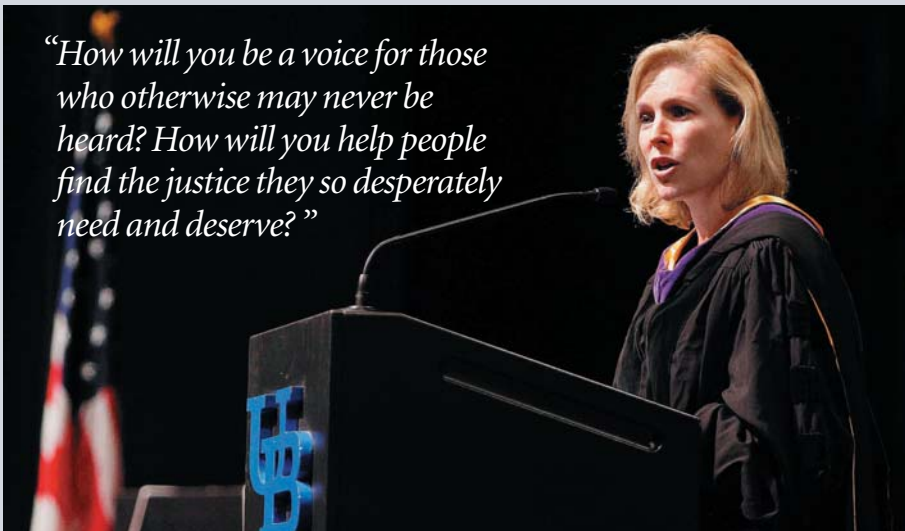
*“It’s been a really good process.”*

— *Associate Professor Rick Su on his work with his visiting committee*



# 122nd COMMENCEMENT

*"How will you be a voice for those who otherwise may never be heard? How will you help people find the justice they so desperately need and deserve?"*



U.S. Sen. Kirsten Gillibrand addresses the Class of 2011

## *Sen. Gillibrand highlights UB Law's 122nd Commencement*

In the midst of a changing legal landscape, speakers at UB Law School's 122nd Commencement exercises emphasized the core values of the legal profession and challenged the graduates to use their skills not just to do well, but to do good.

Held May 21 in the Center for the Arts, the Commencement ceremony featured as its keynote speaker U.S. Sen. Kirsten E. Gillibrand, Democrat of New York. The ceremony was the academic endpoint for 260 graduates who received Juris Doctor and Master of Laws degrees.

"The law is both a shield and a weapon," Dean Makau W. Mutua said in welcoming the graduates. "You can use the law to attack, or you can use the law to defend. You must always strive to use it for the cause of justice. Go forth and conquer the world, but conquer the world for the common good."

Satish K. Tripathi, the University at Buffalo's newly named president, noted, "In a world that is always changing and never predictable, our Law School provides the tools, skills and innova-



Timothy C. Hannigan '11 presents the student address

*Continued on Page 10*





SUNY Distinguished Teaching Professor Kenneth F. Joyce, left, presents the Ken Joyce Award for Teaching Excellence to Hon. Kevin M. Dillon '76



At left, Dean Makau W. Mutua and Pamela D. Heilman '75



Far left, Margaret W. Wong '76, right, and daughter Allison T. Chan '11



Left, Jennifer Early '11 with her grandmother Celina Marquez



# LAW SCHOOL REPORT

*"The law is both a shield and a weapon. You can use the law to attack, or you can use the law to defend. You must always strive to use it for the cause of justice. Go forth and conquer the world, but conquer the world for the common good."*

— Dean Makau W. Mutua

Left to right, Hassan Shibly '11, Professor Sawzan Tabbaa and Dean Makau W. Mutua



Alumni Association, Timothy C. Hannigan '11 gave the student address. "We gather here to embrace our entry into a vocation that serves as a vanguard to the intrinsically American ideal of equal justice under the law," Hannigan said. "It's not the job of the lawyer to represent someone who's unable to represent themselves, it is the privilege of the lawyer to do that. As lawyers from the University of Buffalo, we must incorporate honesty and integrity into our own practice of law and be forthright and fair with our adversaries. By doing this, we will make our families, our school and our profession as proud of us tomorrow as they are today."

Sen. Gillibrand, whose own law degree is from the UCLA School of Law, clerked for the Second Circuit Court of Appeals, then worked as an attorney in New York City for more than a decade. She served as special counsel to the secretary of housing and urban development in the Clinton administration — Andrew Cuomo, now New York State governor. She then worked as an attorney in upstate New York before her election to Congress.

She became a U.S. senator in January 2009, filling the seat vacated when Hillary Rodham Clinton became secretary of state, and won election to the seat in November 2010.

Gillibrand drew on her own experience of public service to challenge the graduates to serve the public good. "How will you use all the learning and training and the lessons that you've learned here at UB Law to make a dif-

Nicole D. Harris '11 with family and friends.

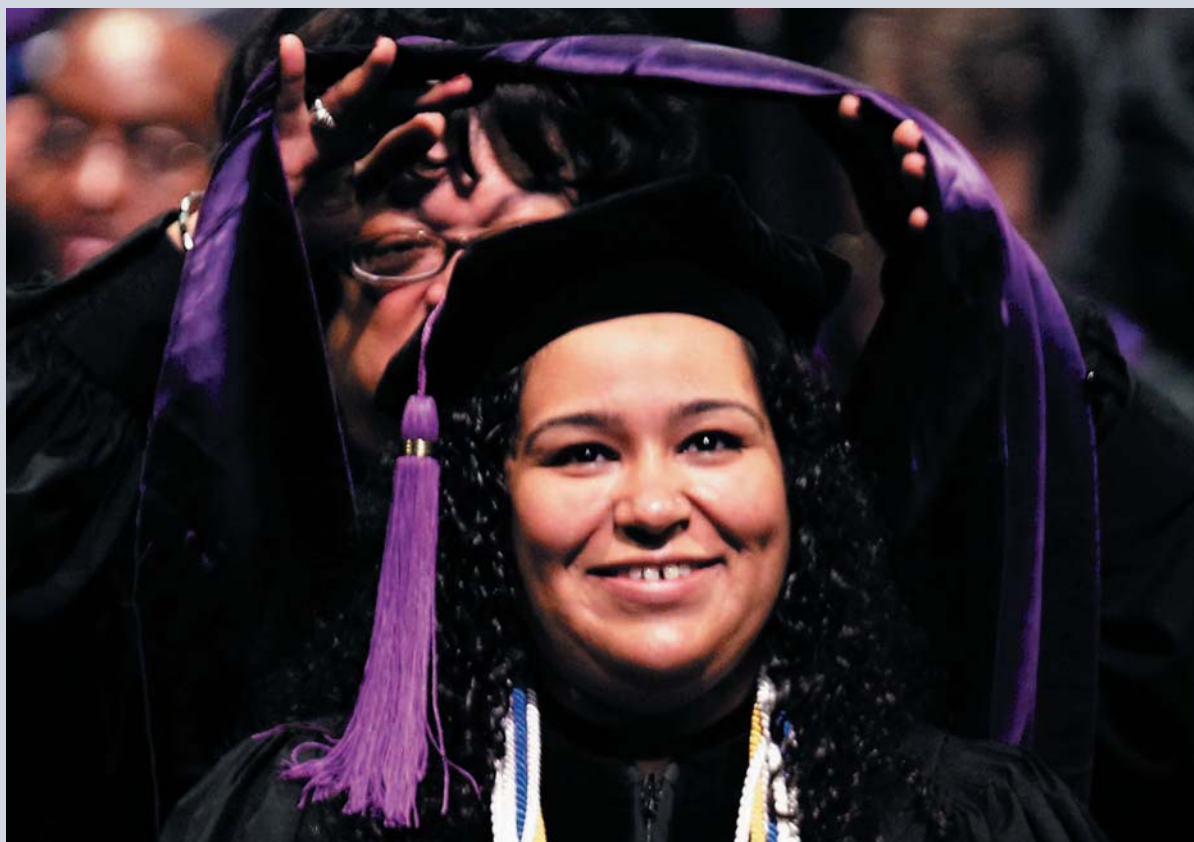


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tive ideas to keep pace with every unexpected new challenge and each unforeseen new opportunity. As students in UB's Law School, you have played an active part in this process. Now, as alumni, it will be up to you to determine how you will use your UB education to continue to change the world for the better."

After greetings from Laurie S. Bloom '83, president of the UB Law

*Continued on Page 12*



Tiffany M. Lebron  
'11



Left, Marize Ayob '11  
with Professor  
James A. Gardner



Far left, left to right,  
Hon. Hugh B. Scott '74,  
with Jonathan Miles  
Gresham '11



Middle,  
Michael J. Tedesco '11

Left,  
Shayna Hutchins '11



*“In a world that is always changing and never predictable, our Law School provides the tools, skills and innovative ideas to keep pace with every unexpected new challenge and each unforeseen new opportunity.”*

— Satish K. Tripathi, President, University at Buffalo

Reena Garg '11  
with her brother.



Above, left to right, Katherine L. Dibble '11,  
Melissa L. Overbeck '11 and Emily G. Catalano '11

At right, left to right, John P. Feroletto '82, Kathleen  
T. Feroletto '11 and Hon. Paula L. Feroletto '82



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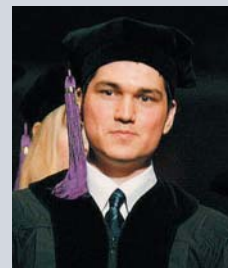
ference?” she asked. “How will you be a voice for those who otherwise may never be heard? How will you help people find the justice they so desperately need and deserve? How are you going to harness the spirit to take on the challenges that we face as a country right now? How will you make a difference?”

“And whether it’s through your professional skills in the legal world or the work that you do on your personal time, I hope that each and every one of you today will find a way to engage in public service. Whatever your vision is

for your future, that will be your reality. You must seize each and every opportunity that is presented to you in your life, and you must never, ever give up.”

Dean Mutua presented the Dean’s Medal – in recognition of the recipient’s commitment to justice and the rule of law – to Hon. Hugh B. Scott '74, magistrate judge for the U.S. District Court, Western District of New York. Reflecting on the occasion, Scott said: “I really did receive a first-class legal education here in this school. If I deserve this award at all, so too does this school for giving me a chance to fulfill my dream of making a difference in the struggle for fairness and justice for everyone. The way we visit this world is really influenced by layers of conscience, and it’s a real privilege to be a lawyer. Today you’re going to start down the road in building a great career. Just remember that fairness and justice for others will never be achieved when the world is viewed through a veil of privilege.”

Hon. Kevin M. Dillon '76, a justice of the New York State Supreme Court, Eighth Judicial District, received the Ken Joyce Excellence in Teaching Award. Members of UB Law School’s Class of 1961, many of whom were in attendance as part of marking the 50th anniversary of their own Commencement, were recognized as well.



