Advisory Forum Connects Center with Law Firm Leaders, Corporate General Counsel

The Center is pleased to announce the creation of an Advisory Forum to help connect theory with practice on matters affecting the legal profession. A small group of highly distinguished managing partners, office and group leaders, and corporate general counsel will provide crucial insight and support for Center initiatives in research and programming. All of these individuals have highly demanding schedules and we are deeply grateful that they have made time to assist the Center address the profession's most pressing challenges.

The founding members of the Center’s Advisory Forum are:

- **Bill Abrams**, Co-Chair of Intellectual Property Practice Group, Bingham McCutchen
- **Ralph Baxter**, CEO and Chairman/Neel Chatterjee, Partner-in-Charge, Silicon Valley Office, Orrick
- **Mark Chandler**, Senior Vice President and General Counsel, Cisco
- **Gordon K. Davidson**, Chairman, Fenwick & West
- **Robert M. Dell**, Chairman and Managing Partner, Latham & Watkins
- **John C. Dwyer**, Partner-in-Charge, Palo Alto Office, Cooley Godward
- **Steven E. Fineman**, Managing Partner, Lieff Cabraser Heimann & Bernstein
- **Michael J. Holston**, Executive Vice President and General Counsel, Hewlett-Packard

2011 Update

“Channeling Justice” Conference Explores Representation of Lawyers, Legal Ethics, and Social Issues on Television

On May 6, 2011, the Center hosted Channeling Justice: Television and the Legal Profession, an all-day conference examining law and popular culture through the lens of legal television shows. From The Defenders and Perry Mason back in the ’60s through L.A. Law, The Practice and Ally McBeal in the ’80s and ’90s, to Law & Order, Boston Legal, The Good Wife, and Harry’s Law in the present, the television industry has generated an endless stream of dramatic series involving law and lawyers. In his introduction, Dean Larry Kramer pointed out that millions of people learn what they know—or think they know—about lawyers from watching television because “lawyers have been practicing in our living rooms for most of our lives.”

Stanford Law School Visiting Professor Michael Asimow helped organize the conference and brought together some prominent experts from the industry and the academy to discuss the business and cultural aspects of how the legal profession is portrayed on television. The panels explored

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It always feels somewhat awkward to write this column. It’s a genre bearing an uncomfortable resemblance to those holiday cards that chortle over every family achievement, pets included. But bragging is what this occasion calls for, and the Center does have some reasons to be proud. So bear with me.

On the parental level, we have much cause to celebrate. Last September, our fellow, Dmitry Bam, welcomed a gorgeous (my adjective) baby girl, Isabelle Dora. And in November, our executive director, Amanda Packel, gave birth to an equally gorgeous (still my adjective) baby boy, Agustin Drake. This spring, Amanda and I together saw the publication of our book, Leadership: Law, Policy, and Management (Aspen, 2011), which is the first text designed for a law school class on leadership. I also assumed a quasi-parental role as the founding president of the International Association of Legal Ethics (IAOLE). The Association grows out of a series of conferences, including the one that Stanford hosted last summer for some 160 participants from around the world. See our website at www.IAOLE.org.

The Center continued our important work on access to justice with two forums this spring. In March, with co-sponsorship from the American Bar Foundation and Harvard’s Program on the Legal Profession, we brought leading academics together with staff from the newly created Access to Justice Initiative in the United States Department of Justice. The meeting led to formation of a consortium that will support research and curricular innovation on issues designed to make the justice system more accessible to those who need it most. In May, the Center paired with Civic Ventures to sponsor a forum on pro bono and public interest work by retired lawyers. Participants included the presidents of the Legal Services Corporation, Pro Bono Institute, and Pro Bono Net, representatives from the American Bar Association’s Committee on Pro Bono and Public Service and its Commission on Law and Aging, and directors of Stanford Longevity Center and various pro bono programs targeting senior attorneys. The group will continue to work on research and programmatic efforts to support such initiatives.

To strengthen the connection between research and practice, the Center has formed an advisory forum with law firm managing partners and general counsel from the Bay Area. The group will provide crucial insights and financial support for the Center’s work, and guide planning for a professional development summer workshop in 2012. We are deeply grateful to founding members of this group, listed in the accompanying article (page 1).

