

Levin Center Launched
The Man Behind California's Stem Cell Initiative
David Victor on Global Warming

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SPRING 2007 ISSUE

STANFORD LAWYER



JOHN LEVIN '73 (MA '70)

PUBLIC SERVICE:
AT THE CORE OF THE PROFESSION

UPCOMING LAW SCHOOL EVENTS

The Stanford Law Society of Washington, D.C.
presents an evening at the National Museum of the American Indian
Washington, D.C.

MAY 1, 2007

Graduation Ceremony at Stanford Law School

MAY 6, 2007

The Stanford Law Society of Chicago presents an
evening with Professor Buzz Thompson, JD/MBA '76 (BA '72)
Location TBD

MAY 30, 2007

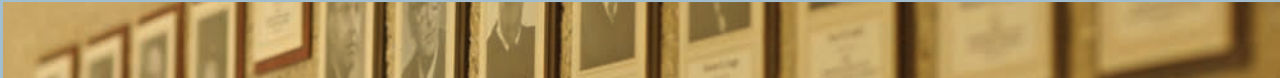
Fourth Annual E-Commerce Best Practices Conference
at Stanford Law School

JUNE 18, 2007

Directors' College at Stanford Law School

JUNE 24-26, 2007

For more information about these and other events,
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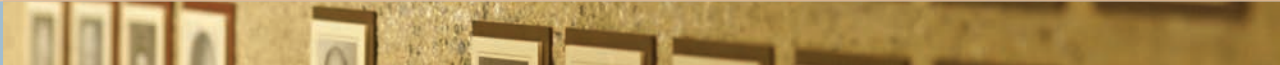


Have you been appointed to the bench recently?

We want to know about it!

The Judiciary Atrium at Stanford Law School was dedicated in 1999 to honor the more than 320 distinguished law school alumni who have served or are currently serving on the bench. The atrium celebrates their outstanding accomplishments and encourages the highest professional aspirations among current and prospective students.

Located on the first floor of the law school's classroom building, F.I.R. Hall, the atrium is updated regularly to share and display new appointments to state supreme and superior courts, federal district and appellate courts, international and tribal courts, and the United States Supreme Court. If you or a fellow classmate has recently been appointed to one of these courts, please contact Julia Carter, Stewardship Coordinator, at 650 723.3085 or jcarter@law.stanford.edu for information about how to be included in this permanent display.



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Stanford Lawyer

WELCOMES LETTERS FROM READERS, THOUGH
BREVITY INCREASES THE LIKELIHOOD
OF PUBLICATION, AND LETTERS MAY BE EDITED FOR
LENGTH AND CLARITY.

On Transforming Legal Education

It's my 3L year, there's a newly elected *Law Review* board, and spring has arrived, so by now I'm supposed to be "checked out"—mentally and physically—perhaps spending one day at Half Moon Bay, another at Napa, the next visiting friends in, say, San Diego. I'm certainly *not* supposed to be busy.

But thanks to Dean Larry Kramer's already maddeningly successful effort to transform legal education [discussed in issue #75], I *am* busy. This spring the law school made available—at the click of mouse—well over a hundred classes from other departments in the University. According to Kim Borg in the Registrar's Office, never before have more students cross registered outside the law school. Want some philosophy? Contemplate "Kantian Ethics" in the philosophy department. Headed to a hedge fund? Take "Derivative Securities" at the GSB. All pre-approved for law school credit.

Flipping through the course packet earlier in the semester, not just a few 3Ls could be heard saying they wished law school was just beginning rather than coming to an end. Likely no one meant it literally, but the selection of available classes is undeniably delicious. I know many 3Ls—myself included—who are signing up for spring quarter classes even though they don't need the credits.

Checked out? Not a bit. I'm as busy as ever—and loving it.

JOE EDELHEIT ROSS '07

President, *Stanford Law Review*
Stanford, California

not only jump to the head of the line, they also avoid background checks that might determine they are habitual criminals. And they avoid medical checks that might determine that they have a disease that has been eradicated in the United States and would preclude their entry and citizenship.

Thus we now have California and federal prisons, one-quarter to one-third of whose inmates are illegal immigrants, as well as the expense of dealing with increases in crime attributable in substantial part to these immigrants. Thus, also, we not only have crowded hospitals and emergency rooms—but also increases in tuberculosis, malaria, and even leprosy.

The problem is increasing and there will be no handle found to it until our federal government eliminates its carrots, and those offered by constituents' states and municipalities.

EDGAR C. KELLER '49
Redlands, California

Reaction to Opinions Expressed in HCC Classmates Section

Tucked away in the "Classmates" section of the fall 2006 issue, the classes of 1925-48 and 1954 are afforded the opportunity to respond to the following question: "Do you think the United States should begin to withdraw troops from Iraq?"

Fellow alum Jesse R. Calvert Jr. '48 responds: "If we don't stay the course, the

letters to the editor

Reaction to Border Enforcement and National Security Column

Professor Jayashri Srikantiah's article, "Border Enforcement and National Security," properly points out the difficulty of preventing illegal entry into our country. She cites statistics of expenditures and of illegal entries to demonstrate how the increase in border patrol expenditures between 1993 and 2005 were virtually matched by a corresponding increase in illegal migrant crossings. Of course, that is true and will remain true under present policies. No matter how big an enforcement stick we may carry, as long as we are constantly holding out carrots, "they will come."

The direct cause of our problem is the promise of jobs that pay far more than the potential migrant currently can earn in Mexico or Central America, coupled with the additional security the United States offers: unemployment benefits; education free through the 12th grade and college at fees significantly less than other Americans pay if attending college in a state other than their residency; the best of medical care; and so on.

Moreover, by detouring around the legal method of entry and obtaining citizenship, they

Muslims will come after us. They equate us with the Jews due to our past support so it is very difficult to think of a workable solution to the problem until many more good people die. At least I have quit blaming the Germans and Italians for starting WWII since I now see how a minority can get a nation into a war it didn't want."

While I shudder to think of which minority may have revealed itself as the true instigator for WWII, at least in Mr. Calvert's view, I am fairly confident that Jews, Muslims, Germans, Italians and others will agree that this tirade has no place in this magazine. With all due respect to editorial freedom, I would hope that the editor [if not the class correspondents] might, well, edit.

PETER LEVINSON '02
San Francisco, California

EDITOR'S NOTE:

As opinions gathered in response to a question, submissions to the current affairs Q&A in the Half-Century Club section of "Classmates" are not edited for content. We apologize if any opinions printed caused offense.

PUBLIC SERVICE AND THE LEGAL PROFESSION

By Larry Kramer

RICHARD E. LANG PROFESSOR OF LAW AND DEAN

W

e live in a nation governed

BY THE RULE OF LAW, WHICH REFLECTS A PROFOUND TRUTH THAT LAW PLAYS AN ESPECIALLY IMPORTANT ROLE HERE. We see this revealed in a myriad of ways—from Tocqueville's famous quip about the litigiousness of American society, to the continued attractiveness of law as a career for brilliant young men and women, to the perennial popularity of legal drama in movies and TV shows. • Because law is so important, lawyers have been important too. It is striking how many of our Founders studied or practiced law. Even today, a majority of the Senate is composed of lawyers, and more than two hundred members of the House of Representatives similarly studied law. Lawyers have dominated the ranks of our presidents and governors and nearly every other position of public leadership. Nor does this tradition end with government service, for the ranks of social movements and public interest organizations from the Revolution to abolition to civil rights and property rights and abortion rights have been filled out, on both sides, by men and women with legal training. • Public service has, indeed, long been a core part of our mission as a profession. Lawyers serve their clients, but they work for the larger community too. And as our profession changes—as globalization and specialization and economic development pressure lawyers to treat their profession as a business and reshape how they work to ensure profitability—the need to encourage and celebrate this tradition becomes more important than ever. What's at stake is not just whether lawyers will continue to play their historic role in American society. What's at stake is the soul of the profession. Ceaseless reports of job dissatisfaction among young lawyers is very much a product of the sense that their jobs have lost the meaning and larger purpose that attracted them to the practice of law in the first place.

Obviously there are limits to what law schools can do to restore and preserve our profession's sense of mission. We can, however, teach our students to appreciate the benefits of public service—both its importance



to society and its power to enrich their own professional lives. In this issue of *Stanford Lawyer*, we explore some new and old ways in which Stanford Law School is seeking to do just this. Our message is simple: Serving the larger community is something every lawyer should make a part of his or her career. Indeed, the privilege to practice law carries with it a responsibility to do so.

Some graduates may want to make public service their whole professional life, and we support them in important ways, from special career advising to our generous loan forgiveness program. But full-time public service is not for everyone. The choice of a career is deeply personal and too important to impose any single model. Fortunately, choosing a career in the private sector is not inconsistent with fulfilling one's obligation to serve the community. There are countless ways in which to do both. For some lawyers this may mean pro bono work; for others, moving back and forth between private and public sectors; for still others, finding ways to do private work that by its nature also serves the public.

Teaching students the value of public service involves more than telling them it is valuable. Our goal is to instill a sense of urgency in Stanford Law graduates, so that as pressures mount to focus their work along a single dimension, they will find the desire to take advantage of opportunities for public service. This is the central mission of the new Levin Center for Public Service and Public Interest Law, founded with a generous gift from John Levin '73 (MA '70) and Terry Levin (BA '74, MA '81).

Students come to law school with the hope that being a lawyer will enable them to serve their society and have meaningful professional lives. Our task is to nurture that aspiration and ensure that students have the tools to convert it into reality after they graduate. **SL**

FROM THE DEAN

ROBERT CROWN LAW LIBRARY 2ND FLOOR SLATED FOR RENOVATION 24-HOUR ACCESS AREA ADDED

FOR THE FIRST TIME EVER, STANFORD LAW SCHOOL WILL OFFER ITS STUDENTS 24-HOUR ACCESS TO ITS LIBRARY. THIS ROUND-THE-CLOCK SCHEDULE IS JUST ONE OF THE GOALS OF A \$2.7 MILLION SUMMER FACE-LIFT OF THE SECOND FLOOR OF THE ROBERT CROWN LAW LIBRARY, WHICH WILL ALSO PROVIDE CUTTING-EDGE COLLABORATION AREAS FOR STUDENTS AND LIBRARY STAFF. • Once renovated, half of the second floor will house a “24-hour library”—available to law students only via their university ID cards—that will include a spacious reading room with floor-to-ceiling windows; a collaboration room equipped with computers, scanners, and other tools; and a computer classroom for joint study and project work. The other half of the floor will feature a new, consolidated work area for library staff members. • Current library hours are 8 a.m. to midnight. • “This will give our students the opportunity to be here whenever they need and for as long as they want—in a comfortable, well-equipped environment,” says Paul Lomio, director of the law library and lecturer in law, who adds that the renovation recognizes that students use the library not only to study but to work together on cases and publications.