Nicholas J. Taranko '11

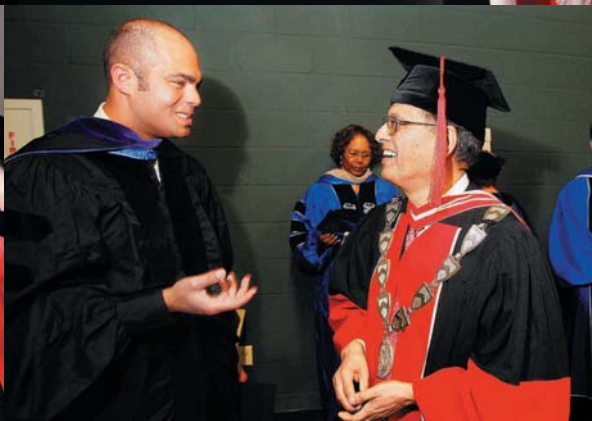




Kathleen A. Ellis  
'11



At left, Joseph M. Hanna '05 and University President Satish K. Tripathi



Far left, Dean Makau W. Mutua places the Dean's Medal around the neck of Hon. Hugh B. Scott '74



Far left, left to right, members of the Class of 1961, Stephen E. Cavanaugh, Marie Volland Anderson and Hon. H. Kenneth Schroeder



Left, Professor Charles Patrick Ewing

# One class, many voices

## Class of 2014 brings an enriching diversity to the Law School

**U**B Law this year enrolls a smaller, slightly older, slightly more female incoming class – one whose median grade point average is almost one-tenth of a point higher than its predecessor class, and most especially, one with the signal strength of diversity.

Seventeen percent of the incoming members of the Class of 2014 are members of racial and ethnic minorities. Beyond those categories, the new students bring diversity in a whole range of other ways.

“With members ranging in age from 20 to 57, of all ethnic and racial backgrounds, and with a wide array of academic and life experience, the Class of 2014 is a group of people who look like America,” says Lillie Wiley-Upshaw, vice dean for admissions and financial aid. “We expect that diversity to serve them well in the classroom and to enrich the UB Law community in so many ways. These are smart, motivated and caring students who will find a natural fit with the school and, in just a few years, in the legal world.”

Meet just a few of the interesting newcomers to O’Brian Hall:

**Peter D. Cantone’s** father is a general-practice lawyer in Camillus, N.Y., near Syracuse. But Cantone “wanted to do my own thing,” he says, and became



an excellent trombone player and a music major at the State University of New York at Potsdam and at Rochester’s famed Eastman School of Music.

But as he continued to discern his life’s purpose, he found himself “getting a little frustrated with music because of a disconnect between what I was doing and other people. I always wanted to do something that would have an impact on other people, and I wasn’t finding that in music.” From his admission essay: “As a musician, many hours each day are spent in a private practice room, perfecting one’s craft. Ultimately, no matter how close I came to expressive authenticity, I felt unfulfilled.”

Having spent some time helping his father at his law office, “I got looking at what he does, how he helps people all the time. It was really exciting to me,” Cantone says. “There has always

been a big part of me that’s concerned about public issues and politics. It kind of came down to, I’d like to do this.”

“I’ve always been very passionate about civil rights and advocating for people who are at a disadvantage,” says **Sara Furguson**. “My goal is to go to Law School and specialize in employment law and help people like myself reach their fullest potential. That includes things like employment discrimination, preventing unnecessary prejudice and raising awareness about



people’s capabilities. My ultimate goal is to become a law professor.” Furguson was just 3 years old when an automobile accident left her paraplegic. She has used that as grist for her activism and education around disability-related issues. A graduate of Cornell University’s renowned School of Industrial and Labor Relations, Furguson founded the Cornell Disability Service Team, among other campus and community service initiatives, and most recently helped to develop an online certificate

series for CEOs and human resources professionals, developing classes that focus on “disability in the workplace and how employers can integrate and accept into the workplace people with disabilities.”

“The law degree,” she says, “will allow me to educate employers on how they can successfully accept people who are different and have been excluded from some of the things that other people have had the opportunity to do.”

Growing up in Canada, **Sarah Haque** found strong role models, she says, in her mother and other women relatives who had overcome adversity.

“I was raised in a Muslim Pakistani household speaking Urdu, lived in a predominantly Orthodox Jewish neighborhood in Montreal, communicated in



French at the workplace and with friends, and completed my schooling in English,” she wrote.

Haque brought that diversity of experience to her work at the South Asian Women’s Community Centre in Montreal, where as an intern she helped build a comprehensive business development program to serve low-income immigrant women who needed seed money to start a business. She also created the first microfinance student organization at McGill University, the Student Network for Economic Development.

“A lot of power comes with a law degree,” Haque says. “I want to have that access. I already have some ideas about what I want to study, but mainly I want to explore what’s in the law and what I can do with the tools I’m going to gain.”



*“With members ranging in age from 20 to 57, of all ethnic and racial backgrounds, and with a wide array of academic and life experience, the Class of 2014 is a group of people who look like America.”*

*— Lillie Wiley-Upshaw, vice dean for admissions and financial aid*



From ages 6 to 18, **Danielle Shaffer** was a competitive figure skater, competing nationwide and becoming the only skater to win the Empire State Games at all levels. As a teenager she got up at 5 a.m. for a pre-school practice session, then practiced for three more hours after school. “As a figure skater, I learned much more than triple jumps,” she wrote in her admission application. “I am grateful for having the thought process of a competitive athlete that is forever embedded in my mind.”

“You learn to push yourself when you’re not very motivated,” Shaffer says, “in those times when you don’t want to step on the ice but you know what your goal is.”

A philosophy major as a UB undergraduate, Shaffer says she decided on law school during her freshman year. “Law is something that basically controls our lives, so being part of that is awesome,” she says. “I’ve always been interested in contracts and the business aspects of sports. But my mind is open: Whatever I really find interesting and enjoy and want to take more of, that’s what I’ll pursue.”

**Benjamin Wisniewski** got a taste of the legal world as a lieutenant in the Navy, where he served as a command legal officer aboard the USS New Orleans. There he prepared over 150 non-judicial punishment proceedings, working with Judge Advocate General’s Corps and federal prosecutors, the Naval Criminal Investigative Service and civilian police. The cases ranged from minor offenses like tardiness to serious crimes like the theft of a large-caliber machine gun.

“Like anything else in life, most of the education happens once you’re on the job,” he says of that experience. “But I’m under no illusion that I know what a lawyer does. My job in the Navy was very much like a prosecutor position, so I have a little bit of experience in the legal field. I also have a background in admiralty law and an interest in environmental law. I’m looking forward to starting law school



and investigating what it has to offer.”

A graduate of Cornell University, where he studied earth and atmospheric science, Wisniewski also served through a military exchange program aboard the HMS Cornwall, a British warship assigned to fight pirates in the Gulf of Aden and the Somali Basin.

#### **Class of 2014 profile**

Applicants admitted	37%
Average age	25
Age range	20-57
Age 25+	29%
Women	46%
Men	54%
Ethnic diversity	17%
Students with advanced degrees	6%
Median GPA	3.57
25th GPA percentile	3.36
75th GPA percentile	3.7
Median LSAT	157
25th LSAT percentile	154
75th LSAT percentile	158



# Making good work possible

## *Summer public-interest internships build on fellowship support*

**T**wenty-five UB Law School students spent their summer researching, writing, litigating and learning as public interest fellows – their internships in public service fields supported by the Buffalo Public Interest Law Program (BPILP) and other UB Law-based fellowship programs.

The internships – in private law offices, advocacy organizations, public prosecutors' and defenders' offices at all levels of government, and non-governmental organizations – are typically unpaid, and the fellowships support students' living expenses and free them from the need to shoulder more debt during their law school years.

Nearly 40 students applied for fellowships, a process judged by BPILP board members, the dean's office and the development office. In addition to funding provided by BPILP, whose 16th annual auction raised nearly \$40,000 for the effort, donors included Dean Makau W. Mutua, the UB Law Alumni Association, the Student Bar Association, the Buffalo Human Rights Center and individual faculty, staff, alumni and students.

Among the donors were attorney Steven M. Cohen '87 and his wife, Pamela D. Cohen '84, whose gift funded the new University at Buffalo Law School Civil Rights Fellowship that enabled a student to work on pro bono civil rights cases with Steven Cohen and the civil rights litigation team at the HoganWillig law firm in

Amherst. The first recipient of that fellowship was **Erica C. Smith '12**.

"I wasn't quite sure what I was going to do this summer," Smith said. "But as an African-American woman, civil rights has always been something near and dear to my heart. It's been so rewarding to provide a voice to those who may not have one. This internship has definitely lit a fire under me to continue this work."

In the 12-week internship, Smith



Erica C. Smith '12



Kinsey Davidson '13



Bradley Loliger '13

said she did a lot of research and drafted legal documents and memos on cases involving Constitutional issues, free-speech violations and questions of due process. She also has responded to and corresponded with prisoners who have alleged civil rights violations. Her research and writing coursework at UB Law, she says, has been essential. "The skills that I learned in my first year and continuing into my second year have been immeasurable," she says. "That's pretty much the substance of what I do."

Adds Smith, who has 5- and 3-year-old daughters: "People shy away from public service for various reasons, including finances. To be able to

have this opportunity and still be able to maintain my household, to engage in rewarding work and still be able to pay the bills, has been wonderful."

Her classmate **Laura Groschadl '12** spent the summer in Washington, D.C., working for the National Center for Transgender Equality, an advocacy group.

"I applied for the Buffalo Human Rights Center Summer Human Rights Fellowship specifically to work at a U.S. LGBT civil rights organization," Groschadl says. "Although much progress has been made recently, I feel strongly that the United States is far behind where it should be in granting lesbian, gay, bisexual and transgender people full civil equality. I believe that this will be one of the most important civil rights struggles of our generation, and it's a very exciting time for young lawyers who want to get involved in making change."

Her background has concentrated on domestic violence prevention, Groschadl says, so "I had to educate myself quite a bit about issues affecting transgender people. My internship at NCTE has provided me a great deal of education on working with federal agencies to change regulations, policies and practices. I had to get up to speed on the sometimes elusive workings of administrative law. I've also learned skills about collaborating with allied organizations and the strategies of effective non-profit organizations in changing federal policy."

"Although I haven't yet taken administrative law, and my substantive legal knowledge was of limited usefulness, my UB Law training has helped me in one major area: research and writing. I appreciate more than ever before the value of good research



Laura Groschadl '12 spent the summer in Washington, D.C.

skills, and I hope to take an advanced research course during my third year of law school."

The summer's work, she says, has involved drafting legal and policy memoranda to advocate with federal agencies to improve access to health care and eliminate health care disparities for transgender people under the Affordable Care Act, and working on issues affecting transgender seniors, such as resident rights in long-term care facilities.

"As much as I love D.C., it is certainly a more expensive city than Buffalo," Groschadl says. "Without the support of the fellowship, I simply would not have been able to come to D.C. this summer. I am very grateful to the Buffalo Human Rights Center and its donors for this opportunity."

**Bradley Loliger '13**, who is studying for the joint J.D./MSW degree, combined those interests in his summer internship with Legal Services for the Elderly, Disabled or Disadvan-

taged of Western New York.

"Every day is something different, depending on what we have to focus on," he reports.

"We do a lot of Article 81 guardianship cases, when an individual is allegedly incapacitated. The work runs the gamut from researching cases to drafting letters, communicating with attorneys, helping to figure out how to write a motion to dismiss a case, home visits to meet clients, looking at contracts. I get a taste of all different things. I'm not stuck in an office running Westlaw all day."