As the text of this newsletter makes clear, the breadth and quality of our programs remains impressive. Planning is underway for next year, and we hope you will let us know if you have suggestions. For a small center, we are leaving some substantial footprints, and we appreciate the support of all of you who make it possible.

Deborah L. Rhode
Director, Stanford Center on the Legal Profession
E.W. McFarland Professor of Law
The Center Continues Its Commitment to Access to Justice

Roundtable forums convene thought leaders to explore how legal education and senior lawyers can play a role in enhancing access to justice

For decades, bar studies have consistently estimated that over four fifths of the individual legal needs of the poor and a majority of the needs of middle-income individuals Americans remain unmet. Our failures in providing access to justice have been compounded in the recent economic downturn, which has forced many legal aid and public interest programs to do more with less. In this context, the need for greater research and education about the justice gap assumes increasing importance. This spring, the Center on the Legal Profession continued its commitment to these issues by convening thought leaders at two separate roundtable forums. The first meeting addressed how legal education could play a role in closing the justice gap, while the second discussed how to increase opportunities for participation by senior lawyers in public interest and pro bono work.

Access to Justice Consortium

In March 2011, the Center hosted a meeting, co-sponsored by the American Bar Foundation and the Harvard Program on the Legal Profession, to address how legal education can play a role in fulfilling unmet legal needs. The meeting was prompted by discussions with the Obama Administration’s newly created office on Access to Justice within the United States Department of Justice, which expressed interest in building bridges to legal academics.

One result of that meeting was the creation of a Consortium on Access to Justice to promote research and teaching on the issue. One of its first initiatives has been preparation of a white paper to provide an overview of the issues aimed at enlisting more academics to focus on the fairness of the American justice system, and inspiring students to address its challenges.

The participants identified gaps in the data available on key issues: what unmet needs are most urgent and what are the most cost-effective responses. As forum participants noted, legal education could do far more to support research on those questions and integrate coverage of access-related concerns into the curriculum and programmatic activities. Unlike medicine, which has well-developed courses, schools, and concentrations devoted to public health, law does little to prepare practitioners to address structural problems in the delivery of legal services and the administration of justice. As a consequence, many students graduate without an informed understanding of how the law affects those who cannot afford to invoke it. The Consortium has begun to compile access to justice materials for curricular integration that will be organized and housed on a website hosted by the Center.

"Our failures in providing access to justice have been compounded in the recent economic downturn...In this context, the need for greater research and education about the justice gap assumes increasing importance."

Public Service by Senior Lawyers

In May 2011, the Center hosted a second roundtable forum, Senior Lawyers Serving Public Interests, focused on enabling lawyers to transition to a new stage of social purpose work after their primary careers. The meeting was co-sponsored by Civic Ventures, a think tank on retirement, work, and social purpose, with support of the MetLife Foundation. Program participants included the presidents of the Legal Services Corporation, the Pro Bono Institute, and Pro Bono Net, representatives from the American Bar Association’s Standing Committee on Pro Bono and Public Service and its Commission on Law and Aging, the director of Stanford’s Center on Longevity, and leaders of nonprofit groups that have focused on pro bono programs for senior lawyers.

As lives have lengthened and the Baby Boom generation reaches retirement age, an unprecedented number of lawyers will be available to consider a “second stage” of work that involves public service. The increased life expectancy and improved health of this generation means that many senior lawyers will have a substantial period in which full- or part-time work is possible. Although our knowledge base about their retirement preferences is limited, the research available on lawyers, together with more extensive studies of older Americans generally, suggests that many members of the bar will want some form of public service later in life.

The objective of the forum was to share knowledge about existing programs and identify new initiatives that might be helpful in facilitating the transition of senior lawyers into public service. Current initiatives face a variety of challenges. The most obvious involves money and resources. Another challenge involve the mismatch in the experience of senior lawyers and the demands of legal aid and public interest work.