By reducing the number of books held on site and consolidating staff offices, 42 new seats will be added to the second floor of the library. Lomio acknowledges that much research material is now available online and therefore unnecessary on the shelves. And there has been a happy recipient of some discarded items: 36,711 books have been donated to La Facultad Libre de Derecho de Monterrey, a law school in Monterrey, Mexico.

Lastly, the project—one-third of which is being funded by the university—will help to address an interesting dilemma: the library’s popularity with students from across campus.



AN ARCHITECTURAL DRAWING ILLUSTRATING THE SECOND-FLOOR RENOVATION

“The renovation of the first floor of the library three years ago was so successful that it was becoming overcrowded. We either had to find more room or ban non-law students from the library,” says Frank Brucato, senior associate dean of administration and CFO at the law school, who notes the move to accommodate all students, regardless of affiliation, reflects the ethos of the university.

ALUMNI ON THE CAMPAIGN TRAIL

Several alumni are taking on key roles in Senator Barack Obama’s presidential campaign. Penny Sue Pritzker JD/MBA ’84 is heading up fundraising efforts for Obama’s presidential bid as the campaign’s national finance chair. Pritzker, founder, chair, and CEO of Classic Residence by Hyatt, supported Obama during his Senate run. Also working on the Obama campaign are John Roos ’80 (BA ’77), CEO of Wilson, Sonsini, Goodrich & Rosati; James S. Crown ’80, president of Henry Crown and Company; and Tony West ’92, a partner at Morrison & Foerster. Roos, a member of the Obama national finance committee, hosted an event at his home that raised \$300,000. “He’s the only candidate that has the potential to bring the country together,” says Roos. “He’s incredibly thoughtful on the issues; he sees all sides.”

R I E F

IP Clearinghouse Launched

It sounds like an audacious goal: to build a database addressing all intellectual property litigation in the United States. Yet, that is exactly what Stanford's Intellectual Property Litigation Clearinghouse (IPLC) is in the process of doing. And by all indications, it is well on the way to accomplishing its mission. • Mark Lemley (BA '88), William H. Neukom Professor of Law, serves as the IPLC's faculty supervisor. Lemley and Matt Lynde of Cornerstone Research conceived of the clearinghouse. Cornerstone is one of IPLC's primary investors with additional support from Intel, Oracle, QUALCOMM, and the law firms of Heller Ehrman and Orrick, Herrington & Sutcliffe. • The IPLC will attempt to collect and analyze select data on every available patent, copyright, trademark, and trade secret case in the United States. Driving this ambitious task is IPLC Director Joshua Walker, who received his BA from Harvard and his JD from the University of Chicago Law School. Walker has more than a decade of experience in designing and implementing systems at the nexus of law and computer science. • "In the IP realm," says Walker, "attorneys and policymakers frequently make decisions of enormous import on the basis of personal experience alone or even 'anecdotal.' Particularly in the biotech and pharmaceuticals environments, such policy decisions may have life and death consequences." • By collecting and analyzing key litigation statistics, the IPLC hopes to provide a reliable, comprehensive online resource for scholars, policymakers, industry, attorneys, and experts, much like Stanford's hugely successful Securities Class Action Clearinghouse, upon which the IPLC is modeled. • The IPLC



J. KEITH MANN Remembered

J. Keith Mann, a nationally recognized legal scholar and labor arbitrator who was part of the Stanford Law School community for more than 50 years, died at Stanford Hospital on November 27, 2006. He was 82. Mann joined the faculty in 1952, was associate dean for academic affairs from 1961 to 1985, and served as acting dean in 1976 and again from 1981 to 1982. He achieved emeritus status in 1988. • "Keith was really one of the leaders of a new emerging group of post-World War II arbitrators. He was highly regarded in labor law and labor arbitration," said Professor of Law Emeritus William B. Gould IV in the *Stanford Report*. Gould also emphasized the tremendous amount of respect students had for him. • Born on a farm in Alexis, Illinois, in 1924, Mann served as a naval officer during WWII and with the occupation forces in Tokyo and Korea; he later went on to earn a bachelor's degree in Far Eastern Studies and a law degree from Indiana University. While serving as a clerk for Justice Wiley B. Rutledge during the 1949 term of the Supreme Court, he befriended fellow clerk Warren Christopher '49. "Keith had many superb qualities, but the one I remember best was his acute sensitivity to the needs and hopes of others, personal and professional," said the former secretary of state. • During his career, Mann rose to prominence as one of the foremost labor arbitrators in the country, helping settle labor disputes for U.S. presidents—including negotiating an agreement between the Southern Pacific Company and railroad clerks during the Kennedy administration and handling an extended dock strike for President Nixon. Mann also served as special master for a Supreme Court case (*United States v. Alaska, No. 84, Original*) involving a boundary dispute between the United States government and the state of Alaska. • Mann is survived by wife Virginia; his children, William, Marilyn, Kevin, Susan '88, and Andrew; and three grandchildren.



successfully completed a prototype system last October and is now developing a more robust database focused on patent litigation in five high-volume federal districts. Next, the IPLC will collect and analyze patent cases in the remaining districts and then extend its subject matter coverage to copyright, trademark, and all available trade secret cases. For additional information, contact Ansel Halliburton, IPLC analyst, at anseljh@stanford.edu.

IN MEMORIAM: LAURIE CHREITZBERG

BY LEA BRILMAYER

Howard M. Holtzmann Professor of International Law, Yale Law School

Editor's Note: LAURIE CHREITZBERG '05 was diagnosed with an inoperable cancer at the end of her third year. Rather than simply surrender, Laurie went to work to leave a lasting legacy.

Laurie Chreitzberg's name arrived in my in-box without warning one day about five years ago. Attaching a resume, Laurie described herself as a first-year student at Stanford Law School looking for a summer internship in international law. I manage a legal office in Asmara, Eritrea, which collects and presents evidence before an international tribunal seated at the Permanent Court of Arbitration in The Hague. Called the Eritrea Ethiopia Claims Commission, this body is tasked with determining compensation for violations of international humanitarian law during the 1998-2000 Eritrea-Ethiopia border war. As Laurie had somehow learned, I do take summer interns, and she looked perfect. She was a bit older, had an impressive pre-law record in graduate school, and she spoke Arabic (one of Eritrea's indigenous languages). I signed her up without even an interview. • How like her to surprise me when she arrived. Yes, she was intellectually mature and impressively credentialed. But the Arabic she knew was some obscure ancient dialect that I can't remember the name of now—a product of her academic graduate experience—and what she really wanted was to spend the summer in an Internally Displaced Person camp interviewing Eritrean victims who mostly didn't speak Arabic anyway. Okay, no problem. But then another surprise. One of our Eritrean lawyers reported that actually her Arabic was almost perfect—she was just too modest to try it out. And although she was brilliant and accomplished, her most impressive strength was an incredibly creative and whimsical mind, and—one more surprise—a superb lawyerly instinct. Out of a Yale PhD program? I didn't look a gift horse in the mouth. Laurie was one of the interns that I'll always remember. Brilliant, lawyerly, whimsical, persistent, sometimes a bit shy (and sometimes not)—there was always something new to learn about Laurie Chreitzberg. • I didn't hear from her for

a while—no surprise, I mostly lose track of people when they move on in their careers. The surprise came when I heard from her last summer, and it was not a good one. I couldn't believe the news about her cancer. I was even more astonished when she described her reason for getting back in touch: her desire to make a large financial contribution to women's health in Eritrea. Why Eritrea? And why call me? I never thought she'd recollect our law office or the people she had interviewed.

The two of us worked together in the last few months to develop a program that she could believe in. The Laurie Chreitzberg Fund will support maternal health care in conjunction with the National Union of Eritrean Women and the Eritrean Development Foundation. Laurie's donation will be used to build "maternal waiting homes"—residential facilities near medical centers where women from rural areas can come along with their young children to stay during the last few months of pregnancy. The combination of good nutrition, rest, and access to health care is expected to reduce maternal and infant mortality while providing a supportive atmosphere for health education, medical checkups, and vaccinations for the youngsters.

The Eritrean women I know ask me why a brilliant young American woman like Laurie would think of their health at a time when the average Westerner would be totally preoccupied with her own. I tell them that the gift that Laurie gave me is equal to anything she gave them. By reaching out to me when she did, she told me that I could make a difference in the life of a younger colleague. This was not something I had ever expected from a summer intern (even a brilliant and creative one). Thank you Laurie.

STANFORD CONSTITUTIONAL LAW CENTER EVENT HONORS LEVINSON'S WORK

Is our Constitution undemocratic? Should Supreme Court justices be restricted to an 18-year term limit? Do we have a presidential autocracy? These were just some of the questions debated at a two-day conference March 16–17 honoring alumnus Sanford V. Levinson's new book, *Our Undemocratic Constitution: Where the Constitution Goes Wrong (And How We the People Can Correct It)*.

Levinson '73, a professor at the University of Texas School of Law, was joined on panel discussions by several

Stanford constitutional experts, including Professor of Law and President Emeritus Gerhard Casper; Kenneth and Harle Montgomery Professor of Public Interest Law Pamela S. Karlan; Richard E. Lang Professor of Law and Dean Larry Kramer; and Stanley Morrison Professor of Law and former dean Kathleen M. Sullivan. • "It is, of course, especially gratifying to have one's legal alma mater organize such an event," says Levinson, "and I deeply appreciate the efforts particularly of Kathleen Sullivan, its primary organizer. It is also important to me, though, that such distinguished members of the Stanford faculty are willing to take the ideas presented in my book seriously, whether or not they agree with them. One of the major aims of the book is to generate a long overdue conversation about the adequacy of the Constitution for 21st-century America, and Stanford Law School has played a major role in doing precisely that." • A video of the event, hosted by the Stanford Constitutional Law Center, can be downloaded at www.law.stanford.edu/program/centers/conlaw.



SANFORD LEVINSON '73

Afam Onyema has a singular goal: to build a hospital in Nigeria.

LONG A DREAM OF HIS FATHER, AN OBSTETRICIAN/GYNECOLOGIST WHO MOVED TO CHICAGO FROM HIS NIGERIAN HOME IN 1974, THE PROJECT HAS BECOME AN ALL-CONSUMING PASSION FOR ONYEMA '07. ALONG WITH HIS STUDIES, HE HAS SPENT THE BETTER PART OF HIS LAW SCHOOL CAREER REFINING A BUSINESS PLAN, ENLISTING SUPPORT, AND RAISING FUNDS TO MAKE THE HOSPITAL A REALITY.

The hospital will serve a profound need. Nigeria has one of the highest rates of infant mortality in the world—87.5 deaths per 1,000 live births—and HIV/AIDS, malaria, and other diseases are serious threats. The life expectancy is 48.2 years for females and 46.8 years for males. Health care is woefully inadequate.