It was tough getting up to speed, Loliger says.

"Going to law school and lectures is way different than the practice of law and how it works," he says. "But the opportunities that Legal Services for the Elderly have given me are really great. One of the things that has impressed me is that there are five or six attorneys total here, and six or seven paralegals, and they do such a vast amount of work."

Loliger, who currently serves as outreach coordinator for BPILP, is only too happy to make the case for increased support of public-interest fellowships. "There's a huge, huge need for public-interest work," he says. "Donations that people make to these fellowships go directly to the students in fellowships and helps them. In past summers I worked on the grounds crew at UB to survive and pay the bills. It's because of the fellowship that I'm able to do this internship."

"One of the best experiences I could ever hope for" is how **Kinsey**

**Davidson '13** describes her summer internship with the U.S. Attorney's Office for the Western District of New York. "I'm able to do something that feels like it has a lot of prestige and gives me a lot of opportunities, but it's also so good for the public."

Assigned to work with two attorneys in the federal prosecutor's office's criminal division, Davidson has worked on cases involving white-collar crime, environmental crime, tax fraud, mail fraud and environmental crimes.

"Legal practice is such a broad area," Davidson says. "In law school or the first couple of internships, you learn those details. I've been surprised at how quickly and effortlessly all of the interns in my office get up to speed. Particularly at UB, we have the LAWR course that has been so useful. In my first week I was assigned two internal memos, and I knew how to write those in my sleep. When you have those raw materials for research and writing, you can do anything with it."

Her BPILP fellowship, she says, is an essential part of the experience. "Being a student with a limited budget, it really wouldn't be possible for me to do this work without the fellowship," she says. "I have the luxury of not having a part-time job on the side, and being able to devote myself 100 percent to learning the practice of law. I think that will make me a better lawyer and a better public servant."

## CLINICS

DOING GOOD,  
LEARNING WELL*Restructuring of  
clinical program  
mixes efficiency  
and education*

**U**B Law School's clinical legal education program – the roster of legal clinics in areas from affordable housing to family violence, mediation to environmental issues – is undergoing a major restructuring intended to make the clinics' work more efficient and more effective as both an educational tool and a community service.

Under the leadership of **Professor Kim Diana Connolly**, director of clinical legal education, the clinical professors are meeting monthly to put into place initiatives that grew out of a faculty strategic planning retreat led by Professor Peter Joy of Case Western Reserve University, a national expert in the field.

As an initial step, they are implementing shared-use management software that standardizes record-keeping among the Law School's seven clinics, recording vital information on each client, and storing it all on a secure server. The program, similar to software used by law firms, "makes it easier for faculty to do the things we need to do," Connolly says. "And it exposes students to this type of software and demonstrates best practices to them." The software also manages conflict-of-interest checking and makes it easier to transition cases between students across semesters.



Professor Kim Diana Connolly

The server-based storage (clinic records until now have been kept by individual professors) will also allow for secure communication between students and professors, no matter where they are. "If I'm speaking at a conference in D.C.," Connolly says, "and a student needs to show me a document that she needs to file, I can pull that up without anyone having to e-mail it, and it's secure."

The software system is just one part of an overall shift in thinking for UB Law's clinical legal education program, Connolly says. "The clinics for the most part have been operating independently," she says. "Now we're moving to a law firm model, one in which we have obligations to one another." Those obligations are manifold – the clinics' obligations to their clients, the faculty members' obligations to each other, the school's obligation to the students (who are, after all, paying customers), and what Connolly terms "our global duty to produce excellent lawyers."

Those obligations are at the heart of planning process that is producing an overall mission statement and drafting a three-year strategic plan that sets out a vision for the clinics, a set of collective goals and some steps for how to get there. The strategic plan will be brought to students, the full faculty and members of the local bar before it's finalized.

"The faculty are sharing a sense of, 'What is it going to take to continue this amazing work and graduate practice-ready students?'" Connolly says.

The longer-term goal is to identify "the ideal set of clinical offerings for UB" – examining whether, for example, students are seeking more opportunities to litigate or do legislative drafting, and deciding how to meet those needs. Connolly points out that the clinics are fully subscribed now – they're operating at capacity given the faculty resources available.

Drawing from her own student experience at Georgetown University Law School, where she did small claims and Social Security disability work in clinics, Connolly wants to integrate the clinical program more fully with the rest of UB Law's curriculum, asking non-clinical faculty to become of counsel for a clinic in their area of academic specialization. "Students are hungry for practical experience, but students are also hungry for brilliant professors," she says. "High-level theory can be an integral part of real-life practice."

"Students are hungry to do something that matters. My hope is that those who are part of the clinical program, when they leave the school, will be closer to practice-ready than they were before."





Since the founding of the Affordable Housing Clinic, it has participated in developing 2,106 units of new or rehabbed housing and brought \$213 million in resources to Western New York for housing development – including St. Martin Village, seen here.

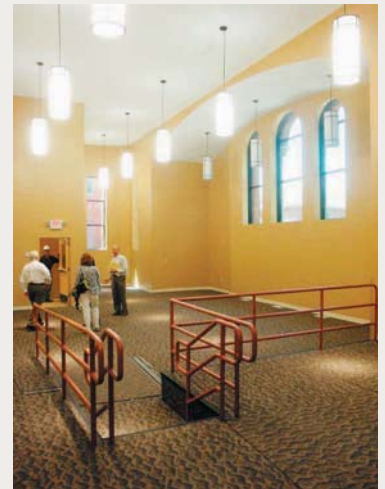
## *Housing Clinic work builds to a beautiful finish*

A long stretch of work by students and faculty in UB Law School's Affordable Housing Clinic paid off this spring with the opening of St. Martin Village, a 60-unit residence for low-income residents on Buffalo's East Side. The \$16 million project, which rehabs three historic buildings dating to the early 20th century, was financed with private equity generated by tax credits and a grant from the New York State Division of Housing and Community Renewal.

"We're going into our fifth year of students who have worked on this project – that's 12 students per semester, times two semesters, times five years," says Clinical Professor George Hezel, who has directed the Affordable Housing Clinic since its founding in 1987. "That's in addition to my time and all of Tom Disare and Lauren Breen's work. This is the kind of front-loading that most law firms cannot do. There is risk in doing this, because the state can fund only one in five projects for which it receives grant applications. As a public institution, we can afford to take that risk."

The housing initiative reclaims a brownfield that had marred the Dodge Street neighborhood and preserves the character of the German Roman Catholic Orphan Home whose buildings it adapts. The two- and four-bedroom units were built to be energy-efficient, including Energy Star-rated appliances to keep utility bills low for tenants. The complex's historic chapel was divided into two spaces for use as community rooms – one for tenants, one for neighborhood residents.

"This has been a long time in coming, and success was not always in sight," Hezel says. "When it's done after all that effort and patience, it's really satisfying."





*"The mediator ... motivates parties to think creatively about solutions ... and legal disputes are resolved saving people money, time and aggravation, as well as minimizing harm to their parenting, business or other relationships." — Steven Sugarman '85*

## C L I N I C S

# FINDING THE MIDDLE GROUND

*Mediation Clinic  
teaches the real-world skills  
that get cases settled*

When Steven Sugarman '85 talks about the advantages of mediation – for clients and for the legal system – he speaks with the zeal of an evangelist. Sugarman, who practices with the Kenmore, N.Y., law firm Pusatier, Sherman, Abbott & Sugarman, concentrates his practice on mediation, mostly in divorce and separation cases. He also directs the Law School's Mediation Clinic, which trains students in the skills of this burgeoning area of legal practice – both skills as a mediator and as an attorney advocating for clients at the mediation table.

"This is about listening – about how parties in a dispute need to feel heard and understood by the mediator and by each other before they can effectively problem-solve," Sugarman says about the process, in which a neutral third party, knowledgeable in the law, catalyzes a problem-solving discussion between disputants outside the normal court structure. "It's really a facilitated negotiation. The idea is empowerment. Instead of a judge or arbitrator resolving the dispute, the parties are often best equipped to arrive at a solution that best satisfies their interests. With a mediator's help, parties are encouraged to step away from their stated positions and examine the underlying interests driving those positions. The mediator then motivates parties to think creatively about solutions that satisfy those interests, and legal disputes are resolved saving people money, time and aggravation, as well as minimizing harm to their parenting, business or other relationships."

The Law School's Mediation Clinic builds on Sugarman's courses on the theory and practice of the mediator's art. Six carefully selected students per semester observe mediation sessions and other appropriate dispute resolution processes; learn the practice through role playing, videos and reading; journal about their experiences; and, when it all comes together, serve as mediators for small claims courts in Amherst and Buffalo as well as assisting in mediations in child visitation cases in



*“They’re learning about effective listening, effective facilitation, getting people to engage in more effective negotiations and to even creatively problem-solve.”*

— Steven Sugarman ’85

Family and Supreme courts.

“They’re helping real people in real cases resolve disputes, and at the same time honing their negotiation and legal problem-solving skills sets that haven’t been utilized much as law students, and finding, hey, this really works,” Sugarman says. “They’re learning about effective listening, effective facilitation, getting people to engage in more effective negotiations and to even creatively problem-solve.”

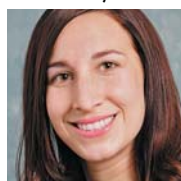
Besides the skills of mediating a dispute, the clinic helps students learn how to advocate for clients who want to enter the mediation process with a lawyer in tow. Part of that skill, Sugarman says, is managing the expectations of clients who, having watched too many episodes of *The Practice*, expect their lawyer to be confrontational and adversarial. Students learn that this behavior, at the mediation table, may be contrary to serving their client’s best interests.

Mediation Clinic students, along with others interested in mediation, also participate in an intramural mediation competition that tests the effectiveness of lawyer-client pairs, using scenarios and scoring rubrics provided by the American Bar Association. About 30 attorneys from the local Bar serve as mediators and scoring judges for the November competition. The Law School sends the top two teams to the ABA Dispute Resolution Section’s Regional Representation in Mediation Competition, where last year UB Law finished as the second-strongest law school.

The clinic is one instance of burgeoning interest at the Law School in non-traditional dispute resolution methods. It’s a trend that began about a decade ago when **Richard Griffin ’57** began teaching an ADR course as an adjunct professor.

“More and more attorneys are becoming conscious of this and recommending to their clients that they mediate the cases,” says Griffin, who practices with the Buffalo law firm Kavinoky Cook. “There’s no question it’s growing in our community.” For example, he says, every case in the U.S. District Court serving Western New York now must go through mediation before it can be considered for trial.

In addition, he says, appropriate dispute resolution prioritizes the skills of the counselor-at-law, particularly negotiation. “Negotiation skills are very important, whether you’re doing mediation or trying a lawsuit,” Griffin says.



**Natalie Muñoz Stutz** can testify to that. As a mediation clinic student this spring, she and fellow student **Katelyn Dieffenderfer** co-mediated a case in the City of Buffalo small claims court that took a tortuous route to resolution, but



was resolved nonetheless.

It was a landlord-tenant case with a complicating factor: the landlord spoke only English and the tenant only Spanish. Her children were there to translate, and both mediators knew some Spanish.