Designing effective training, improving emeritus practice rules, and enlisting support from law firms, corporate counsel offices, and foundations should all be key priorities. To that end, participants in the forum established working groups to help take advantage of this new influx of talented lawyers in addressing crucial social needs. An overview paper that grew out of the forum will soon be published in the The Professional Lawyer.
**Featured 2010-2011 CLP Programs**

**Law Firm Leadership in Times of Challenge, Ralph Baxter, CEO and Chairman of Orrick.** The Center welcomed Ralph Baxter, Chair and CEO of Orrick, for a lunch discussion with faculty and students on law firm leadership and the challenges of adapting to current economic conditions. Baxter discussed recent changes to compensation, professional development, and billing practices, and addressed concerns of entering associates. (September 29, 2010)

**Discussion with Ivan K. Fong, SLS ’87, General Counsel for Department of Homeland Security, co-sponsored by the Levin Center for Public Service and Public Interest Law.** The Center co-hosted this lunch in which Ivan K. Fong discussed his how his nontraditional career path brought him to his current position as general counsel of the Department of Homeland Security, where he advises Secretary Napolitano and her senior leadership on all significant legal, policy, and operational issues; and leads over 1,700 lawyers in the Department’s headquarters and operating components. (October 21, 2010)

**Discussion with Bianca Sierra, SLS ’04, Executive Director of Centro Legal de la Raza, co-sponsored by the Levin Center on Public Service and Public Interest Law.** The Center on the Legal Profession and the Levin Center co-hosted a student lunch discussion with Bianca Sierra of Centro Legal de la Raza. Ms. Sierra also visited Professor Rhode’s Leadership class to discuss leadership issues in pro bono service and public interest organizations.

**Law for a Flat World, Gillian Hadfield, Professor, U.S.C. Law School.** In a lunch presentation hosted by the Center, Professor Hadfield explained how our legal infrastructure is ill-suited to serve the needs of the fast-paced web-enabled, globally networked, transaction-driven, and increasingly unpredictable new economy. (November 28, 2010)

**Law Firm Lawyering, Marc Galanter, Professor, University of Wisconsin Law School.** The Center brought Professor Galanter to a faculty lunch workshop to discuss the transformation of large law firms and raise questions about the adequacy of the current highly leveraged business model. (January 4, 2011)

**An Open Forum on Legal Education, with Dean Larry Kramer.** The Center sponsored a discussion on the myths and realities about legal education with Dean Larry Kramer, moderated by Professor Deborah Rhode. The panel was organized in response to a front page article in the New York Times Business Section that raised troubling questions about whether law schools are overproducing graduates that the market cannot absorb, encouraging loans burdens that many cannot readily repay, and fudging placement data to look better in U.S. News and World Report rankings. (January 20, 2011)

**Must Government Lawyers Defend Laws They Think Unconstitutional?, CLP Annual Lecture, co-sponsored by the Stanford Constitutional Law Center.** The Center on the Legal Profession partnered with the Constitutional Law Center to host this timely discussion during the litigation of California’s Proposition 8 and just days before the Obama Administration announced its decision not to defend the Defense of Marriage Act. Panelists Walter Dellinger, former U.S. Solicitor General and Partner, O’Melveny & Myers; John Eastman, Professor, Chapman University School of Law and Founding Director, Center for Constitutional Jurisprudence; and Michael Scodro, Illinois Solicitor General and Lecturer in Law, University of Chicago Law School, examined the factors that the Department of Justice and state solicitor generals use in deciding whether to defend the constitutionality of state or federal statutes. (February 11, 2011)
Access to Justice in Legal Education Roundtable Forum, co-sponsored by the Harvard Program on the Legal Profession and the American Bar Foundation. The Center, with co-sponsorship from the American Bar Foundation and Harvard’s Program on the Legal Profession, brought leading academics together with staff from the newly created Access to Justice Initiative in the United States Department of Justice to discuss how legal education can help make the justice system more accessible to those who need it most. (See article, page 1) (March 17-18, 2011)

Transformative Leadership: Lessons from the Field, Susan Sturm, Professor, Columbia Law School. The Center hosted a lunchtime event in which Professor Sturm discussed institutional adaptations that promote diversity and equity in the workplace and how leaders can build a constituency to effect change and create learning environments. (March 31, 2011)

Lawyer Discipline, Lunch Discussion with Rick Abel. The Center hosted a faculty lunch in which Professor Abel explained his recent empirical research into the New York and California disciplinary systems and what structural reforms might be necessary to promote a process more responsive to consumer concerns. (April 5, 2011)