"If a society is truly going to go from developing to developed, people have to feel secure about their health. You can't have more than 300,000 people die of malaria each year and expect the country to advance," says Onyema.

Via his family's foundation, Onyema has raised \$80,000 of the \$1 million he needs for the project's first stage, which will lay the groundwork for construction of an outpatient facility in 2008, followed by a 200-bed hospital in 2009.

Several members of the Stanford legal community have aided Onyema in his quest. Six of his fellow students serve on the foundation's advisory board, and several faculty members have made personal donations. Onyema has also secured pledges from outside firms, including free legal representation from Mayer, Brown where Onyema worked before law school and accounting guidance from Ernst & Young.

"We're fighting both disease and doubt," says Onyema, who plans to work full time on the project after graduation. "There's a significant amount of uncertainty about whether a project of this scale and quality can succeed in an environment plagued by poor infrastructure and government corruption. That's why we've been meticulous about building our case and marshaling partners who are widely respected."

"Byron Sher's lecture reminds us that California has long been on the forefront of efforts to address climate change."

MARGARET "MEG" CALDWELL '85

BYRON SHER DELIVERS ROBERT MINGE BROWN LECTURE

Professor of Law Emeritus Byron Sher spoke to a packed house on February 24 on the topic of global warming at this year's Robert Minge Brown Lecture. The lectureship was established in 1998 with a gift from the William and Flora Hewlett Foundation to honor its former board member, Robert Minge Brown. The recipients are distinguished scholars, policymakers, or lawyers who have made vital contributions to environmental policy. Sher, who was a California state senator from 1996 to 2004 and served for more than 15 years in the state assembly, is responsible for authoring such groundbreaking legislation as the California Clean Air Act and the California Climate Action Registry Law.

"Byron Sher's lecture reminds us that California has long been on the forefront of efforts to address climate change," says Margaret "Meg" Caldwell '85, senior lecturer in law and director, Environmental and Natural Resources Law and Policy Program. "His poignant assessment of what has been accomplished and what still needs to be done continues to be a source of wisdom and inspiration."



FAIR USE PROJECT OFFERS SUPPORT TO DOCUMENTARY FILMMAKERS

STANFORD LAW SCHOOL MADE A SPLASH AT THIS YEAR'S CELEBRATION OF ACADEMY AWARD DOCUMENTARY NOMINEES IN BEVERLY HILLS, CALIFORNIA, ANNOUNCING AN INNOVATIVE INITIATIVE SUPPORTING DOCUMENTARY FILMMAKERS. Teaming with Media/Professional Insurance and intellectual property attorney Michael Donaldson, the Fair Use Project of Stanford Law's Center for Internet and Society will provide legal support for filmmakers who rely on the "fair use" of copyrighted material in their films. • "Documentary filmmakers who use copyrighted materials in their work under the 'fair use' doctrine of copyright law have come under tremendous pressure in the face of demands for huge licensing fees from copyright holders and overly aggressive enforcement of copyrights," explains Lawrence Lessig, founder and director of the Center for Internet and Society and the C. Wendell and Edith M. Carlsmith Professor of Law at Stanford Law School. • As part of the initiative, the Fair Use Project will offer pro bono representation to selected filmmakers who comply with the Documentary Filmmakers' Statement of Best Practices in Fair Use (www.centerforsocialmedia.org/fairuse). And Media/Professional will provide insurance coverage against copyright infringement liability in the event the filmmaker proves unsuccessful in defending the

claim. In situations where the Fair Use Project can't help, Donaldson and other attorneys will be available to defend claims at favorable rates. • The initiative will be guided by an advisory board that includes documentary filmmakers Kirby Dick, Davis Guggenheim, Arthur Dong, and Haskell Wexler; professors Peter Jaszi and Lawrence Lessig; Fair Use Project Executive Director Anthony Falzone; and attorney Michael Donaldson.

"WOMEN AS POWERBROKERS" CONFERENCE ADDRESSES IMPORTANCE OF NETWORKING

While women have made great gains in the legal profession, a one-day conference hosted by Stanford Law School this March illuminated the considerable obstacles that still exist.

The March 16 "Women as Powerbrokers: Advancing Your Career Through Networking" conference, organized by the Office of Career Services and Women of Stanford Law, addressed common roadblocks to women's advancement in the legal profession—including work/family balance and lack of business development experience—and explored the role of networks in overcoming these barriers. "Formal attempts to diversify fail because they are undermined by informal social structures—these informal networks hold the key to why there's continued gender inequality in the workplace," said keynote speaker Dr. Gail McGuire, associate professor of sociology at Indiana University South Bend. McGuire's research found that, contrary to popular belief, women network as often as men. However, they often don't have as many high-status people in their network as men.

The keynote was followed by discussion groups in which attendees discussed strategies for developing contacts and ways to effectively network in the legal profession. The groups were led by prominent members of the Bay Area legal community including Suzanne Young Bell '88, Kathleen Borrero Bloch '81, Michelle Greer Galloway '89 (BA '87), Dr. Linda Grais '93, Jacqueline Moore '77 (BA '74), Sarah Anne O'Dowd '77 (MA '73), Karen Jensen Petrulakis '93, and Miriam Rivera '95 (BA '86, MA '89, MBA '94).



MIRIAM RIVERA '95
(BA '86, MA '89, MBA '94)

Estate of James Joyce Settles

STANFORD UNIVERSITY Acting Professor of English Carol Shloss won the right to publish her scholarship on the literary work of James Joyce online and in print, thanks to the efforts of Stanford Law School's Fair Use Project and Cyberlaw Clinic, which represented her. In the suit, *Shloss v. Estate of James Joyce*, filed last year, Shloss sought to establish her right to use copyrighted materials in her writing under the "fair use" doctrine. "I think we succeeded in showing the Joyce community and other scholars that scholars have rights and the opportunity to push back against overly aggressive copyright enforcement," explains David Olson, a resident fellow at the Center for Internet and Society who worked on the case.

BEYOND THE BIG FIRM

By Sharon Driscoll

It's hard to miss firm

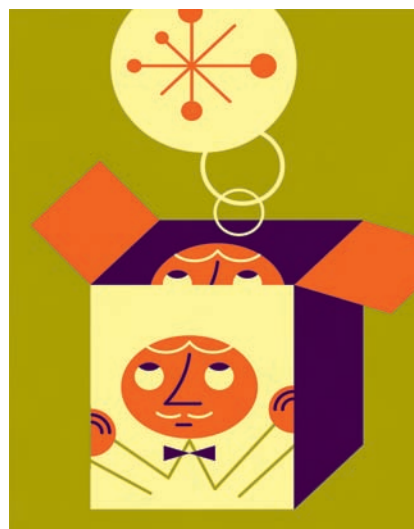
RECRUITMENT DAY AT LAW SCHOOL WITH NORMALLY JEAN-CLAD STUDENTS DECKED OUT IN SUITS. It is an exciting time for most students as they vie for positions at the best firms in the country. • But what about those looking for an alternative career path? • Alan Morrison sheds light on the lives of lawyers who have crafted a legal career in public service with his forthcoming book, *Beyond the Big Firm*. A senior lecturer in law at Stanford, Morrison conceived of the project to fill what he calls "an information void." Co-edited with Diane Chin, the law school's former Center for Public Service and Public Interest Law director, the book offers a glimpse into the lives of 30 lawyers, all with 10 to 15 years of experience working outside big firms. Ever wonder how a lawyer representing trade unions fills her day? Or what it means to practice environmental law with an advocacy group? Or what experience might lead to a Senate committee counsel position? This book attempts to answer those questions and more. • "Lawyers new to the field, and even some who aren't new to practice, know very little about these other career choices and why lawyers working in this broad array of positions generally love what they do. I hope that this book, with its personal accounts, will help readers to understand the opportunities that exist," says Morrison. • Morrison and Chin spent the better part of a year planning the book, first choosing 30 lawyers with a diverse range of practice focuses from different geographical areas and educational backgrounds. As they laid the groundwork for the project, 28 Stanford Law School students joined them to help with the heavy lifting. Most chapters were prepared by students, each of whom researched their subject, conducted the interview, and composed the profile. • "The styles are all different. But Aspen Press understood it was a necessary and interesting aspect of the book," says Morrison. • Henry Huang '07 took a detour from his summer plans to meet in Flagstaff, Arizona, with Sylvia Struss, who provides legal services and legal training to the people of the Navajo Nation. Huang is active in the *Stanford Technology Law Review* and plans to practice patent law when he graduates but was fascinated by Struss's work and her involvement with the community. • "While this book wouldn't change my career path, I'm sure it will have value. I found her work very interesting," says Huang. "Participating in this project was, for me, a chance to hear about another aspect of law and to

try a different kind of writing."

Emily Rae Woods '07 had a one-hour meeting scheduled with Ned Burke, a labor lawyer who represents union workers, at his Chicago office. Three hours later, they were still talking. "The biggest challenge in writing his profile was getting his passion about his job onto paper," says Woods, who will clerk for Judge Harry Pregerson on the U.S. Court of Appeals for the Ninth Circuit after graduation. "For Burke, labor law is more than a job—it's a movement."

"Lisalyn Jacobs gave me so much information that I didn't have writer's block. I just wanted to do justice to her story," says Laurel Parker '07, who took time off from her summer job in the D.C. Public Defender's Office to interview Jacobs '90, vice president of government relations and policy at Legal Momentum. Parker will work for a large firm after graduation but is interested in criminal defense law.

"Learning about what she actually does on a day-to-day basis was fabulous," adds Parker. "As a law student, you have a vague notion of what it means to practice in various areas of the profession. This book will offer practical and personal insight that I think will be invaluable." SL



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HELPING KIDS TO FLY: CHRISTA GANNON

By Randee Fenner (BA '75)

Lecturer, Stanford Law School



Christa Gannon '97 swept INTO MY LIFE THE SUMMER BEFORE HER SECOND YEAR OF LAW SCHOOL. A TRANSFER STUDENT FROM NORTHWESTERN, she had gotten my name from mutual friends who suggested she look me up when she arrived at Stanford. When I opened my office door, I was the one who had to look up: Christa stands 6'2". • "Wow!" I said. • "Do you play basketball? Would you like to coach my son's YMCA team?" • She responded with what I would come to know as her characteristic enthusiasm: Yes, she would *love* to be my son's coach.

Not only would my son have his first-ever undefeated season but I also had tapped into two of Christa's many passions—basketball and helping kids. Honored by Stanford Law School last fall with its inaugural Alumni Public Service Award for her work with at-risk youth, Christa is someone whose talents and determination to help kids extend far beyond the basketball court.

Still, hers is a difficult story to tell without beginning with basketball.