“The defendants were very, very understanding. The woman was a little stubborn and difficult,” says Stutz, who now practices immigration law in Buffalo. “Katelyn and I sat across the table from each other so we could take cues from each other on what to do. The plaintiff would go on for so long that at times we had to say, OK, that’s enough. The judge is only there for so



#### Clinics now being taught at UB Law

- Affordable Housing Clinic
- Community Economic Development Clinic
- William and Mary Foster Elder Law Clinic
- Environmental Policy Clinic
- Law and Social Work Clinic
- Mediation Clinic
- Women, Children, and Social Justice Clinic
- Externships

long, so if we can’t settle the case before he leaves, it has to go to court.”

At one point, she says, the court officer gave them a two-minute warning. The parties were only \$20 apart in their negotiation, but they stood up and said that they would take their chances with the judge. “We asked them both to reconsider,” Stutz says. “We tried to reiterate that it was completely out of their hands if they went before the judge.” At Sugarman’s urging, Stutz and Dieffenderfer proposed splitting the difference with a settlement figure of \$310. The parties bit. “We went outside and finished it off,” Stutz says. “They left on good terms and smiled and were happy.”

Success – and on the parties’ own terms.

“It was just a lot of back and forth,” Stutz reflects. “They got what they wanted, got it settled, and money changed hands. Often the key factor is the relationship between the people, such as neighbors and friends. We both learned a lot.”



# Redrawing the lines

"Redistricting is about the legitimacy of elections," says Associate Professor Michael Halberstam.



*Baldy Center conference addresses the intricacies of electoral redistricting*

A major, and timely, conference at UB Law School on Oct. 14 and 15 addresses a contentious aspect of the democratic process: redistricting, the periodic redrawing of election-district boundaries in accordance with the Constitutional mandate of "one person, one vote."

The conference, called "Major Developments in Redistricting," brings together practitioners, public-interest lawyers, democracy advocacy groups and academics to discuss what one of its organizers, UB Law Associate Professor Michael Halberstam, calls "a fundamental part of our democratic process."

"Redistricting is about the legitimacy of elections and the legitimacy of the governing body," says Halberstam, whose co-organizers are Vice Dean James A. Gardner and Associate Profes-

sor Rick Su. "The fact that the process often takes place behind closed doors raises questions about the legitimacy of the body that is elected. At a time when people are so disaffected by politics and so disaffected by government, it's no time to further delegitimize the process."

Congressional redistricting gets the most media attention, because it potentially changes the balance of power in the House of Representatives. But this conference concentrates on local redistricting, particularly in New York State's counties, cities and other local jurisdictions. "There's no standard for this," Halberstam says. "The timing is different in every locality, the procedures are different. There's no one really paying attention to this in any focused way."

He explains that past controversies about the dilution of the minority vote in redistricting have given way to broader concerns about a lack of transparency in the process. Alert voters, he says, are fed up with legislators arranging their own job security by drawing politically "safe" districts for themselves. "It's unrealistic to think that the political market is going to regulate itself, any more than commercial markets can regulate themselves," he says. "The problem is that information isn't evenly distributed and readily available. What we currently have is the worst of all possible worlds, to have legislators choose their own seats."

In addition to the three UB Law organizers, presenters at the conference will include professors from Duke, Harvard, the University of Michigan, and the University of Texas law schools and George Mason and Fordham universities; representatives of the Pew Trust, the Brennan Center and the ACLU's Voting Rights Project; and attorneys working in New York, Washington, D.C., and Texas.

For his part, Halberstam will present at the conference his proposal to establish a redistricting clearinghouse that would gather, store and publicize

# A MODEST PROPOSAL

## *Student and professor enter the fray over Erie County redistricting*

information for all local redistrictings in New York State, in an Internet-accessible database. "A lot of people involved in the process aren't aware of the rules," Halberstam says. "The goal is to provide for each local redistricting the particular laws that apply there."

"My hope is to create a mechanism of monitoring by disclosure. You let the local institutions do what they want to do, but you force them to provide information to a central organization." Such a clearinghouse, he says, could identify a set of best-practices standards for local redistricting, then call out localities that fail to implement those practices—a watchdog function pushing lawmakers toward making the redistricting process fairer and more open to public scrutiny.

In addition, the conference will feature a demonstration workshop of publicly available software that enables democracy advocates to challenge redistricting decisions based on demographic data. The workshop will be co-sponsored by the Buffalo Partnership for the Public Good. Like all conference events, it is open to the public.

The "Major Developments in Redistricting" conference is sponsored by the Law School's Baldy Center for Law & Social Policy. Registration is required; e-mail [BaldyRSVP@buffalo.edu](mailto:BaldyRSVP@buffalo.edu).

The conference Web site is linked off the Baldy Center site, [www.law.buffalo.edu/baldycenter](http://www.law.buffalo.edu/baldycenter).

A student-professor collaboration that grew out of a Law School seminar became part of the contentious discourse over redrawing the boundaries of Erie County's legislative districts.

A project by **Patrick Fitzgerald '11** in Professor Michael Halberstam's spring-semester Law and Democracy course, which focused on redistricting issues, "kind of evolved beyond what anybody could have imagined," Fitzgerald says. Students in the course were required to develop a semester-long project, and Fitzgerald chose to take a hard look at Erie County legislative redistricting. The project grew, and in May he and Halberstam submitted an independent, non-partisan legislative redistricting plan to the Erie County Legislature and its Legislative Reapportionment Advisory Committee. The plan was developed in collaboration with the ACLU's Voting Rights Project.

The Erie County redistricting was a contentious and politically messy process. Voters had approved reducing the size of the legislature from 15 to 11 seats, and two politically charged proposals for new maps failed to win approval in the County Legislature. The process culminated in a decision by U.S. District Court Judge William M. Skretny to impose his own redistricting map, saying he had to do so to ensure that potential candidates for the November election had time to collect the petition signatures they would need in order to be placed on the ballot.

Fitzgerald's and Halberstam's map would have kept most towns and cities in single districts, except for Amherst and Buffalo, which are so big they must be divided between districts, and ensured that two of the three Buffalo districts would contain enough minority voters that they would be likely to elect a minority candidate.

"Our map was consistent with keeping communities of interest together," Fitzgerald says. "It also kept true

to the principles of one person, one vote, in compliance with the Voting Rights Act, in majority-minority districts. Our plan was in the middle of two extreme proposals that were submitted."

Part of public-policy advocacy is getting the word out, and Fitzgerald and Halberstam made the case for their redistricting plan to newspaper reporters, on television and at news conferences. "It's a very important part of public policy work," Halberstam says. "You have to be part of the conversation."

Though Judge Skretny imposed his own map, it shares important characteristics with the UB proposal, such as the two majority-minority districts, drawn from east to west in the City of Buffalo, and an attempt to keep most towns and villages intact.

For Fitzgerald, his senior seminar experience was an exciting capstone to his UB Law education. He particularly noted the time and attention his project received from a research-oriented professor at UB Law School. "We did a lot of work that was, I thought, an important learning experience for me," Fitzgerald says. "Navigating a political process and trying to have something pass in Erie County, I can only imagine what it would be like nationally. It was definitely the best experience I had throughout Law School."

Adds Halberstam: "I really like the idea of combining theory and practice. This was something very concrete and practical we could do. It was a tremendous learning opportunity for Patrick, but also he brought so much expertise to the project. And it was good for the Law School as well, in that it shows the competency of our students and what they can do."



Patrick Fitzgerald '11

# Exploring Attica's legacy

## *Conference recalls an uprising that changed America*



Courtesy of The Buffalo News



UB Law Professor Teresa A. Miller organized the conference.

One of the most painful chapters of New York State history, and a turning point in thinking about the American system of incarceration, was the subject of a major conference in mid-September at UB Law School.

The conference, called “40 Years After the Attica Uprising: Looking Back, Moving Forward,” marked the anniversary of a prisoner rebellion at Attica State Prison, about 40 miles east of Buffalo, that brought the world’s attention to long-festered problems in the U.S. prison system. The Attica uprising began on Sept. 9, 1971, and ended four days later when then-Gov. Nelson Rockefeller ordered state troopers to storm and retake the prison from the inmates who had taken control. Twenty-nine prisoners and 10 security and civilian staff died. It was the deadliest prison uprising in U.S. history.

The conference presenters, who spoke at UB, Buffalo State College and at a Buffalo church, were a diverse: prison advocates, legislators, policymakers, corrections professionals, activists, and a few people who were on the front lines of the conflict, on both sides.

“It’s about healing, in part,” says UB Law Professor Teresa A. Miller, who organized the conference. “This is the last decade in which these people are going to be able to sit down together. One of the contributions of the conference is that so many different stakeholders are willing to be in the same room even though they’re on different sides of the story. For the public in Buffalo, this is one of the last opportunities to hear firsthand from people who were there and to hear some of the most influential policymakers on the future of prison reform.”

Miller was a child growing up in Virginia at the time of the uprising, so it hardly registered at the time. But when she came to teach at UB Law, and soon a 25th anniversary commemoration was held, she realized how deeply the Attica uprising had ingrained itself in the psyche of Western New York. And now in the 40th anniversary year of the tragedy, she says the corrections industry, an entrenched part of the state’s and the nation’s economy, is undergoing re-consideration.

“We run a very expensive prison system. New York is leading the country in

looking at the wisdom of that and evaluating alternatives,” Miller says. “We’re at a point at which we need to look at prison reform and look at downsizing a system that has just grown too large. As a parent, you spank your child as a last resort. That needs to be the way we approach corrections as well, with incarceration as a last resort.”

The conference was an occasion to re-examine the work of corrections officers as well; according to Miller, they suffer stress-related illnesses at rates far greater than that of the general population, as well as disproportionate rates of drug abuse, domestic violence and other social maladies. And they die young—at age 58 on average, she says. “Day after day, it’s all negative,” she says of that difficult job. “It takes a toll.”

In addition to academic researchers, presenters included:

- **Malcolm Bell**, a former special assistant attorney general who helped lead the investigation into the uprising and the state response.

- **Jim Conway**, recently retired as the prison’s superintendent.

- **Arthur O. Eve**, a negotiator and observer in 1971 and a former New York State assemblyman.

- **Brian Fischer**, commissioner of the New York State Department of Corrections and Community Supervision, who presented the keynote address.

- **Michael Smith**, who was held hostage and shot during the retaking of the prison.

Of all the presenters, those involved in the 1971 uprising spoke the most memorable words. Melvin Marshall was 21 when he was incarcerated at Attica. “When I first went into that prison, I could feel the tension in that place,” Marshall says. “I knew something wasn’t right. There were always fights here and there, and always between guards and inmates.

“I knew the main people involved in the riot. It was destined to go up.”



# Top honors

## *UB Law faculty members Binder and Gardner named SUNY Distinguished Professors*

**T**wo key professors at the University at Buffalo Law School have been elevated to the rank of Distinguished Professor by the State University of New York board of trustees. Professors Guyora Binder and James A. Gardner were among 25 SUNY faculty members given the title, the highest honor that SUNY confers upon its teaching faculty. A total of five were from the University at Buffalo.