Big Changes in Big Law: What Women Need to Know, Lunch Discussion with Pat Gillette, Employment Law Partner at Orrick, co-sponsored by the Women of Stanford Law. The Center and the Women of Stanford Law co-hosted a frank discussion by Pat Gillette about how recent changes in law firm structures and policies affect women’s professional development. (April 6, 2011)

Lawyers and Torture, co-sponsored by the Berkeley Group Education Foundation. The Center hosted a lunchtime panel on the role of the legal profession in formulating policies related to torture, enhanced interrogation, and related issues. The discussion focused on the legal, ethical, and psychological dimensions of lawyers’ involvement in these decisions. Bill Roller, Chair, Committee for Ethics and Professional Standards, International Association of Group Psychotherapy and Group Processes, moderated a panel comprised of Linda Lye, Staff Counsel, American Civil Liberties Union of Northern California; Philip Zimbardo, Emeritus Professor of Psychology, Stanford University and Principal Investigator, The Stanford Prison Experiment; and Robert H. Cole, Professor of Law Emeritus, Berkeley Law. (April 7, 2011)

Channeling Justice: Television and the Legal Profession. Industry executives, writers, producers, and actors to discuss the legal profession’s portrayal on television. (See cover story, page 1) (May 6, 2011)

The Qualcomm Nightmare: Lawyers’ Responsibilities in the Digital Age. The Center hosted a panel discussion on Broadcom v. Qualcomm, a recent case starkly demonstrating the difficulties for lawyers handling discovery in the digital age. Litigation counsel were sanctioned mid-trial for failing to produce key documents. After appeal, the lawyers were permitted to disclose privileged communications that exonerated them from intentional misconduct. Bernie Burk, Academic Fellow at the Rock Center for Corporate Governance, moderated a discussion with the lawyers who defended the lawyers: Joel Zeldin of Shartsis Friese and Sean SeLegue of Howard Rice, on what went wrong, why it took so long to resolve, and what lessons can be learned. (May 10, 2011)

A Conversation with Linda Greenhouse, co-sponsored by Stanford’s chapter of the American Constitution Society. The Center co-sponsored this lunch presentation in which New York Times Supreme Court correspondent Linda Greenhouse discussed the judicial appointment process. (May 16, 2011)

Forum on Senior Lawyers Serving Public Interests, co-sponsored by Civic Ventures. The Center and Civic Ventures hosted a roundtable forum on enabling lawyers to transition to a new stage of public interest work after their primary careers. A group of experts and thought leaders convened to share ideas about what has and has not been most effective, and what new initiatives might be helpful in facilitating such transitions. (See article, page 1) (May 24, 2011)
questions such as: how lawyer shows mediate between the dramatic and the realistic; how ethical issues appear in prime time versus real time; and what the audience is learning about large law firms, criminal justice, and controversial social issues.

The first panel focused on the production of lawyer television programs, including creation, writing, technical consultation, and acting. David E. Kelley began the discussion by sharing his experiences as the creator and producer of several successful television shows including The Practice, Ally McBeal, and Harry’s Law. Kelley explained that he starting writing about law “because of [his] fascination with this legal system, this imperfect beast ... that seeks to legislate the moral and ethical conduct of its citizenry.” Kelley believes that law programs will survive because they can, at their best, intellectually challenge and emotionally move viewers on a weekly basis. He predicted that “even though [people] love to hate lawyers, they also love to love them.”

Marshall Goldberg, writer for shows including Paper Chase and L.A. Law, discussed the challenges of creating legal television scripts that are both entertaining and realistic. He believes that shows need only enough authenticity “to make the audience suspend disbelief.” Legal consultant Charles Rosenberg, who has provided technical advice for L.A. Law, The Practice, and Boston Legal, described his job as “help[ing] writers mine reality for better drama.” He explained that because television is a visual and emotional medium, writers cannot explain the law to viewers but must convey its core through emotional or policy issues.

Finally, Emmy- and Golden Globe-winning actress Camryn Manheim from The Practice discussed playing lawyers on television. She believes that law shows do have some influence on social issues because they push viewers to think about important legal issues that they would not otherwise consider. As an actor, she came to care deeply about issues that had never crossed her mind before watching these sorts of shows. She described Kelley as “a bridge between the impenetrable legal system and American consciousness.”