Christa played starting forward at UC Santa Barbara, twice leading her team to the second round of the NCAA tournament. But basketball was only a part of Christa's world. Committed to public service, she volunteered at a program for abused children and as a tutor in the local school district. She also mentored young basketball players, teaching them technical skills and encouraging them to work their hardest in school. "I wanted the kids to understand that education is critical. So no matter how good they were at sports, they had to give school their full-out effort," Christa explains.

Following graduation, Christa entered law school, determined to become a district attorney. She volunteered to teach law classes in Chicago's juvenile hall, where she encountered kids whose lives were essentially over. "I couldn't stop wondering about what had led to their incarceration—and, more importantly, whether something could have been done to prevent it," she remembers.

Seeking to continue the work she had begun at Northwestern, Christa helped found the SLS chapter of StreetLaw, a national program to teach law to lay people in a variety of institutions.

Christa's interest was in incarcerated youth, and so she developed a curriculum and recruited 45 fellow students to volunteer in Santa Clara County's juvenile hall. Working in the maximum security unit with teenagers who were facing up to life in prison, Christa recalls, "I was continually confronted with statements that began with 'If only.' 'If only I knew how much trouble I could get into.' 'If only I had something positive in my life.'"

After graduating from Stanford with distinction, Christa incorporated those observations into a proposal to George Soros's Open Society Institute. In 1997, she was selected as one of ten Soros fellows from across the country to receive a postgraduate scholarship. That was the beginning of Fresh Lifelines for Youth—known simply as FLY.

When FLY began in 1998, Christa worked with 25 kids, had 1 staff member, 4 volunteers, and a budget of \$32,500. And her "space" consisted of not much more than a cubicle in the Santa Clara County Public Defender's Office.

Since then a lot has changed. In 2000 Christa incorporated FLY as a nonprofit and last year—under her leadership and with a staff of 18 and 80 trained volunteers—FLY served more than 2,000 youth.

FLY's offices, which still include a small space at the public defender's office, have expanded to also include almost 4,000 square feet of donated space at the Sobrato Center for Nonprofits. And FLY's annual budget is currently more than \$1 million.

So what exactly does Christa do?

FLY's clients are youth on probation or at risk for entering the criminal justice system. They range in age from 11 to 18 and are referred to FLY by professionals in the judicial system, parents, and community members.

Maria is a good example. Her story begins with a heart-stopping statement: "I was born in Chowchilla State Prison." Her mother had just been sentenced to

seven years, and Maria was sent to live with her grandparents and two older sisters. By the time she was a high school freshman, she was addicted to crystal methamphetamine. When she was 15, Maria was arrested for a drug crime and sent to juvenile hall. Then her probation officer referred her to FLY.

FLY has developed a three-part solution to prevent juvenile crime, based on the sentiments expressed by the same incarcerated kids Christa met in juvenile

hall. The Law Program teaches kids about the law and the consequences of crime. The Mentor Program matches kids who are struggling with drug and/or alcohol addiction with an adult who works one-on-one with them for a year. The Leadership Training Program prepares youth for the transition into adulthood by teaching them to become socially responsible citizens.

FLY's programs have been extremely successful and come at a substantial

savings when compared with the cost of incarceration. For example, to incarcerate one youth for one year in California's prison system costs \$71,000; FLY's most expensive yearlong program costs less than \$7,000 per youth per year. Meanwhile, California's state-run facilities have only a 25 percent success rate in preventing recidivism. FLY's Leadership Training Program has more than an 88 percent success rate. In fact, 92 percent graduate from high school.

As a result of their accomplishments, Christa and FLY have received numerous honors at the local, state, and national levels. The Alumni Public Service Award that Christa received from Stanford Law School was perhaps the most meaningful so far. "Stanford's recognition is invaluable to me. I feel it validates my decision to apply my education in the nonprofit sector and to use my skills in a less traditional legal career," she says.

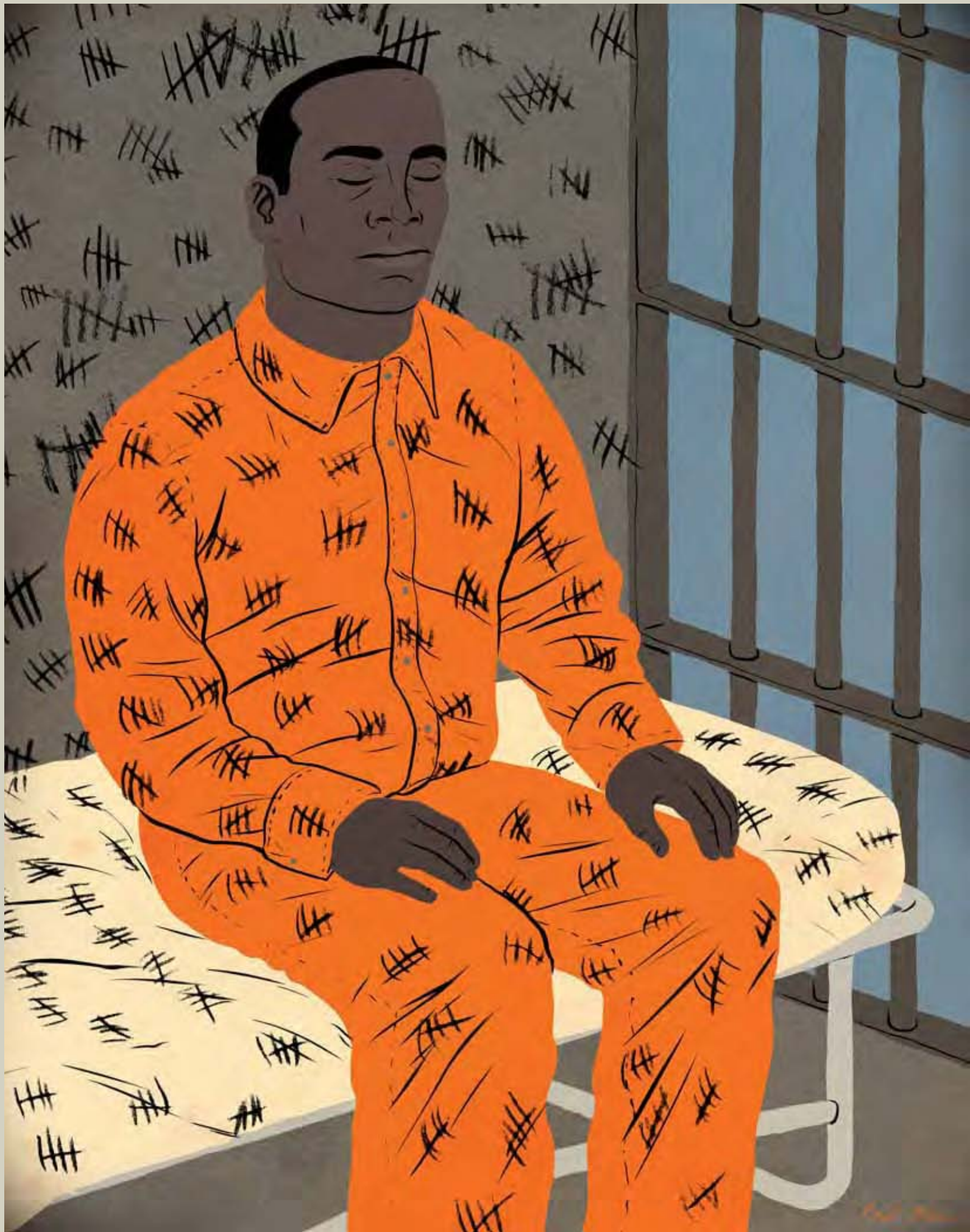
Maria has certainly benefited from Christa's career choice. After being placed in FLY's Mentor Program, Maria became clean and sober. She then joined FLY's Leadership Training Program, where she was selected by her peers as its chairperson. Maria then became the first in her family to graduate from high school. And she has stayed crime-free and drug-free for the past three years.

Maria is just one of FLY's many success stories. But Christa, while delighting in each youth's achievements, is not satisfied. FLY has a long list of kids waiting to get into its programs. "I feel it is my moral obligation to provide FLY's services to anyone who needs them," she says. This might seem like an unreachable goal with more than 13,000 kids in Santa Clara County being cited for a crime each year. But with Christa's vision, energy, and leadership, it's a slam-dunk. **SL**

For information about FLY, visit www.flyprogram.org.

CHRISTA GANNON '97





THE STANFORD CRIMINAL JUSTICE CENTER: THROWING ITS HAT INTO THE POLICY RING

By Alice LaPlant

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hat do sentencing reform,

WHITE-COLLAR CRIME, AND THE CURRENT RACIAL IMBALANCE IN PRISONS HAVE IN COMMON? They have all been identified as requiring urgent attention by the Stanford Criminal Justice Center (SCJC). And not just academic attention. Although certainly at the forefront of scholarly work on these and other criminal justice topics, the center is also dedicated to helping forge public policy that actually makes a difference at the local, state, and national levels. • “Our program was founded to bridge the gap—real or perceived—between the academy and the criminal justice system,” says Kara Dansky, executive director of the center. • Take sentencing reform—one of the center’s banner issues. Since its founding in 2004, the SCJC has organized conferences and published scholarly papers on the legal, political, and ethical issues surrounding current sentencing laws. Among other things, the center has pushed for the formation of a state sentencing commission that would collect and analyze sentencing data and restructure the state’s sentencing system. “One goal from the start of the center has been to try to help policymakers reform California’s overly complicated sentencing structure at a time when California’s prisons are notoriously and unconstitutionally overcrowded,” says Dansky.

“It’s clear that both academically and politically, the most important front in criminal justice today is sentencing,” agrees Robert Weisberg ’79, Edwin E. Huddleson, Jr. Professor of Law and faculty director of the center. “It’s the crisis point in American criminal justice, and it’s where we’ve always thought we could make a real contribution,” he says.

Indeed, in January 2007, the Supreme Court’s decision in *Cunningham v. California* held California sentencing laws unconstitutional because they violated defendants’ rights to a jury trial. This overturning of more than 30 years of sentencing practices threw the California criminal justice system into an uproar. Governor Arnold Schwarzenegger, as well as state legislators, proclaimed the need for an independent, non-partisan body that could examine the complex sentencing issues facing the state as a result of the ruling. Because

of its extensive work in this area, policy-makers turned to the SCJC for help.

Specifically, the SCJC has been asked by California state legislators for guidance on designing and establishing the mandate of the commission.

“We still don’t know how the Supreme Court decision will affect the California criminal justice system in practical terms, but we hope to play an important role,” says Dansky. Already, Governor Schwarzenegger has proposed creating a sentencing commission in bills that are currently making their way through the state Senate and Assembly. “Experts are optimistic that a sentencing commission will be created this session,” says Dansky.