"It is with great pride that we recognize the brilliant scholars and teachers whose service merits one of the SUNY distinguished ranks," said board Chairman Carl T. Hayden. "The board joins with the recipients' families and campuses in celebrating their academic, service, research and teaching accomplishments."

The rank is conferred upon individuals who have achieved national or international prominence and a distinguished reputation in their academic field. This distinction is attained through significant contributions to the research literature or through artistic performance or achievement in the fine and performing arts. The candidate's work must be of such character that his presence will elevate the standards of scholarship of colleagues both within and beyond the individual's academic field. Appointment is a promotion to SUNY's highest academic rank.



**Guyora Binder**  
A.B., Princeton  
University, 1977  
J.D., Yale Law School, 1980

An expert in criminal law and in the interdisciplinary field of law and literature, Guyora Binder is one of the nation's leading legal theorists. He has been recognized as one of the "50 Most Prolific Law Professors" for his consistent publication of substantial articles in leading

law journals. His book *Felony Murder* (Stanford University Press) is forthcoming this year and another book, *Criminal Law: A Short Introduction* (Oxford University Press), is due out next year. His book *Literary Criticisms of Law* (Princeton University Press, 2000), praised by the *London Times* as "immensely learned," is considered a definitive treatment of literary methods in legal scholarship. A graduate of Princeton University and Yale Law School, he joined the UB Law School faculty in 1982. He has led faculty recruiting efforts at the Law School for many years, and currently serves as chair of the President's Review Board.



**James A. Gardner**  
B.A., Yale University, 1980  
J.D., University of  
Chicago, 1984

Jim Gardner balances teaching, administrative work and scholarship at a dizzying pace. A pioneer in the study of state constitutional law, he too is known for producing a great volume of scholarly work, having published 13 articles in the top 25 most-cited law reviews.

Gardner's works have been cited over 1,000 times. He is a frequent commentator in both state and national media on constitutionalism and elections law and has been voted the best teacher in the Law School. A graduate of Yale University and the University of Chicago Law School, and a former Department of Justice civil attorney, Gardner joined the UB Law faculty in 2001 and currently serves in the demanding role of vice dean for academic affairs. His most recent books include *What Are Campaigns For? The Role of Persuasion in Electoral Law Politics* (Oxford University Press, 2009) and, with a co-author, *New Frontiers of State Constitutional Law: Dual Enforcement of Norms* (Oxford University Press, 2010). He also directs the Law School's Edwin F. Jaekle Center for State and Local Democracy.

# Rethinking secular law

*Baldy Center conferences lead to a re-examination of the law-religion connection*

A collaboration among two UB Law professors and a historian from the University of Memphis has given rise to a new collection of essays examining the assumption that the law is autonomous, universal and secular.

**Professor Winnifred Fallers Sullivan** and **Associate Professor Mateo Taussig-Rubbo**, along with historian Robert A. Yelle, served as editors for the project, recently published by Stanford University Press under the title *After Secular Law*. The three co-editors wrote the introduction to the book, which also includes essays by UB Law Professors David M. Engel and Stephanie L. Phillips.

"Historians, sociologists, anthropologists and political theorists are insisting in various ways on the persistent relevance of religion or of the 'sacred,'" the editors write in their introduction. "If the boundaries between law and theology now appear less distinct, the blurriness of those edges has arguably enabled a range of new stories to be told about legal modernity, stories that reject the simplistic narrative of a separation between law and religion. One intention of this volume is to document, historically and ethnographically, the always mutually involved ways of law and religion."

The book originated in conferences in 2008 and 2009 that Sullivan, Taussig and Yelle planned. Called "Redescribing the Sacred/Secular Divide: The Legal Story," the conferences were sponsored by UB Law School's Baldy Center for Law & Social Policy. The contributors' academic disciplines include history, religious studies, law and anthropology.

"We hope that readers will understand that the differentiation and separation of religious and secular ideas and institutions is not an accomplished fact,



Professor Winnifred Fallers Sullivan and Associate Professor Mateo Taussig-Rubbo.

and that understanding the overlap between the two is important to understanding both the changes to society during the modern period – over the last 500 years – as well as contemporary societies," Sullivan says. "This book is part of a broader contemporary conversation in which secularism and secularization are being reconsidered."

She notes that the book is global in scope, including chapters on the relationship of religion and law in England, Thailand,

Egypt, Turkey, Denmark, India and Sudan, as well as the United States.

"Looking at the legal systems of other countries is important in its own right, as a way of understanding how law and religion are differently arranged in other locations," Taussig says. "It also helps, through comparison with the U.S., to help better understand our situation in this country."

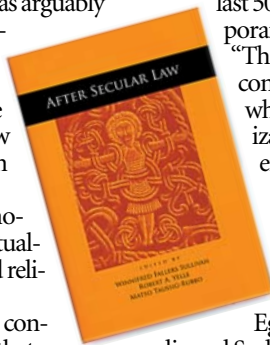
"We were interested in scholars who brought fresh insights into how law and religion interacted in the U.S. in the

present, and in different places and times as well."

Taussig, who has a background in anthropology, also has an essay in *After Secular Law* that, he says, discusses "the ideas of the sacred that emerged in the aftermath of 9/11. I ask whether this was a religious, legal or some other kind of designation."

Engel's chapter discusses Buddhism, secular law and social change in Thailand; Phillips' essay delves into a facet of American religious history, the "Unitarian Controversy" in early 19th century Massachusetts, in which Unitarian and Calvinist churches split over theological and property rights issues.

Among reviewers of the book, Joan W. Scott of the Institute for Advanced Study said: "This volume stages an extremely productive interdisciplinary conversation which questions the boundaries between law and religion that are often presumed by theorists of modernity. Arguing that law is not necessarily secular and that religion is often bound by law, the authors provide us with new stories about the complexities and interconnections of these supposedly separate realms."



# The American revelation

## *Professor Isabel Marcus breaks new ground in Polish law school experience*

**U**B Law Professor Isabel Marcus had taught in Poland before (not to mention Romania, Serbia, Macedonia, Russia, Lithuania, Azerbaijan and Georgia). With a longstanding interest in Eastern Europe, she has been traveling to the region since the early 1990s as part of her commitment to furthering women's human rights worldwide. Initially her work was in support of nascent non-governmental organizations, but she wanted to have a more direct impact as well, so she sought out teaching opportunities in the region, and has made regular appearances in Eastern European universities and law schools ever since.

But her experience from March through May of this year was a new one – for her and for the law faculty at Jagiellonian University in Krakow. The oldest university in Poland and one of the top two in the country in academic reputation, Jagiellonian has had a long relationship with the University at Buffalo. It remains rather traditional in academic orientation, and so Marcus says she was surprised when her proposal for a seminar on reproductive rights and technologies was accepted. It would be the first time reproductive rights would be taught as a law-school course in Poland.

For one thing, she was teaching this subject – contentious in the best of situations – in a country where 88 percent of the population identifies as Roman Catholic. For another, she was bringing her skills in sociolegal analysis to the subject, in an academic culture where the law is considered a closed system, sufficient unto itself. And her teaching style was different: The well-established understanding in American pedagogy that the classroom is a place of give-and-take is still foreign to Poles, whose law professors enjoy very high status and tend more toward by-the-book lectures than lively interaction. So a professor who asked their opinion and



Professor Isabel Marcus

who built relationships with them by showing movies after hours – well, that was bound to shake up the academy.

But where to begin? Marcus started with a question. “Help me understand,” she said, “why your government says officially that there are 500 abortions a year in Poland, but crisis pregnancy hotlines estimate there are 80,000 to 160,000 a year.” The students, she says, “were confronted for the first time with the hypocrisy of their government and the size of the problem of unwanted pregnancy,” a problem exacerbated by a dearth of basic sex education and restrictive laws on access to family planning technologies, including abortion.

**T**he five students in the seminar were “excellent – very, very diligent,” Marcus says. (The original enrollment was 12, but that shrank when the professor made it known that they would have to attend every class session because students were required to participate in class. Accustomed to classes that mostly repli-

cated their textbooks, they found that off-putting.) She also gave each student a CD she prepared with 1,000 pages of documents (ranging from Polish cases to international human rights standards and NGO reports) reinforcing the approach that the law comes out of a sociocultural context that can be studied and questioned.

The challenge was partly to help the students break free of centuries-old assumptions. For example, Marcus says, “In the West many of us now start off with the idea that we have autonomy over our bodies and are in charge of our own bodily integrity. But in Poland, women’s bodies are at the service of their husbands, their family, the church, the nation and the state.” As in much of Eastern Europe, rates of domestic violence are high, reflecting a traditional Polish saying: “If he doesn’t beat me, he doesn’t love me.”

(The first time she heard that, Marcus says, she thought her understanding of Polish was faulty.) And she worked to convince the students that identity politics – ensuring the rights of women, ethnic minorities, Roma and homosexuals – is bound up in legal issues, and not merely a social and cultural matter, as these issues have been traditionally defined. When she said in farewell, “It’s an honor to have taught you, and if there’s every anything I can do for you, let me know,” one female student raised her hand and said, “No professor in this law school has ever said this to us.”

Marcus taught the course as a volunteer; her only compensation was a place in faculty housing. “I regard it as part of my obligation not only as a SUNY faculty member but also as a citizen of the world,” she says.



Jagiellonian University in Krakow



# Is the 'right of privacy' out of control?

Associate  
Professor Mark  
Bartholomew



*When Lindsay Lohan can intimidate the E\*Trade baby, free speech may be at risk*

By Charles Anzalone

American courts are significantly expanding the legal rights and privileges celebrities can command over others using their names or likenesses. And a UB Law professor is questioning whether these courts have gone too far.

Clearly, says UB Associate Professor Mark Bartholomew, the courts have taken a more liberal interpretation when it comes to celebrities suing others for the use or even the implication of their names, images or voices. This special legal privilege—known as the “right of publicity”—has expanded to what

Bartholomew calls “very subtle celebrity references,” and beyond the use of specific celebrity names or images.

But does the special protection the American judicial system has advanced in the country’s golden age of celebrity worship gone too far?

“Celebrity references are important tools for speech or personal expression. They help us make important communicative points,” says Bartholomew, an expert on intellectual property law. “If I say someone has a John Wayne-type political style, you know what I am talking about. Celebrity names and images are also key items for personal development.”

So the issue is a matter of balance, Bartholomew says. Recent decisions expanding the rights and lawsuit prowess of celebrities come at a cost.

“We probably all went through that stage in high school where we put pictures of celebrities up in our lockers or wore them on T-shirts,” Bartholomew says. “Sometimes the celebrity is reappropriated by audiences in an unforeseen way, like the gay community’s embrace of Judy Garland. There is something disturbing about allowing the celebrity herself complete control over these important tools for communication and the ability to close off the ones she doesn’t approve of.”

The law is filled with easily recognized examples of this clash between celebrity rights and free speech, with elements and principals anyone from Super Bowl viewers to devotees of “OMG” and other celebrity Web sites would easily recognize.

Bartholomew’s favorite: the “infamous” Lindsay Lohan lawsuit.

“Last year Lohan filed a lawsuit in New York against E\*Trade, seeking \$50 million in compensatory damages and \$50 million in punitive damages for using her celebrity persona in a 2010 Super Bowl ad,” Bartholomew says.