The lunch featured Ben Silverman, an award-winning television producer and former co-chair of NBC Entertainment, in a Q&A session on the intersection of creativity and commerce in the entertainment industry. To access videos of the conference sessions, please visit: http://bit.ly/kkHeYf.

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International Association of Legal Ethics Formed After Successful ILEC IV

At the conclusion of the highly successful fourth International Legal Ethics Conference held at Stanford in July, 2010, ethics scholars from around the globe formed the International Association of Legal Ethics (IAOLE). Its mission is to promote teaching, research, vocational training programs, and policy initiatives concerning legal ethics. In support of that mission, IAOLE advances efforts to enhance the study, teaching, and awareness of ethical issues in law schools, legal practice, and continuing education programs; sponsors a rotating international conference; collaborates with other conferences and colloquia concerning legal ethics; links scholars with international journals such as Legal Ethics that publish in the field; promotes national or local legal ethics initiatives in countries where the field is an emerging or underdeveloped discipline; and collaborates with lawyers’ professional associations, nonprofit groups, and funding agencies to further Association priorities.

IAOLE’s board is comprised of ethics experts from around the world, with the Center’s Director Deborah Rhode serving as founding president. Other officers and directors include: Brent Cotter, Dean, College of Law, University of Saskatchewan, Canada; Reid Mortensen, Professor, Faculty of Business and School of Law, University of Southern Queensland, Australia; Andrew Boon, Dean, University of Westminster School of Law, UK; Kim Economides, Professor of Law and Director, Legal Issues Centre, University of Otago, New Zealand; Bruce Green, Professor and Director, Stein Center, Fordham Law School, U.S.; Linda Haller, Senior Lecturer, University of Melbourne Law School, Australia; David Luban, Professor, Georgetown Law Center, U.S.; Yasutomo Morigawa, Professor, Nagoya University Graduate School of Law, Japan; and Alice Woolley, Associate Professor, Faculty of Law, University of Calgary, Canada.

With the generous pro bono assistance of Marie Kobler, of the Los Angeles office of McDermott, Will & Emery, the Association has incorporated and obtained 501(c)(3) status. With the talents of Alba Holgado of the Stanford Law Library, the Association has a website at http://iaole.org. Future activities include the fifth International Legal Ethics conference at the Banff Center in Alberta, Canada on July 12-14, 2012. The theme of ILEC V is “Merging Worlds/Emerging Discourses.” For more information about ILEC V, please email Alice Woolley, at awoolley@ucalgary.ca or Richard Devlin at Richard.Devlin@dal.ca.

To become a member of IAOLE or learn more about its activities, please visit http://iaole.org.
Brookings Institution. She received her B.A. in Economics from Princeton University and a J.D. from the University of California at Berkeley School of Law in 2001, where she was an Articles Editor of the California Law Review. After graduating from law school, Packel served as a law clerk to Judge Marsha S. Berzon of the U.S. Court of Appeals for the Ninth Circuit.

Center Faculty and Staff

Deborah L. Rhode
Director, E.W McFarland Professor of Law

Deborah is a graduate of Yale College and Yale Law School, and served as a law clerk to Justice Thurgood Marshall. She is a former president of the American Association of Law Schools, a former chair of the American Bar Association’s Commission on Women in the Profession, and the former founding director of Stanford’s Center on Ethics. She is the most frequently cited scholar on legal ethics. She has received the American Bar Association’s Michael Franck Award for contributions to the field of professional responsibility, the American Bar Foundation’s W.M. Keck Foundation Award for distinguished scholarship on legal ethics, and the American Bar Association’s Pro Bono Publico Award for her work in expanding public service opportunities in law schools.