Part of the movement to create a California sentencing commission includes the recent launch of the Stanford Executive Sessions on Sentencing and Corrections, which will be attended on an invitation-only basis by sentencing experts in the public and private as well as academic realms. By doing this, Dansky and Weisberg hope to spark a debate on sentencing reform that will lead to a transformation of the existing policy and practice of sentencing and corrections in California. The first executive session, held on March 9, laid the groundwork for this body of state and national experts to set out a schedule for the talks.

“Having these discussions in a neutral and private forum, like a university, allows us to move the debate forward in a way that isn’t possible in the messy world of partisan politics,” says Dansky.

The SCJC is focused on issues besides sentencing. Other areas of concern: white-collar crime, prison overcrowding, and racial inequality in incarceration. “I’ve long been concerned that Stanford as a university hasn’t contributed as much as it could toward criminal justice research and policy,” says Weisberg.

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MARCELO MONTERO, JSM '02, was honored this year to be named professor of philosophy of law and legal theory by the Diego Portales Law School, where he has taught for 14 years. Also, March 2007 marks the first anniversary of his firm, which focuses on corporate law and human resources consulting.

LESLYE OBIORA, JSD '00, who also is a graduate of the University of Nigeria and has an LLM from Yale, was named minister of the mining sector of the Nigerian economy. She is on leave for the national duty on behalf of Nigeria from her faculty post at the University of Arizona where she teaches international human rights and feminist jurisprudence. Her work in the pursuit of empowering rural women through her IRA (Institute of Research in Africa) initiative brought her to the country before the recent 2006 ministerial appointment.

RODRIGO ORENDAY SERRATOS, LLM '04, continues at Banco de Mexico. He invites fellow law students planning to visit Mexico City to contact him. He has published papers on banking law and digital rights management technologies in various Mexican law reviews.

GENE SOON PARK, JSM '00, left Kim & Chang to serve as in-house counsel at Lehman Brothers International, Seoul, Korea. He sends best regards to all.

MEEPAHD POTRANANDANA, JSM '65, retired justice of the Supreme Court of Thailand, is still highly active in academia, lecturing in law for advanced degree students and writing as a columnist in national Thai newspapers. He is an expert in antitrust law and macro-economics. His website is at <http://www.meepahd.com>.

TONY REYNARD, JSM '05, practices law in Geneva, Switzerland, specializing in art-related transactions. He is general counsel to the *Moscow World Fine Art Fair* and the forthcoming *Salzburger World Fine Art Fair* (opening July 28). He is director of the Singapore FreePort, an international joint venture, with a high-tech facility dedicated to the safe keeping of works of art (opening spring 2008).

OSBORNE M. REYNOLDS JR., LLM '65, is working on an update to his *Local Government Law* hornbook (2nd ed., published in 2001). He is still enjoying retirement and has traveled to Portugal and Alaska within the past year.

IN FOCUS

The Stanford Criminal Justice Center: THROWING ITS HAT INTO THE POLICY RING

C O N T I N U E D F R O M P A G E 1 3

Indeed, one of his goals for the center is to leverage the law school curriculum to spread the study of criminal law more broadly throughout the university. Already, the center has forged partnerships with other program groups, including the Arthur and Toni Rembe Rock Center for Corporate Governance, Stanford's Center for Comparative Studies in Race and Ethnicity (CCSRE), and the Institute for Research in the Social Sciences (IRiSS).

Dansky and Weisberg are particularly excited about an upcoming conference to be held in April in conjunction with the CCSRE and IRiSS. The conference will focus on race, inequality, and incarceration within the context of the extreme state of racial imbalance in today's prison system. Says Weisberg: "It's the most bizarre anomaly you can imagine about the United States—that we have two million people behind bars, a vastly disproportionate number of them young African-American men. We are just off the charts compared with other developed countries."

The center has also gotten involved in examining scholarly and policy issues surrounding white-collar crime. In November 2006, the SCJC co-hosted a conference on that subject with the Arthur and Toni Rembe Rock Center for Corporate Governance. Much of the discussion revolved around the aggressive prosecution techniques the federal government was then using to go after alleged corporate criminals, particularly the Thompson Memorandum—named after its author, Deputy Attorney General Larry D. Thompson, which provided guidelines for U.S. attorneys who were seeking indictments against corporations for fraud or other financial "wrongdoing." With the memorandum's support, government prosecutors were attempting to compel executives to testify against their companies by threatening them with personal indictments if they refused to cooperate. "There are surprisingly few constraints on the powers of prosecutors in the United States, but the wrong approach is to bring constitutional litigation against the government—that doesn't work," says Weisberg, who adds that the SCJC hopes to get a paper published that will capture the current policy choices. In the end, the government reviewed the wisdom of the tactics advocated in the Thompson Memorandum.

"What everyone realized was that if the government wants to be efficacious in stopping corporate crime, it needs to move from a blunderbuss approach to something much more in the negotiating mode," says Weisberg. "We concluded that the government needs to think more sensibly about its real goals in pursuing both individuals and corporations in criminal prosecutions than it is currently doing."

In addition to research and policy, there is a third aspect to center activities: mentoring students interested in careers in criminal law. A case in point is the way the center works with the student-run Criminal Law Society (CLS). "We got a lot of support from Professor Weisberg when we started the society," says Tara Heumann, a third-year law student and co-founder of the CLS. "And the center helps us enormously when we're planning a student event by contacting speakers for us and giving us funding." Heumann, who became interested in criminal law in her first year of law school after taking a class from Weisberg, has been offered a three-month temporary post-bar clerkship at the San Mateo District Attorney's office. Her work with the CLS and with the SCJC helped her get that position. "The SCJC is a wonderful resource for the law school," she says. **SL**

AT
THE CORE
OF THE
PROFESSION

PUBLIC SERVICE

REUBEN JEFFERY III SPENT 18 YEARS WITH GOLDMAN, SACHS & COMPANY, INCLUDING NEARLY A DECADE IN LONDON AND PARIS, WHERE HE SPECIALIZED IN INTERNATIONAL CAPITAL MARKETS, CORPORATE FINANCE, AND MERGERS AND ACQUISITIONS. HE LEFT GOLDMAN IN MAY 2001 WITH THE HOPE OF TAKING A MUCH-NEEDED BREAK AND SPENDING MORE TIME WITH HIS FAMILY. But as he watched the horrors of September 11, 2001, unfold on television, he knew he had to do something. “I didn’t know how or what it meant,” recalls Jeffery JD/MBA ’80. “I just looked at what was going on, thought about where I was in life, and came to the conclusion that if there was a way I could do something more public service-oriented, I wanted to do that.”

From Europe, Jeffery wrote every contact he could think of in the U.S. government. Eventually he heard from a Stanford classmate who was working at the White House. The president needed someone to act as a liaison between the federal government and those charged with the long-term recovery and redevelopment of lower Manhattan—agencies like the Port Authority, the Lower Manhattan Development Corporation, the New York governor’s office, mayor’s office, and state legislators.

“The job was somewhat ill-defined at the time,” says Jeffery. In the end, though, he says it was a fascinating introduction to government service. Jeffery continues, “It proved to be hugely interesting and rewarding to feel like I was doing something that mattered.” Inspired by his new vocation, Jeffery went on to serve as an adviser to Ambassador Paul Bremer in Iraq, and then as special assistant to the president and senior director of international economic affairs at the National Security Council. Today he serves as chairman of the federal Commodity Futures Trading Commission (CFTC).

A substantial majority of Stanford Law School graduates start their careers in private firms or corporations. Some, like Jeffery, move into full-time public service after years in the private sector. Many others resolve to take on pro bono cases while working full time at traditional law firms. Some of these alumni are from the left side of the political spectrum; some are from the right; and some are neither. But as far as Dean Larry Kramer is concerned, they’re all worthy role models. He tells students, “Some of you are going

BY
THERESA
JOHNSTON
(BA ’83)

PHOTOGRAPHS
BY
MICHELLE MCCARRON

ILLUSTRATION
BY
DAN PAGE



to do public interest law as a full-time career, and that's great and should be celebrated. But the rest of you shouldn't view yourselves as off the hook."

His colleague Lawrence C. Marshall agrees. "This isn't about liberal versus conservative, Republican versus Democrat," says Marshall, the David and Stephanie Mills Director of Clinical Education and associate dean for public interest and clinical education. "It's a mind-set that says that law is a profession—not only a business—and that part of the profession includes a responsibility to make professional services available to serve others."

In recent years, Kramer and Marshall have worked to double the resources available to Stanford Law School's clinics, fellowships, and other public interest-related programs. Now, thanks to a substantial gift from John Levin '73 (MA '70) and Terry Levin (BA '74, MA '81), they're launching a broader initiative: a new center for public service and public interest law aimed at fostering enthusiasm for public service in all Stanford Law students, no matter what their career trajectory. Marshall explains that "from the very first day of law school we want this spirit of commitment to public service to be part of the DNA of the law school and part of what our students identify as the professional ethos of lawyering."

Previous efforts at the law school to emphasize public service focused almost exclusively on career counseling for the minority of third-year students seeking nonprofit and government jobs. "We'll continue to do all of the things we do for those students," Kramer promises, "and indeed we can and should do a lot more for them." Already the school has expanded its career counseling staff and enhanced its loan forgiveness program for graduates who go into full-time public interest careers.

At the same time, he says, "We need to engage the large percentage of our graduates who do not pursue careers in public service, to send a very clear message to our students that public service is a professional obligation, and to find ways to

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Larry Kramer

promote public service work by lawyers from within private sector careers." The new John and Terry Levin Center for Public Service and Public Interest Law, he stresses, "really is committed to providing a focal point and a jumping-off point, to send this broader message about the legal profession as a whole."

With the establishment of the Levin Center, the law school has developed strategies to weave a public service ethos into all aspects of its legal education. A top priority will be to strengthen Stanford Law School's popular new pro bono program, which enables students to participate in community-based projects from their earliest weeks on campus. Those who volunteer 50 hours earn a mark of Pro Bono Distinction on their diplomas.

"The law school is proud to be proactively creating opportunities for pro bono service and shepherding students to those opportunities," says Marshall. Another key program component, he explains, is the opportunity for reflection. After students have been out in the community, they attend group sessions where they discuss questions their work has generated.

Last fall, about two-thirds of first-year students signed up for the pro bono program. Among them was Vermont native

Jessa Barnard '08. Barnard has been involved in pro bono projects for two years, largely through a program she and a classmate founded, the Medical-Legal Collaborative. The collaborative helps families of young patients at Lucile Packard Children's Hospital apply for benefits or resolve legal issues they may have. "It's the sort of school where if the exact opportunity that you want does not exist, you can create it," she explains. "The support and resources are certainly there."

Another priority at the Levin Center will be course development. Last year, clinical education director Marshall helped develop a seminar in which students analyzed controversial cases from both sides of the political spectrum. Guest speakers included one lawyer who had been part of California's recent campaign for parental notification about abortion and another who fought the initiative. Students also heard from lawyers working for and against same-sex marriage.