“Lohan’s full name, picture and voice were not used. Instead, in the ad, an off-screen female voice asks the on-

screen E\*Trade baby through a video chat if ‘that milkaholic Lindsay’ was over when he didn’t call her the night before. This prompts another baby, presumably ‘Lindsay,’ to step into the camera and ask ‘milk-a what?’ That’s it.

“Lohan argued that she was famous on a single-name basis (like Oprah or Madonna) and also that ‘milkaholic’ was a reference to her troubled past and would allow viewers to identify her. People were upset with this case, angrily describing it in the blogosphere as completely frivolous. But E\*Trade settled the case for an undisclosed financial sum, showing that E\*Trade’s lawyers at least thought the law gave Lohan a chance of winning her case.”

Lohan is only the latest Hollywood celebrity whose name coincides with key court decisions on this relatively new legal phenomenon called the right of publicity. A landmark decision involved an icon of baby boomer American celebrity, *Wheel of Fortune* game show hostess Vanna White.

“White sued Samsung Electronics for its advertisement featuring a robot dressed in a blond wig, gown and jewelry standing next to a letter board resembling the one used on *Wheel of Fortune*,” says Bartholomew. “Samsung never mentioned White’s actual name or used her photograph. Nevertheless, a court in California held that Samsung indeed did violate Vanna’s right of publicity.”

The White case is important for two reasons, according to Bartholomew. First, it provided a very generous legal precedent to the definition of “What is use of a celebrity?” Second, the decision gave what Bartholomew calls “short shrift” to First Amendment concerns.

Bartholomew’s article, “A Right is Born: Celebrity, Property and Post-modern Lawmaking,” will be published in December in the *Connecticut Law Review*.

# Too much information?



*No, says new Law Library director – it's all in how you access it*

Elizabeth Adelman

As the newly appointed director of the Charles B. Sears Law Library, Elizabeth Adelman knows that law libraries – at universities, law firms and corporations alike – are at a crossroads.

Library and information science, like a lot of disciplines, is riding the digital wave, and searchable databases like LexisNexis and Westlaw promise at-your-fingertips access to every legal resource imaginable. At the same time, the paper resources – those volumes of statutes, for one, that look so professional lined up on a bookshelf – can work better than digital in some circumstances.

With each new class of law students who have grown up thumbing text messages and immersing themselves in social media, Adelman now sees opportunities to teach them both kinds of legal research, and bring them up to speed on the next-generation legal databases that will offer “one-box searching,” as simple as a Google query.

“Legal education anticipates what students will need when they graduate,” says Adelman, who was named director in June, succeeding Professor James Wooten. “We need to prepare students for any practice environment. We want law students to use critical thinking skills when they decide what resources to use and in which form.”

Those skills develop partly in UB Law’s newly expanded Legal Analysis, Writing and Research curriculum. “Historically, there have been very strong ties between our reference librarians and the writing instructors here,” Adelman says. So, for example, each research and writing instructor works with a reference librarian, developing exercises such as one that asks students to research an issue in paper resources as well as electronically, then write about which worked better in this instance, and why.

In addition to imparting those critical thinking and research skills, “We’re headed in the direction of taking a more active role in teaching at the Law School,” Adelman says. As an example, she cites international law librarian Nina Cascio’s course in international legal research in the spring semester – in time to train students who want to participate in the regional Jessup and Faskin international law moot court competitions.

Adelman emphasizes that the Law Library, which has a 17-member staff, runs as a team effort, much of which is unseen to its many users. “Librarians are trained to efficiently and effectively organize information, navigate the information overload and, most important in the electronic age, make the informa-

tion accessible,” she says. “What goes on in the public areas of the library appears to be very clear-cut, but what goes on in the back rooms is what makes the information available. Without the librarians who work in the back rooms, there would be no organization or accessibility to our purchased print and licensed online resources.”

Adelman, a native of Western New York, came to UB from the Georgia State University College of Law Library. She earned her law degree from Albany Law School and a master’s in library science and a bachelor’s degree in history, both from UB.

At the Charles B. Sears Law Library, Adelman previously served as head of collection management, a role in which she coped with severe budget cuts. “It prepared me to lead in the age of budget reductions,” she says. “The great challenge will be a long-range plan carried out successfully despite the budget crisis. Success under these circumstances will be a symbol of the collective talent of the Law Library staff.”

Adelman is also active in the larger community of law librarians, and serves on the editorial board of the Center for Computer-Assisted Legal Instruction, which promotes the use of technology in legal education. (Law students use its “CALI Lessons” as an effective study tool; Adelman has authored several.) Adelman was elected and served as the 2009/10 chair of the Academic Law Libraries Special Interest Section of the American Association of Law Libraries. She has written two books on legal research and, with co-author Theodora Belniak, the Law Library’s current head of collection management, is revising her book *New York Legal Research*, scheduled to be out in January.

Her service was recognized this year when she was awarded the SUNY Chancellor’s Award for Excellence in Librarianship. The award honors “skill in librarianship; service to the campus, the university and to the field; scholarship and professional growth; and major professional achievements.” Adelman was among seven UB faculty members, four professional staff and three classified staff members who received 2011 Chancellor’s Awards.

# Getting to know you

## *Lucy Dadd '04 builds relationships in support of Annual Fund*

**T**he world of institutional development work, Lucy Dadd notes, is less about the dollars and more about a sense of connection.

It's a lesson that Dadd, a 2004 graduate of UB Law, has taken to heart in her new role as assistant director of development for the Law School and the person primarily responsible for Annual Fund giving. "I have fond memories of my time here and know I received a great education," she says. "I'm excited to be back here and working with people who care so much about the Law School."

Building and maintaining relationships with the alumni – and one of the distinguishing features of UB Law is a large and fiercely loyal alumni base – is key to growing the support necessary to move the school forward. "Every gift counts," Dadd emphasizes. "That's why we're getting information out to our alumni about the importance of the Law School and its need for support to keep things running smoothly and to improve."

Working with lawyers is nothing new to Dadd, who grew up in a legal family in small-town Attica. Her brother is also an attorney, her father is a judge, and her mother is a general-practice lawyer with whom Dadd partnered in the family law firm for four years. Dadd also served with the office of the Livingston County conflict defender, in Geneseo, representing indigent defendants in family and criminal court matters, and with the Law Office of J. Michael Hayes in Buffalo, working with personal injury plaintiffs.

As she thought about the next chapter of her career, she was drawn to the idea of using her advocacy skills in a broader context, and a positive one, to advance the cause of the Law School. Working with the Annual Fund, she says, is a way to "use my skills to advocate for the Law School, and to work with a lot of smart people toward a common goal. It just



*Working with the Annual Fund is a way to "use my skills to advocate for the Law School, and to work with a lot of smart people toward a common goal. It just seemed like a perfect fit."*

– Lucy Dadd '04

seemed like a perfect fit."

The Annual Fund is one of the most important avenues of private support for the Law School, which has experienced diminishing state funding and increasingly relies on private contributions to fulfill its mission. It has grown to the point where alumni and friends of the School now contribute more than \$1 million each year toward the School's operating budget, and Dadd hopes to continue to build on that success. The Annual Fund is, she points out, the development vehicle that sees the highest numbers of alumni partici-

pating, many of them at the invitation of student callers who make solicitation phone calls year-round. Dadd will also be responsible for mailings at the start of the new academic year and at New Year's, inviting alumni participation in the Annual Fund giving campaign.

Her experience as a UB Law student, Dadd says, is what drives her to continue to stay involved in the School's fortunes. "I know I got a great education here," she says. "I had some excellent professors and courses. The professors always seemed to be working for the students and looking out for our best interests. They do a very good job with it."

As well, she says, the School plays an important role in the legal community, especially in Western New York. "UB Law School is highly respected in the area," Dadd says. "We have that camaraderie, and that's the basis of a lot of conversations. People like to know you can get a good education and not come out with an enormous debt load."

That high standard – excellence in education, and a good return on investment – persists, but only with continued alumni support. Asked how alumni can help the school's development efforts, Dadd noted that all alumni are encouraged to support the school in any way that they can and feel comfortable. Alumni are asked to lead the Annual Fund by acting as chairpersons; they are invited to attend certain events such as the leadership letter signing event, at which they write notes to their fellow graduates and encourage them to get involved and support the school financially; or get involved in numerous alumni fellowship and continuing legal education events. The hope, she says, is that all alumni will "want to support the school that gave them the opportunity for a successful career."

*Lucy Dadd, whose office is in Room 409 of O'Brian Hall, can be reached at (716) 645-2113 or [ladadd@buffalo.edu](mailto:ladadd@buffalo.edu).*



# Appointments, honors and promotions



Errol E. Meidinger



Patrick J. Long '00



Terrence E. McCormack



BobbyJo LaDelfa



Theresa M. Habberfield



Amy Atkinson

## *New duties for six faculty and staff members*

**D**ean Makau W. Mutua has conferred new titles and additional responsibilities on six members of the UB Law staff.

**Professor Errol E. Meidinger**, who directs the Baldy Center for Law & Social Policy, has been named vice dean for research and faculty development. "I am delighted that Errol will resume this post, given his long history of working with faculty on their research, scholarship and development," Mutua says. In his new role, Meidinger will organize faculty workshops, communicate faculty achievements, approve research assistants, advise the dean on the allocation of other research resources, and generally work to increase the school's support for faculty research and development.

Also on the Law School faculty, **Patrick J. Long '00** becomes coordinator of the Legal Analysis, Writing and Research program, which includes a newly expanded roster of research and writing instructors as the school fully implements this renewed focus on practical legal skills.

**Terrence E. McCormack** has been named associate director of the Charles B. Sears Law Library. McCormack has served as interim manager of Law School technology and head of the M. Robert Koren Center for Clinical Legal Education. He oversaw the implementation of the school's recent major upgrade in its technology infrastructure. "Terry has been the quintessential citizen at UB Law," Mutua said.

**BobbyJo LaDelfa** has been promoted to assistant dean for records and registration. LaDelfa oversees management of the Law School's Records and Registration Office, which is responsible for class scheduling and registration, final exams, grades, and maintenance of all student records, including transcript preparation.

Also in the Records and Registration Office, **Theresa M. Habberfield** has been named assistant director of records and registration. She also serves as assistant registrar.

In the area of student affairs, **Amy Atkinson** assumes the title of director of special events.

*"I am delighted that Errol will resume this post, given his long history of working with faculty on their research, scholarship and development."*

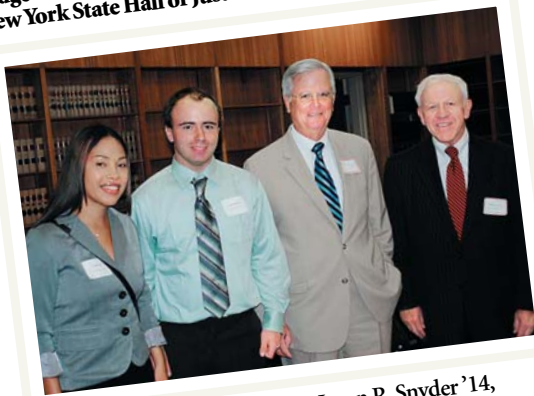
— *Dean Makau W. Mutua*

# THE WIDE ANGLE

## *Alumni connections across the nation*

Wherever you work or live, you can connect with your UB Law classmates and friends by friending the UB Law Alumni Association on Facebook. Visit <http://law.buffalo.edu/facebookLAA.asp> to get connected today!