Amanda K. Packel
Executive Director

As the Executive Director, Amanda coordinates all aspects of the Center’s activities, including developing the direction and goals for the Center and overseeing operations, publications, programs, research, and other interdisciplinary projects. Amanda conducts research and writes on topics such as diversity on corporate boards and ethics in nonprofits, and, with Deborah L. Rhode, she co-authored a book, Leadership: Law, Policy, and Management. She joined Stanford Law School in 2008 after practicing white collar criminal defense and conducting corporate investigations as an associate at Covington & Burling and at Orrick. Packel has also worked in a research capacity at the Office of the Federal Public Defender in Northern California and in the Economic Studies Program at the

Dmitry Bam Fellow

Dmitry joined the Stanford Center on the Legal Profession in August 2009 as its first Fellow. This fall, the Center is losing him to the University of Maine Law School, where he will teach constitutional law and professional responsibility. His research focuses on judicial ethics, judicial elections, and the role of courts in a democratic society. During his fellowship, he wrote Understanding Caperton: Judicial Recusal Under the Due Process Clause, 42 McGeorge L. Rev. 65 (2010) and Making Appearances Matter: Recusal and the Appearance of Bias, 2011 B.Y.U. L. Rev. xx (forthcoming 2011). This spring, Bam taught a seminar called “The Judicial Role.” Bam received a B.S. in psychology and a B.A. in political philosophy, summa cum laude, from Syracuse University. He is a graduate of Stanford Law School, where he was an Articles Editor on the Stanford Law Review. After graduation, Bam clerked for Judge Barry G. Silverman on the United States Court of Appeals for the Ninth Circuit. He then practiced law at Morrison & Foerster and Jones Day.

Dena Evans
Project Coordinator

As Project Coordinator for the Center on the Legal Profession, Dena Evans assists the Executive Director in producing Center publicity materials, and various ongoing projects. Most recently, she served in a similar capacity for the Stanford Center on Ethics, where she also coordinated three conferences including Title IX Today, Title IX Tomorrow. Evans is a 1996 Stanford graduate in American Studies, and holds an MA in Secondary Education from the Stanford Teacher Education Program. Evans is an active local athletics coach. She spent six years as on the cross country / track & field coaching staff at Stanford, where she earned 2003 NCAA Women’s Cross Country Coach of the Year and 2004 USTCA Assistant Track Coach of the Year honors.

Center Steering Committee

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Assistant Professor of Law

Ronald J. Gilson
Charles J. Meyers Professor of Law and Business

Robert W. Gordon
Professor of Law

Deborah R. Hensler
Judge John W. Ford Professor of Dispute Resolution and Associate Dean for Graduate Studies

Lawrence C. Marshall
Professor of Law, Associate Dean for Clinical Education, and David and Stephanie Mills Director of the Mills Legal Clinic

Paul Oyer
Professor of Economics, Graduate School of Business

Norman W. Spaulding
Nelson Bowman Sweitzer and Marie B. Sweitzer Professor of Law

Please check our website for streaming video and audio of past and recorded events, as well as more details on these programs and other upcoming events.

http://law.stanford.edu/program/centers/clp/
Selected Outreach Events 2010-11

“Lawyers as Leaders,” Center for the Study of Law and Society Speaker Series, Berkeley Law School, August 2010

“Lawyers and Leadership,” 2nd Annual Frank J. Kelley Institute of Ethics Lecture, Michigan State University College of Law, September 2010

“Personal and Public Ethics in Policy Evaluation,” Public Policy Lunchtime Colloquium, Stanford University, October 2010

Forum for South Korean Women Judges About the U.S. Law School System, October 2010

“Women and Leadership,” Stanford Women’s Community Center, October 2010

“Women Lawyers as Leaders,” Skadden Arps Women Partners’ Program, New York, November 2010

“From Platitudes to Priorities: Diversity and Gender Equity in Law Firms,” Stanford Office of General Counsel Consortium for Legal Counsel, November 2010


“Leadership for Women,” Stanford University, Cap and Gown Stanford Alumni Association, January 2011

“Diversity in Leadership,” Stanford Leadership Academy, Stanford University, January 2011


“Leadership @ Stanford: Why Do It, and How?,” Stanford Faculty Women’s Forum, May 2011

Stanford Conference on Women’s Political Empowerment, Stanford University, May 2011

“Judicial Conflicts of Interest,” KQED’s Forum with Michael Krasny, June 2011

Contact the Center

To be added to our mailing list, to receive our newsletter by email, or to find out more about the Center’s programs and initiatives, please write us at:

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