Another initiative slated for expansion is the law school's National Public Service Awards program. Last October, the school honored two full-time public interest lawyers: Loyola law professor William Quigley for his work on behalf of Hurricane Katrina victims and Christa Gannon '97 for her work on behalf of California youth. Soon, the dean plans to add one more award, to recognize an alumnus who isn't a full-time public interest lawyer but has made substantial contributions through pro bono activities.

Such role models are important, Kramer explains, because once students get into the workforce, the temptation to dismiss their pro bono responsibilities can be great. "You go into a firm, and the pressure to bill hours is enormous and getting clients matters, so it's not surprising that the job can be all encompassing," he says. Unless students already have developed a strong respect and taste for public service, he says, "there are going to be a lot of reasons not to do it."

Vaughn Williams '69, a partner with Skadden, Arps, Slate, Meagher & Flom

who specializes in securities class action suits, is familiar with the challenges that young associates face. When he first joined Skadden's New York office, he spent virtually all of his time working on paid client matters as he worked his way up to partner. Gradually, though, several things happened: He learned to manage

his time better, he became more secure in his relationship with the firm, and he developed a better sense of what was important to him. These days, on top of his busy litigation practice, Williams heads the boards of Lawyers for Children, Inc., and the Brooklyn Academy of Music, offering advice on governance and appropriate

auditing procedures. He's also a member of the committee that administers the Skadden, Arps Fellowship Program, which supports young lawyers who take on full-time public interest jobs.

Williams insists that the best law firms really want their associates to do pro bono work, not only for the benefits to the

THE JOHN AND TERRY LEVIN CENTER FOR PUBLIC SERVICE AND PUBLIC INTEREST LAW

For John Levin, public service is not an option—it's a professional obligation. • "I think the whole notion of law as a profession is bundled up with the fact that it's about service to others. That's true of all aspects of law—both public and private," says Levin '73 (MA '70), founder and senior counsel at Folger Levin & Kahn LLP and its former chairman and managing partner from 1978 to 2006. "It is essential for students to have early and frequent exposure to the meaning of public service as they develop their identities as lawyers."

That's why he and his wife, Terry (BA '74, MA '81), have contributed \$3.75 million to establish the John and Terry Levin Center for Public Service and Public Interest Law. The Levin Center's mission: to make public service part of every student's experience, no matter his or her career path.

To provide this exposure, plans for the Levin Center include expansion of existing programs at the law school including the Pro Bono Program, a national mentorship network, Public Service Leadership Fellows, and the newly established National Public Service Awards. Also in the works: new resources for students seeking non-traditional legal careers; a lecture series; and an annual conference with the goal of encouraging discussion at the national level about public service practice for all lawyers—whether as a career or pro bono part of their practice.

The center will also fund new curriculum options. One such course launched last year examines case studies on issues ranging from abortion to gay marriage from opposing perspectives. Plans also call for seminars focusing on client relationships, impact litigation, and ethics and professional responsibility.

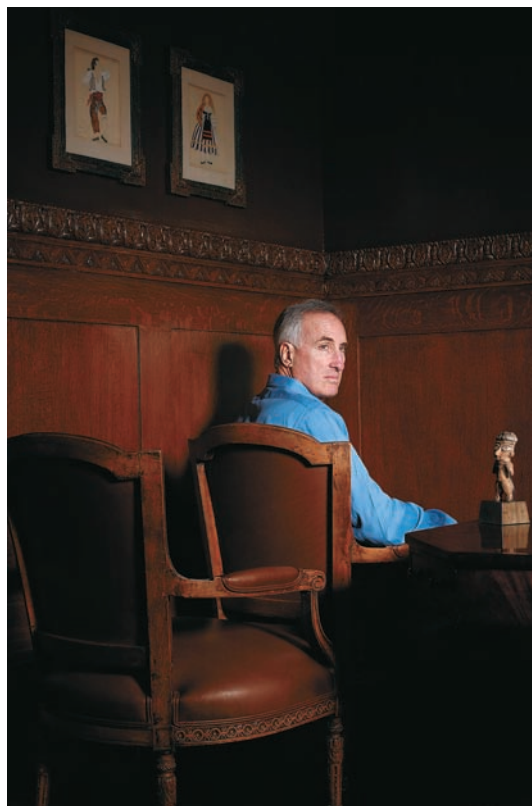
While the center's goal is to cultivate students' interest in their role as public servants, it doesn't mean they ultimately have to, or will, work in the public sector. "We absolutely want to encourage students who wish to pursue full-time careers working in public interest law," says Lawrence

C. Marshall, the David and Stephanie Mills Director of Clinical Education and associate dean for public interest and clinical education. "But working in service of the public is not an all or nothing deal. We want to show students that they can incorporate service into other careers as well."

The mission is to bring public service to the forefront of legal education and practice. "What it means to be a lawyer, part of the responsibility that goes with it, is to find a space within your career, whatever your career, to give to the larger community," says Larry Kramer, Richard E. Lang Professor of Law and Dean.

To be sure, the Levins know first-hand about public service. John chairs his firm's philanthropic fund, is involved in a wide range of community activities, and has served on numerous boards. He is currently vice-chair of the Board of Trustees of Stanford University and a member of the Dean's Advisory Council for Stanford Law School. Terry has been a long-time volunteer for Stanford and currently serves on the Stanford Associates' Board of Governors, the Stanford Challenge Leadership Council, and the Overseas Studies Council.

"A commitment to serving the greater good is an essential part of being a lawyer," say the Levins. "We are pleased to support Stanford Law School's efforts to make public service a central part of the school's culture."—AMY POFTAK (BA '95)



JOHN LEVIN '73 (MA '70)

associate but for the firm's benefit as well. Success in a high-profile case can enhance a whole firm's reputation. "For example, if we win Voting Rights Act litigation, I think my partners here will be proud that we've had success in a very interesting case. There's prestige whether it's for a paid client or not," says Williams.

Pro bono service also can be useful for

young lawyers in developing both their skills and professional ethic. Palo Alto attorney Catherine Kirkman '89, a partner at Wilson Sonsini Goodrich & Rosati, has been actively involved in pro bono throughout her legal career, with clients ranging from Creative Commons to various East Palo Alto nonprofits. She now mentors young associates as they build out

their knowledge base in the firm's media practice while serving pro bono clients such as the San Francisco Museum of Modern Art. "There are lots of pro bono projects out there, and they can be fit in just like all the other client work we do since they're all considered billable hours," she says. "We have a wonderful group of young associates and we work together on these cases as a

ALISON TUCHER: HELPING TO WIN A MAN HIS FREEDOM

Alison Tucher wasn't a lawyer yet when she started work on the biggest pro bono case of her career. The client was Rick Walker, an auto mechanic from East Palo Alto, who had been convicted and would be sentenced to life in prison for the first-degree murder of his former fiancée.

- Walker's mother, Myrtle, an East Palo Alto councilwoman, was sure her son was innocent. And as it so happened, Myrtle Walker and Tucher's mother were good friends. Meeting for lunch, they wondered if there was any way that the younger Tucher, then a third-year student at Stanford Law School, might be able to help.

"At that point, I had one semester each of Criminal Law and Criminal

Tucher found some top-notch attorneys to take the case on appeal.

Over the next seven years, while Walker served hard time in prison, Tucher graduated from Stanford, clerked for Judge William A. Norris on the Ninth Circuit Court of Appeals and Justice David H. Souter on the U.S. Supreme Court, and worked as a deputy district attorney in Santa Clara County. She was just starting at Morrison & Foerster when she heard from Walker again. The Ninth Circuit had turned down his latest appeal, and Walker was worried that evidence from his case would be destroyed.

By then, Tucher was immersed in a demanding patent litigation case. Nevertheless, with the firm's blessing, she set out to preserve

Walker's evidence and to investigate his case from the ground up. "It was a three-way balancing act," she says of that hectic time, which involved traveling to interview inmates throughout California. "What drove me was a sense of obligation to seek justice. A man who was completely innocent was going to spend the rest of his life in state prison—unless I could prove that an injustice had been done."

Tucher found five new witnesses who knew what happened the night of the killing. That convinced the district attorney's office to begin its own investigation. In 2003, 12 years after his conviction, Walker walked out of prison



ALISON TUCHER '92

Procedure under my belt," Tucher '92 recalls. "I doubted that I would be able to do anything helpful." Still, the more she looked at how Walker's case had been handled, the more unjust it seemed. Tucher was particularly troubled by the prosecution's star witness: an East Palo Alto drug dealer, also implicated in the crime, who initially failed a polygraph test and then fingered Walker after a plea bargain. Asking around at Stanford,

an exonerated man. "I know that some attorneys get stuck in their ways," he says. "But with Alison, you could just see the fire in her. She is my hero. When I needed rescuing, she was there." Reunited with his mother and grown son, Walker now is working at an auto repair shop in Palo Alto. A civil suit against the Santa Clara County District Attorney's Office is pending.—THERESA JOHNSTON (BA '83)

PRO BONO: GOOD FOR SOCIETY AND GOOD FOR BUSINESS

Imagine you are 6 years old, and you have diabetes. You're heading to first grade. You need insulin shots and frequent checks on your blood sugar, but you're not yet able to administer them to yourself. Your parents can't be at school with you all day, and school nurses are in short supply. Who is going to help?

• Some states, like Virginia, allow trained school employee volunteers—often teachers or aides experienced with the disease—to assist youngsters with diabetes. In California, though, the vast majority of public schools insist that parents come in during the school day to take care of the problem themselves.

"When I first heard about this, I thought there must be some miscommunication," says Kenneth Philpot '73 (BA '70), a partner in the San Francisco office of Reed Smith. "How can anybody refuse to assist a child with diabetes who needs help? It turns out to be one of society's bureaucratic nightmares."

Philpot is a senior litigator and trial lawyer with more than 25 years of experience handling complex commercial disputes. But when he received an e-mail two years ago from Reed Smith's pro bono committee describing the hurdles that children with diabetes face in California public schools, he immediately signed on to help.

Working with attorneys from the Disability Rights Education and Defense Fund, Philpot and his colleagues filed a civil rights complaint on behalf of four East Bay families and the American Diabetes Association. Their aim is to compel the California Department of Education and districts throughout the state to provide a sufficient number of school personnel trained to check students' blood glucose and assist with treatments.

It's not the first time Philpot has waded into the pro bono pool. As a Stanford law student, he worked as a research assistant for Stanford Professor Tony Amsterdam, a leader in coordinating national opposition to the death penalty. He continued to do pro bono work for the NAACP Legal Defense and Education Fund after graduation.