### **ROCHESTER** Judges luncheon for 1L students New York State Hall of Justice



Left to right: Carla N. Perez '14, Jason R. Snyder '14, Hon. Thomas M. Van Strydonck '73, our host, and Michael R. Wolford '68

### **D.C.** Reception at the E. Barrett Prettyman United States Courthouse



Chapter Chair Leslie P. Machado '96

### **D.C.** Reception at the E. Barrett Prettyman United States Courthouse



Left to right: Betsy Broder '81, Hon. Paul L. Friedman '68, our host, Virginia A. Seitz '85, and Kristin Graham Koehler '94

### **ROCHESTER** Reception for newly admitted attorneys Memorial Art Gallery



Left to right: Gary J. Muldoon '76, Hon. John J. Ark '72, Hon. Stephen K. Lindley '89, and Vice Dean James R. Newton.

### **ROCHESTER** Matrimonial Law CLE Monroe County Bar Center Left to right: Hon. Richard A. Dollinger, Rochester Chapter Co-Chair Laura A. Myers '05 and Cynthia L. Snodgrass '92



### **D.C.** Reception at the E. Barrett Prettyman United States Courthouse



Henry Rose '51 and Sarah J. Duval '12

**NEW YORK CITY**  
Summer social  
The Brasserie



Left to right: Younie Choi '04, Christina V. Nunn '05 and Adam S. Plante '04

**NEW YORK CITY**  
Summer social  
The Brasserie



Left to right: Caitlin M. Higgins '13, Amy E. Fellenbaum '13, NYC Chapter Vice Chair Rebecca A. Monck Ricigliano '99, Daisy A. Tomaselli '13 and Benjamin J. Kallos '05

**NEW YORK CITY**  
Mock interview program  
Sydney Austin LLP



Corey R. Forster '13, left, is interviewed by Michael D. Mann '06

**SARATOGA SPRINGS**  
Day at the races



Left to right: Jean C. Powers '79, James W. Everett Jr. '83, William C. Lobbins Jr. '72, Mary Kate Coseo '05 and Albany Chapter Chair Matthew R. Coseo '05

## Join your Law Alumni Association today!

No matter where you live or work, your Law Alumni Association can help you meet other alumni in your area, organize events or develop your professional network.

We have chapters in the following areas:

**Albany**

Matthew R. Coseo '05  
mcoseo@spa.net

**New York City**

Francis J. Earley '98  
FEarley@mintz.com

**Ohio**

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and  
Jennifer K. Meldrum '10  
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**Washington, D.C.**

Leslie P. Machado '96  
Leslie.machado@leclairryan.com

If you are interested in organizing a chapter in your area, contact:



Lisa M. Mueller '93  
Assistant Dean for Alumni  
and Communications  
lmueller@buffalo.edu

*Renew for*  
**2011-12**

law.buffalo.edu/alumni



## UBLAA OFFICERS AND DIRECTORS

Front row, left to right: Assistant Director Lisa M. Mueller, Mary Penn, Hon. Frank R. Bayger, Laurie S. Bloom, Richard F. DiGiacomo, Vice Dean for Administration James R. Newton, Hon. Barbara Howe, William F. Savino, Hon. Tracey Bannister and Ross M. Cellino. Second row, left to right: Hon. Craig D. Hannah, Leslie M. Greenbaum, Robert P. Heary, Terrence M. Gilbride, Executive Director and Vice Dean Ilene R. Fleischmann, Hon. Lenora B. Foote-Beavers, Tasha E. Moore and Amy Habib Rittling. Third row, left to right: Marion K. Henderson, Angela Zwirecki Miller and Sally J. Broad. Fourth row, left to right: Brian D. Gwitt, Pietra G. Lettieri and Brian M. Melber. On stairs, front row, left to right: Joseph N. DelVecchio, Jeffrey A. Reina, William A. Gersten and Ernest J. Norman. On stairs, back row, left to right: James W. Grable, Jr., Donald P. Chiari, Michael Piette, Marc W. Brown, Amy Herstek and Sheldon K. Smith.



## UB Law Alumni Association


Richard F. DiGiacomo  
elected president

**Richard F. DiGiacomo '76** has been elected president of the UB Law Alumni Association for 2011-2012. DiGiacomo is a partner in the Buffalo law firm Nesper, Ferber and DiGiacomo, LLP. He concentrates his practice on real estate law and commercial loan transactions, including purchases and sales, bank, industrial development agency and other financial transactions. He serves as closing attorney for M&T Bank and other commercial lenders, and has extensive ex-

perience in representing lenders, purchasers and sellers in commercial transactions. He is a member of the Bar Association of Erie County and served as chairman of the Committee on Real Estate Law from 1987 until 1990. He is also a member of the New York State Bar Association's Real Property Law Section.

Brian M. Melber '96 of Personius Melber LLP is the new president-elect. Vice presidents are: Hon. Lenora B. Foote-Beavers '97 of Erie County Family Court; Terrence M. Gilbride '88 of Hodgson Russ LLP; James W. Grable, Jr. '96 of Connors & Vilaro, LLP; Hon. Craig D. Hannah '95 of Buffalo City Court; and Pietra G. Lettieri '01 of Harris Beach PLLC.

Treasurer is Robert P. Heary '91 of Hiscock & Barclay LLP; assistant treasurer is Marc W. Brown '99 of Phillips Lytle LLP; secretary is Marion K. Henderson '65, retired; and assistant secre-

## GOLD GROUP DIRECTORS



Front row, left to right: Kathleen T. Feroletto, Ryan P. Crawford, Ryan Parisi, Anne E. Joynt, Assistant Director Patricia L. Warrington, Michael J. Hecker, Executive Director Ilene R. Fleischmann and Vice Dean for Administration James R. Newton. Second row, left to right: Jeffrey P. Gleason, Elizabeth Fox-Solomon, and James M. O'Keefe. Third row, left to right: Joshua E. Dubs, Kevin Espinosa, Jennifer R. Scharf, Jessica M. Baker, Jeffrey T. Fiut and Amber Storr.

# elects officers and directors for 2011-2012

tary is Mary Moorman Penn '99 of HoganWillig.

Immediate past president is Laurie Styka Bloom '83 of Nixon Peabody LLP. Ilene R. Fleischmann, UB Law vice dean, continues as executive director. Lisa M. Mueller '93, assistant dean, serves as assistant director.

New directors elected for terms ending in 2014 are Hon. Tracey Banister '84 of New York State Supreme Court; Scott C. Becker '93 of Kavinoky Cook LLP; Donald P. Chiari '83 of Brown Chiari; Amy Herstek '04 of Rich Products Corporation; Angela M. Miller '98 of Phillips Lytle LLP; Amy Habib Rittling '95 of Lippes Mathias Wexler Friedman LLP; and Sheldon K. Smith '01 of Nixon Peabody LLP.

Other directors include; Alan J. Bozer '84 of Phillips Lytle LLP; Sally J.

Broad '95 of Gibson, McAskill & Crosby, LLP; John D. Byrne '10 of the Nassau County District Attorney's Office; Ross M. Cellino, Jr. '82 of Cellino & Barnes PC; Thomas P. Cunningham '92 of Rupp, Baase, Pfalzgraf, Cunningham & Coppola LLC; Joseph N. Del Vecchio '96 of National Fuel Resources Inc.; Mary Pat Enright Fleming '85 of United States Attorney's Office; Thomas K. Frederick '02 of M&T Bank; William A. Gersten '76 of New York State Supreme Court's Martin P. Violante ADR Program; Brian D. Gwitt '98 of Damon Morey LLP; John J. Jablonski '93 of Goldberg Segalla LLP; Michael A. Piette '80 of Jaeckle Fleischmann & Mugel, LLP; Hon. Jack

Quinn III '03 of the New York State Assembly; and Jeffrey F. Reina '99 of Lipsitz Green Scime Cambria LLP.

Laura A. Myers '05 and Jennifer K. Meldrum '10 of Thomas & Solomon, LLP co-chair the Rochester Chapter of the Law Alumni Association. Matthew R. Coseo '05 of McMahon & Coseo PC is chair of the Albany Chapter; Francis J. Earley '98 of Mintz Levin Cohn Ferris Glovsky & Popeo PC is chair of the New York City Chapter; Margaret W. Wong '76 of Margaret W. Wong & Associates Co. LPA is chair of the Ohio Chapter; and Leslie P. Machado '96 of LeClairRyan is chair of the Washington, D.C., Chapter.



# 50+ Reunion

## 50+ Reunion

Wednesday, Aug. 3, 2011

UB Law School

Cellino & Barnes Conference Center



Left to right, seated: Evelyn O'Connor '56, Hon. Frank R. Bayger '55, Hon. Charles R. Newman '50, Hon. Joseph J. Sedita '50, Michael A. Amico '58, Joseph C. Vispi '49, Hon. Mary K. Davey Carr '52, Anthony J. Colucci, Jr. '58, Sue Dealy Murszewski '58

Standing, left to right: Ralph L. Halpern '53, Richard G. Schwind '59, Stuart A. Gellman '61, John B. Elliot '57, Sanford M. Silverberg '57, Grace Marie Ange '57, Anthony D. Parone '60, Henrik H. Hansen '60, Dr. Charles S.V. Telly '58, Hon. Mary Ann Killeen '52, David Buch '51, Richard N. Blewett '51, Robert J. Plache '57, Dean A. Drew '53, Noel E. Bartlo '59, Anthony J. De Marie '55, Hon. Joseph D. Mintz '56, Frederic C. Washburn '53, John F. Canale '47

## 60th Reunion

Friday, June 17, 2011  
Falletta's Restaurant, East Amherst



Thomas V. Troy, Henry S. Wick



From left to right, seated: Henry S. Wick, William R. Pfalzer, Edward J. Schwendler Jr., Richard N. Blewett. Standing: David Buch, Harvey Rogers, Thomas V. Troy, Eugene J. Martin



**50th Reunion**

Friday, May 20, 2011  
77 W. Eagle St., Buffalo



From left to right, standing:  
Peter E. Klaasesz,  
Phillip A.  
Thielman, John  
Y. Pax  
Seated: Hon.  
Joseph P.  
McCarthy,  
Stephen E.  
Cavanaugh, Hon.  
H. Kenneth  
Schroeder

**15th Informal Reunion**

June 10, 2011  
Sample Restaurant, Buffalo

From left to right, seated: Harvey F.  
Siegel, Andrew J. Freedman,  
Fernando M. Leal, Hugo B. Spindola

From left to right, standing: James  
Francis Bargnesi, Shawn W. Carey,  
Brian M. Melber, Hilary C. Banker,  
Sheri L. Mooney,  
Jeffrey M. Brennan, John L. Sinatra  
Jr., Thomas F. Ferris

Left to right:  
John L. Sinatra Jr.,  
Hilary C. Banker  
and Jeffrey M.  
Brennan



Left to right: Shawn W. Carey and Brian M. Melber



# Mayor Stephanie Miner '99

## *A powerful advocate for Syracuse*

By Phil Fairbanks

**B**lunt talk and passionate advocacy are as much a part of Stephanie Miner as her Irish heritage and deep roots in New York State politics.

Is it any wonder then that Syracuse's first female mayor would use the word "crisis" no less than six times and offer a dramatic, even dire, assessment of the city's future in a high-profile speech earlier this year.

"The day of reckoning is not coming; it has arrived," Miner said during her second State of the City address.

To those who know Miner '99, the first woman elected mayor of any of New York's Big 5 cities, powerful words and compelling arguments are a part of her very being.

It's essential to her lifelong role as an advocate, whether as a lawyer representing unions and employees or as a politician eager to lead Syracuse out of its fiscal doldrums and into a new, post-industrial economy.

"I'm a shy person but someone who believes strongly in justice and who's willing to take risks to be an effective advocate," she said in a telephone interview.

She credits UB for giving her the tools to make good on her promises, first as a lawyer and later as a politician.

"They taught me the fundamentals of how to be a good advocate," she said, "and how to construct good arguments to be a good advocate."

Even before her run for mayor two years ago, she gravitated toward politics, a passion she acquired stuffing envelopes for local candidates as a young girl in her Grandmother Cooney's kitchen.

In the early 1990s, she helped run Geraldine Ferraro's upstate campaign when she ran for U.S. Senate and later



"I'm a shy person but someone who believes strongly in justice and who's willing to take risks to be an effective advocate," says Stephanie Miner '99.

served as Gov. Mario Cuomo's point person in Central New York.

Miner started at UB Law in 1996 after finding herself in a different type of classroom. She was part of a team of trustees overseeing Laborers Local 210 in Buffalo, whose charge was to rid the union of corruption and cronyism, and reform a leadership unwilling to change or bow out.

"It was interesting to say the least," Miner said. "It was an on-the-job training ground for federal labor law, employee benefits and criminal justice. It was both interesting and exciting."

When she left UB, she returned to Syracuse and spent the next 10 years practicing labor law with the firm of Blitman & King. She ran successfully for a citywide seat on the Common Council in 2001 at the age of 31 and

eight years later ran for mayor and won again.

Today, much of her advocacy is directed at leaders in Albany in hopes of changing many longstanding state mandate and pension policies she believes are driving Syracuse and other cities into fiscal ruin.

"I submit to you tonight that I believe Syracuse will never give in, will never relent, and will never stop fighting for the better future we know we can have," she said in her State of the City speech. "As your mayor, you have my promise never to give up that fight."

*"I'm a shy person  
but someone who  
believes strongly in  
justice and who's  
willing to take risks to  
be an effective  
advocate."*



# Mayor Tom Roach '86

## *A happy public servant in White Plains*

By Phil Fairbanks

Even now, decades later, Tom Roach remembers what his Aunt Peg told him shortly after his graduation from UB Law School.

"You know," she said out of the blue, "I'm so proud of you."

Roach, who always felt he had it easy compared to his parents and grandparents, told her he felt fortunate to be the first in his family to get a four-year degree, never mind go to law school.

"Yeah," she answered, "but you didn't squander it."

Talk to Tom Roach '86, the newly elected mayor of White Plains, for any length of time about his years at UB and chances are good you'll hear him talk about gratitude, appreciation and, yes, opportunity.

"The quality of education you receive there is second to none and it's offered to a group of people who might not otherwise get that education," he said. "There's an attitude that you don't take that lightly. You don't squander it."

There's that word again. For Roach, not squandering it meant starting out as a legal aid attorney and later a career as a trial lawyer specializing in personal injury law.

He spent almost every day of his first 24 years as a lawyer in a courtroom and, amidst the inherent ups and downs, always found cases that helped get him up each morning.

"It's funny," he said. "A lot of it is internal. There's great satisfaction in winning, of course, but there also are times when you know you've done something special, when you know you've made a difference."



Tom Roach '86 says that as mayor of White Plains, his goals include maintaining the city's fiscal stability and preserving its diversity.

It was that same motivation that got him involved in grass-roots community activism and eventually politics and public service.

He was elected to the White Plains

Common Council in 2001 and, while serving as Council president this year, suddenly found himself thrust into the role of mayor. His appointment followed the resignation of then Mayor Adam Bradley, who had been convicted of a domestic violence charge involving his wife.

A special election soon followed and Roach won easily in a three-

man race.

"He's a public servant in the FDR mold," said Gary Farrell '86, a longtime friend who helped manage Roach's campaign. "He totally can't be bought and is so immune to the notion that politicians are for sale.

He's really all about doing the right thing."

As mayor, his mission is to maintain the city's fiscal stability and exploit its growing role as a retail and corporate center while preserving what he calls its greatest trait – its diverse population.

The challenges are significant but he attacks them from the perspective of a cancer survivor. It was about two years ago that he finished successful treatment of a rare form of nose and throat cancer.

"I'm going to turn 50 in December," he said, "and I can tell you that it will never occur to me to be depressed about a birthday. In fact, when I turn 80, I'll be a very, very happy man."

*"The quality of education you receive [at UB Law] is second to none and it's offered to a group of people who might not otherwise get that education."*



# Debut mystery

*Angela Gerst '75 draws on a world of campaign intrigue*

**T**he rough-and-tumble world of Boston politics gets rougher than usual—a couple of murders, for starters—in *A Crack in Everything*, the debut mystery novel by Angela Gerst '75.

The book, just published by mainstream mystery publisher Poisoned Pen Press, centers around amateur sleuth Susan Callisto, a 30-year-old real estate lawyer turned political campaign consultant. When a mysterious biotech entrepreneur walks into her bare-bones office one day and asks her help in running for mayor, Susan is drawn into a web of intrigue. Then people around her start waking up dead, there's a suspicious real estate deal involving her oldest client, a romance with a handsome cop is rekindled—the publisher calls it “a sizzling tale of politics, passion, greed, and murder,” and all of those elements are in ample supply.

“Mysteries were always important to me,” says Gerst, who after law school worked for literary journals, as a *Boston Globe* correspondent and as press secretary for the French Library. “They are a world. They follow a pattern. There's something satisfying to me about creating a world where terrible things happen and where things don't get resolved fully in the old-fashioned way, but some things can be made right.”

Gerst had written a number of short stories, all mysteries, before tackling *A Crack in Everything*. (The title is from a Leonard Cohen song.) The book grows from her own work in organizing and running campaigns for alderman and mayor in Newton, Mass. She had always been impressed with the passion New Englanders brought to local politics, she says, and decided to set a mystery in that milieu, with its strong personalities and dramatic possibilities for betrayal and intrigue. The first draft of the book was massive; following an

agent's advice, she cut it in half (to 270 pages), beefed up the love interest—and when she sent it over the transom, found a willing publisher in Poisoned Pen.

Her young protagonist, Gerst acknowledges, is far from perfect, both as a person and as a lawyer. Susan Callisto has been unlucky in love, and she takes a legal action as power of attorney for an incapacitated client that makes the reader question her judgment. But, Gerst points out, Susan gets her comeuppance for that mistake and it becomes a major plot device.

One mark of distinction for the book, and especially rare for a first novel, is a series of high-profile promotional blurbs by well-known authors. John Barth, a lion of modern literary fiction, calls it “a street-smart, Italian-flavored, Boston-area debut: Gerst knows her turf and renders it entertainingly.”

Perennially best-selling thriller author Lisa Scottoline enthuses: “Welcome to Angela Gerst, who makes an impressive debut with *A Crack in Everything*.”

Looking back on her time at UB Law, Gerst says she recognizes that it developed in her some disciplines that serve a writer well. “I've always been a close reader of things,” she says, “and reading cases and studying them helped me to read carefully and think clearly. More importantly, it forced me to see something through to the end. It was a sea change in the way I began to behave in the world. I learned a little rigor at the Law School, and I did carry it with me.”

Time will tell whether there will be another Susan Callisto mystery. But Gerst says she has another novel—not a mystery—“almost done.” And as she enters this next chapter of the literary life, she has learned a lesson: “Don't give up. If you have the time and the ability and a story to tell, just keep plugging.”



## EXCERPT

The protagonist of *A Crack in Everything*, Susan Callisto, is a lawyer turned political consultant. One of her clients is running for mayor, and she's discussing him over dinner with her sometimes boyfriend, a cop.

• • •

“Nobody who is not a serious candidate would put in the energy it takes to collect three hundred signatures in twenty-four hours. It's almost impossible, even with an army of helpers.”

But something Michael had said raised the gray flag of doubt.

*A few pieces of paper.*

I opened the folder and scanned the names and addresses. Six sheets. Row after neat row, every line filled. No spaces, no glitches.

How had I missed it?

In two years of consulting, I had rarely seen a nominating paper with more than thirty signatures. Never ones as clean as these. Signatures were collected piecemeal. Mistakes were made, particularly toward deadline. There should've been a dozen messy sheets in the folder, not six pristine ones.

I slid out of the booth. “Back in a minute.”

“Where're you going? Your pizza's turning to rubber.”

I held up the sheets. “Gotta make a few calls.”

# Law Alumni Association welcomes Class of 2014

Left to right:  
Marten R.  
Violante,  
Chelsea N.  
Latta and  
Kenton G.  
Gordon



At right, left to right:  
Christina L. Saccocio,  
Alyssa L. Jordan, Vice  
Dean Ilene R.  
Fleischmann and  
Alexandra E. Lugo



Left to right: Alison  
E. Romanowski and  
Terrence M.  
Gilbride '88



GOLD Group  
President  
Anne E. Joynt '05



Left to right: James  
W. Gresens '73 and  
Christopher P.  
Maugans



Left to right:  
Emily A. Sobilo,  
Miana S.  
Campbell and  
l'Asia C. Scarlett-  
Jones



Left to right:  
James M.  
O'Keefe '07,  
Franz M. Wright  
and Eric V.  
Tabache



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# It's not too late to register for your class reunion

## *Oct. 28 and 29, 2011*

*Here is what the classes of  
1966, 1971, 1976, 1981, 1986,  
1991 and 2001 can expect:*

### **FRIDAY, OCT. 28**

- Back to school – Opportunity to audit a class just for fun.
- Network the nation – Share your advice and experiences with small groups of students.
- Desmond Moot Court final round – Watch it in the Letro Courtroom.
- Reunion cocktail party with the dean – At the Mansion on Delaware with cocktails and hors d'oeuvres.

### **SATURDAY, OCT. 29**

- CLE with the New York State Academy of Trial Lawyers.
- Tours of the Law School
- Afternoon on your own – Explore some of Buffalo's hot spots: Burchfield Penney Art Center, Darwin Martin House, Albright-Knox Art Gallery, Buffalo architectural tour, Niagara Falls Daredevil Tour or Niagara Wine Trail.
- Class parties – Reunion weekend concludes Saturday evening with the all-time favorite alumni event – the individual class parties.

More information is posted at [www.law.buffalo.edu/classreunions](http://www.law.buffalo.edu/classreunions).

Late-breaking developments and class information will be shared via e-mail – don't be left out.

Make sure we have your e-mail address!



Comments or questions, contact  
Amy Hayes Atkinson at  
[aatkins@buffalo.edu](mailto:aatkins@buffalo.edu) or  
(716) 645-6224