KENNETH PHILPOT '73 (BA '70)

Philpot and his partners at Reed Smith encourage their associates to follow suit. Regular e-mails from the firm's pro bono committees offer an array of opportunities, and time spent on pro bono cases is counted toward billable hour goals. "On a selfish level, pro bono work enhances our reputation and ability to attract top lawyers," Philpot explains, sitting in his high-rise office at the Embarcadero Center. "I want to recruit people to the firm who have a broad range of interests. To me, pro bono activities demonstrate a commitment to something more than just making money."

In all, some 30 lawyers at Reed Smith have spent thousands of hours working with Philpot on the diabetes case, researching state and federal laws, examining school district policies and individual claims, and engaging in complex negotiations with each of three defendants. "Throughout the case, Ken has demonstrated his ex-

traordinary skills in developing and implementing strategy and pursuing negotiations at the highest level," says a grateful Shereen Arent (BA '80), national director of legal advocacy for the American Diabetes Association. His commitment and that of his team "are truly making a difference," she notes. At press time, the parties were close to reaching a settlement.—THERESA JOHNSTON (BA '83)

team. It's really gratifying for all of us to know that we can contribute to the community as part of private practice."

Reuben Jeffery, who traded life at Goldman Sachs for an office in Washington's Old Executive Office Building, has found the same rewards in government service. "I know this sounds Pollyannaish," he says, "but whatever small contribution

I've been able to make is dwarfed by the psychic income of the opportunity to work with highly motivated and competent people on interesting and significant issues." No matter where Stanford law graduates are headed—to nonprofit agencies or government offices, private law firms or corporations—his advice about public service is the same: "Don't get too hung up on

whether you have the right qualifications, or whether the job is the right thing for you given where you see yourself in life," he says. "Just have the confidence to know that there are lots of areas where a Stanford-trained lawyer can make a difference. Things change. You can't predict the future. But if you get involved in community activities, one thing can lead to another." **SL**

BY
SHARON
DRISCOLL

PORTRAIT
BY
ETHAN HILL



Twenty years ago, Stanford Law School broke new ground by establishing the first student loan forgiveness program at a law school. Known today as the Miles and Nancy Rubin Loan Repayment Assistance Program (LRAP), it was unique in 1987—providing a vehicle for taking the often heavy burden of educational loans off the shoulders of graduates who pursue a career in public service.

But LRAP is much more than financial aid. Started with initial support from the Cummins Engine Foundation, Kenneth and Harle Montgomery, and Miles Rubin '52 (BA '50) and Nancy Rubin, LRAP is the backbone of Stanford Law School's public service program. It not only helps attract students to the law school, it also enables those students to do public service, which might otherwise be impossible given high educational debt and low salaries.

"I believe that loan forgiveness in these circumstances is a moral obligation for Stanford," says Larry Kramer, Richard E. Lang Professor of Law and Dean. "The costs of legal education are such that the subsequent debt has made it impossible for some of our graduates to choose a career in one whole sector within the profession."



LRAP:
STANFORD
CELEBRATES 20 YEARS
OF PUBLIC SERVICE
INNOVATION



TRISHA MILLER '04

The salary gap between the public and private sectors is telling—and that gap has grown over the last 20 years. Consider: In the late 1980s the average starting salary at top law firms was approximately \$60,000, while in public service it was around \$20,000—going up to \$32,500 for the coveted Skadden fellowships. This was when tuition at Stanford Law School was just over \$12,000 per year. Fast forward 20 years

and starting salaries at top law firms now exceed \$160,000 annually and tuition is projected to be almost \$40,000 for the 2007/08 school year. Yet public service salaries have hardly budged, hovering around \$40,000, perhaps going as high as \$60,000 for a position in a major city.

As tuition has risen, so too has educational debt. Today, 80 percent of students at the law school receive some kind of financial aid. The average law school loan debt is approximately \$100,000, with some students accumulating more than

\$150,000. For those joining a firm, paying this debt is feasible. For those interested in public service, this kind of debt can be prohibitive.

LRAP helps by first lending funds to graduates who choose a public service career to cover their monthly educational loan payments. Participants can stay in the program for up to ten years, and LRAP payments are calculated based on the assumption that alumni have placed their loans on a ten-year repayment plan. The funds loaned to program participants are forgiven at

WITNESSING THE DEVASTATION OF KATRINA: A ROAD TRIP WITH NANCY

Most Americans can't forget the media images of the hurricane that roared across the Gulf Coast of Louisiana, Mississippi, and Alabama in August 2005, taking with it thousands of lives—its force hurling casinos in the air, crumbling century-old buildings, and devastating entire communities with homes buried under a massive tidal surge.

The aftermath of the devastation revealed as much about American society as it did about the force of nature. We witnessed segregated poor and minority communities struggle to get assistance in the days following the storm and how they have been largely left out of the recovery and rebuilding effort. Six months after Katrina, thousands of families were still waiting for Federal Emergency Management Agency (FEMA) trailers. Today, many are still waiting.

Helping the most vulnerable communities on the Gulf Coast quickly became a priority for the Lawyers' Committee for Civil Rights Under Law Community Development Initiative (CDI). We recruited hundreds of lawyers from across the country—including Stanford Law School's clinic program—to assist people in their struggle to receive compensation for lost housing and lost employment. Today, the work continues.

I had the opportunity to travel back to the Gulf Coast with Nancy Rubin, one of the forces behind the Miles and Nancy Rubin Loan Repayment Assistance Program (LRAP). I met Nancy at an LRAP reception at Stanford shortly after Katrina. Not content to simply donate to the program, Miles and Nancy wanted to meet the participants and hear about their work. Nancy was familiar with my Skadden fellowship at CDI and my work in the Gulf Coast since the hurricane. She wanted to see the post-Katrina devastation firsthand, so we met in Mississippi in May 2006.

Our first visit was with Howard Page, a community advocate in Gulfport who had lost everything but the thin wooden frame of his

family's century-old home. We then walked along the shoreline, passing the foundation of a law office that had washed away. It was Reilly Morse's practice, where I had worked as a Stanford Law student two years earlier.

Our next stop was a free legal clinic in East Biloxi, Mississippi, one of several clinics that we established after the storm to help isolated communities register for FEMA benefits. Nancy met a loan officer volunteering at the clinic. She broke down when he recounted his personal Katrina tragedy. Everyone in the room was bound together by a sense of loss.

Later that day, we met with Rose Johnson, founder of the North Gulfport Community Land Trust, a program that builds affordable housing in African-American neighborhoods. Paul Bogart, who came to Gulfport after the storm to design "green" modular homes, met us in Rose's living room to draft a community partnership for building environmentally friendly, affordable homes for hurricane survivors.

As this article goes to print, we are celebrating the ribbon-cutting ceremony for our first affordable green modular home erected on Martin Luther King Jr. Boulevard in the center of the North Gulfport community. It is one house built by many hands. Unfortunately, only a few thousand homes in coastal Mississippi have been rebuilt, and more than 38,000 Mississippi families are still living in trailers. We need more hands.—TRISHA MILLER

TRISHA MILLER '04 is a staff attorney with the Lawyers' Committee for Civil Rights Under Law where she directs CDI—a program that combines legal support, housing partnerships, and community planning. She launched this innovative legal assistance project as a Skadden fellow in 2004. The initiative continues to provide direct legal services—with the pro bono support of more than 100 national law firms, numerous law schools, and corporations—to nonprofit housing and economic development organizations across the South.

A LAST-MINUTE REPRIEVE: LRAP TAX EXEMPTION LEGISLATION

Ten years ago, law school loan forgiveness was a taxable benefit—which meant participants were liable for tens of thousands of dollars in tax on their forgiven loans by the time they left the program. It was the ultimate catch-22.

Frank Brucato, senior associate dean of administration and CFO at the law school, remembers that time well. An existing tax code, section 108f, allowed tax exemption for medical school loan repayment assistance programs. So Brucato enlisted the help of Stanford Law School's Joseph Bankman, Ralph M. Parsons Professor of Law and Business, to draft legislation to extend tax exemption to law schools.

"I had LRAP participants calling me daily—asking what could be done to prevent the tax on their benefit," says Brucato. "I felt a responsibility to our alumni to do something."

The challenge for Bankman and Brucato was to get the proposed amendment into President Bill Clinton's January 1997 budget. To accomplish this they needed, among other things, the support of the House Ways and Means Committee and the Senate Finance Committee. The day before Thanksgiving in 1996, Brucato called Bankman to ask a huge favor: Would Bankman give up his family vacation to join him in Washington for a special presentation to the assistant secretary

of the treasury for tax policy? Yes, he would, was the answer back. The two flew to D.C. and spent the weekend making the case for tax exemption for law school loan forgiveness.

"When Joe spoke, the room just went quiet. The respect they had for his expertise was inspiring," says Brucato.

The proposal made it into the January budget and was



FRANK BRUCATO
AND JOSEPH BANKMAN

adopted that summer. Today, hundreds of LRAP participants at law schools across the country receive the benefit of loan forgiveness without taxation because of this effort.

set stages, with 25 percent forgiven after three years. Starting in the fifth year, 100 percent of funds already distributed are forgiven.

The Deciding Factor

Angela Schwartz '04 readily praises the program. Though she worked throughout her undergraduate studies, she accumulated nearly \$20,000 in educational loans. Knowing that her educational debt would approach \$150,000 after law school, Schwartz took great care in assessing her law school options, comparing Stanford's

LRAP with the programs at other top-tier schools to which she was admitted.

Schwartz met with Faye Deal, Stanford Law's associate dean for admissions and financial aid, and, she says, "grilled her for a couple of hours until I was satisfied that I really could pursue a career in public interest law—and, with the help of LRAP, have a life." Now a few years out of school—she *knows* that the program is everything Stanford says it is.

"LRAP was the deciding factor in my choice of Stanford Law School," says Schwartz, who was a public interest fellow while at the law school, worked as a Skadden fellow with the

National Center for Youth Law after graduation and is now a lawyer at the Public Interest Law Project in Oakland. She recently came back to Stanford to discuss LRAP with law school students, many of whom worry about the financial realities of pursuing a public service career. Schwartz fielded their questions, sharing with them the exciting news that she and her husband, also in public service, had just purchased a home in the Bay Area.

"You really can choose a public service career and, with the help of LRAP, have a fulfilling personal life," Schwartz told them.

Those words are encouraging to Andrew Canter '08, who came to Stanford for a joint degree program in public policy and law. Committed to public service, he was a Coro fellow before starting a master's degree in public policy at the Kennedy School of Government, later combining it with a JD here. Canter did his

homework before deciding on Stanford, and comparing LRAP programs was key. "Stanford Law School's strong LRAP program was a significant factor in my choosing to come here," says Canter. "It was also an indication of the school's commitment to public service and its ability to attract the best in the field."

A Growing Need

Canter's statement is echoed by program participants, new and old. And here Stanford Law School has a breadth of experience to draw on. From five initial participants 20 years ago, LRAP has grown significantly and now

THE FIRST FIVE LRAP PARTICIPANTS

Lisa Millett Rau '87 and Larry Krasner '87 met in 1984 on their third day at Stanford Law School. They were both interested in public service: She had spent two years in the Peace Corps, and he was intent on defending the "little guy" as a trial lawyer. But as their student loan debt mounted, they wondered how they would be able to pursue their dreams after law school—get married, start a family, and live on public service salaries.

But help was on the way. In 1987, Stanford Law School announced the start of a new loan assistance program, LRAP, the first such program at any law school.

"Stanford was a dream school for me, but I didn't think about how the cost would play into my career goals when I decided to attend," says Rau, now a judge in the First Judicial District in Philadelphia. "Quite literally, I could not have taken a career in public service if it had not been for this program."

Krasner landed a position with the public defender's office in Philadelphia after graduation. Meanwhile, Rau turned down a lucrative firm position to work with Philadelphia's Public Interest Law Center. Occasionally they would look at each other and say, "Want to try life at a big firm?" But they never did.

"I've been able to do what I wanted to do because of LRAP," says Krasner, now a partner in his own practice.

This is an oft-heard theme among LRAP participants, who describe the program as an enabler—the thing that made it financially feasible to follow the career path of their choice.

Tom Waldo '87 and his wife, Anitra '87, had a child right after they graduated from Stanford Law. Anitra put off starting a career to raise the children, and living on one public service salary was a challenge.

"I don't think I could have done this job without LRAP," says Waldo, an environmentalist who took a position with Earthjustice in Alaska just after the Exxon Valdez oil spill of 1989 and who works there still. "My salary was so low that when we moved to Juneau we qualified for public housing."

C.J. Callen '87 came to Stanford Law School intent on pursuing a legal career in public service. While most of her colleagues were

focused on big firm careers, she was inspired by faculty such as Jerry López and by her externship with the Public Defender Service in Washington, D.C. Today, she is a director at Northern California Grantmakers—an organization that works to increase the effectiveness of foundations and other philanthropic entities.

"Being at Stanford and getting the skills that I did allowed me to be creative in developing a career path," she says. "LRAP made it possible."

Christopher Ho '87 had one goal when he began his legal studies: to qualify for legislative work on Capitol Hill so he could craft legislation. When he arrived on campus, he discovered the East Palo Alto Community Law Project, which allowed students to gain legal experience while helping low-income

members of the community. The experience changed his thinking, and he decided to pursue a public service legal career instead.

"What was critical to my career choice was getting exposure to public interest law through the law project," says Ho, now a senior staff attorney with the Legal Aid Society—Employment Law Center in San Francisco. "But LRAP was critical to my deciding that I could actually make a go of it."



CHRISTOPHER HO '87

MILES AND NANCY RUBIN: A LIFE IN PUBLIC SERVICE

It's difficult to discuss Stanford Law School's commitment to public service without also talking about Miles Rubin '52 (BA '50) and Nancy Rubin and the loan assistance program that bears their name. The program has made it possible for more than 350 graduates to pursue their dreams of a public service career without carrying the burden of law school debt on their own. The first program of its kind, the Miles and Nancy Rubin Loan Repayment Assistance Program (LRAP) provides loan repayment assistance and eventually loan forgiveness to graduates pursuing careers in public service and nonprofit fields of law.

"The law school must encourage the best and brightest graduates to pursue a career in public service," says Miles. "These individuals will change the tides for others and deliver on the most fundamental dreams of our society. Nancy and I are proud of what Stanford Law School students and graduates are contributing."

Involved in public service and social action since the early days of his legal and business career, Miles makes time for public service issues that he considers important to cultural change. He believes that all attorneys can and should do the same.

"Whether directing political campaigns, public service programs, or starting up new businesses, I've found the training and the problem-solving approach of law school graduates make them ideal for executive staffing," says Miles.

During his time at Stanford in the late 1940s and early 1950s, Miles was troubled by the lack of diversity in the school's student population. This concern led him, together with Victor Palmieri '54 (BA '51), to establish the Carl B. Spaeth Minority Scholarship Fund. In the 1950s, as general counsel of Reliance Manufacturing, he led the effort to fully integrate the company's large plants located in the

Deep South, reversing a decades-old policy of racial discrimination. In the 1970s he co-founded Energy Action, a nonprofit dedicated to American energy independence and conservation, and in the 1980s he was active in addressing apartheid and founded the Woza Africa Foundation. His activities today are focused on limiting global warming with the development of zero-emission all-electric vehicles.

The spark for Nancy's initiatives in public service came early in her career as an elementary school teacher, when she became frustrated by the lack of equal access to quality education for all children. Nancy's 30-plus years in public service include extensive work in human rights and humanitarian issues in addition to helping to build a "culture of service" in the country through her efforts with the

Corporation for National Service and AmeriCorps. She has worked with the women's rights movement and the international development community and chaired the Committee on Women, Law & Development, which brought legal literacy clinics to Asia, Africa, and Latin America. She served in both the Carter and Clinton administrations and was appointed U.S. Ambassador to the United Nations Commission on Human Rights in 1996. She has worked in more than 20 countries in efforts to advance social, economic, and political rights.

But what motivates Nancy and Miles to so strongly support lawyers in their pursuit of a public service career?

"Few have more tools to make significant progress throughout society than those entering LRAP," they say. "Stanford Law School graduates have legal training, passion, and imagination. For those who turn down lucrative firm offers to make justice and opportunity real for those in need, we feel privileged to help to soften the sacrifice."



NANCY RUBIN AND
MILES RUBIN '52
(BA '50)

supports approximately 100 alumni each year. Since 1987, it has benefited more than 350 alumni, some having joined the program temporarily before moving on to other fields of law and others having stayed the full ten years. According to Frank Brucato, senior associate dean of administration and CFO at the law school, participation in the program is now outpacing its endowment—a challenge the law school hopes to address as part of its ongoing campaign.

"We're a victim of our own success,"

says Brucato, who estimates that the program will require an additional \$7 million to endow. "Thanks to Miles and Nancy Rubin and their matching challenge gifts to LRAP, we're well on our way. But there is still a lot that needs to be done to secure the program's future."

The sheer variety of work done by LRAP participants and the work they continue to do after leaving the program is impressive. Some are with the Department of Justice; others are public defenders. Some have begun nonprofit

agencies or public interest law firms of their own; others have been elected to public office or appointed to government agencies or the bench. With the benefit of a Stanford Law School education, many have risen to positions of leadership. But it is the benefit of LRAP that helped to make their career choices possible and ties these alumni stories together. **SL**

For more information about Stanford Law School's LRAP, visit www.law.stanford.edu/program/tuition/assistance/

LEGAL MATTERS

WITH
ROBERT KLEIN

On Election Day 2004, California experienced an earthquake of sorts—not one measured on the Richter scale but one whose reverberations may be felt for years to come. On that day, approximately 7 million voters said yes to the promises of a new science by approving the California Stem Cell Research and Cures Initiative, known as Proposition 71, which authorized a \$3 billion bond program to fund stem cell research in the state and the establishment of the California Institute for Regenerative Medicine (CIRM).

The driving force behind the proposition and chairman of CIRM's Independent Citizens' Oversight Committee is Robert Klein '70 (BA '67), a man accustomed to shaking things up. President of Klein Financial Corporation, a real estate investment banking company with expertise in financing and developing affordable housing, Klein has made a career out of helping those in need.



Klein met with Henry T. “Hank” Greely (BA ’74), Deane F. and Kate Edelman Johnson Professor of Law and the Biosciences, on February 15, 2007—the day after the California Court of Appeals heard oral arguments on litigation challenging the constitutionality of Proposition 71. Legal challenges to the proposition began immediately after its passage in 2004 and have prevented CIRM from raising crucial bond funding. But Klein found a workaround: He helped to secure \$200 million in loans from the state and private investors, so that CIRM’s main mission—to fund stem cell research—could begin.

Greely is an expert in the legal implications of new biomedical technologies, especially those related to genetics, neuroscience, and stem cells. As chair of the California Advisory Committee on Human Embryonic Stem Cell Research, vice chair of Stanford’s Stem Cell Research Oversight Committee, and director of the Stanford Center for Biomedical Ethics’ Program on Stem Cells in Society—Greely knows Klein, the work CIRM will foster, and many of the Stanford University scientists who have now received funding from the initiative. Greely jumped at the opportunity to discuss CIRM with Klein—but also to dig a bit deeper into the substance of the man behind the groundbreaking initiative.

GREELY: WHERE DID YOU GROW UP?

Klein: I grew up in college, I think, like most people. But I went to a large public high school in Fresno, California.

SO YOU’RE A FRESNO KID.

I am a California kid. My father was a city manager. He was the assistant city manager in San Jose, then assistant city manager in Menlo Park. Then he became city manager of Monterey Park, then of Santa Cruz, and then of Fresno. So the family moved a bit.

I HADN’T REALIZED THAT ABOUT YOUR FATHER.

DID THAT INFLUENCE YOUR INTEREST IN PUBLIC SERVICE AND PUBLIC POLICY?

It had a major impact. But when I got to Stanford, the finances were such that he had to leave public service and go into private business. So he went into real estate development, but he set a model of contributing back to society. In Santa Cruz, which was at that time a sleepy town that frequently got hit by floods from the San Lorenzo River, I was old enough to watch him pioneer with Justin Herman a major redevelopment project—the river parkway and the harbor marina on the coast. Then I watched him bring the trustees of the Cowell estate together with the regents of the UC system to negotiate a contribution of the land to create the UC Santa Cruz campus. It seemed to me to be a very ambitious goal for a new University of California campus. One day, as my father and I stood on a hill with the Cowell trustees and the UC regents and looked out at the ocean, my dad said, “This is where the campus will be.” I was 12 years old and I thought, “This is my dad, so I’m going to believe it, but is this really possible?”

WHAT’S INTERESTING TO ME ABOUT THAT IS IT’S AN EXAMPLE OF BRINGING TOGETHER GOVERNMENT AND PRIVATE PHILANTHROPY, WHICH YOU’VE MANAGED TO DO SUCCESSFULLY WITH CIRM AS WELL.

I learned it from my father. He was a great teacher.

YOU WERE OF COURSE A STEM CELL BIOLOGY MAJOR IN COLLEGE, RIGHT?

[Laughs] I was a history major with a poli sci minor. And then I studied law. But I did have a tremendous course in human physiology, which has been incredibly valuable in giving me a background that I followed up on later.

AT LAW SCHOOL, WHAT DID YOU PARTICULARLY ENJOY?

Well, John Kaplan was phenomenal. He taught Criminal Law, which was a magnificent course. I also enjoyed Leon Lipson, who had come as a visiting professor in international law, and Gerald Meier, who was with the business school but taught a course at the law school on the economics of public policy. Meier was a brilliant individual. With his influence I went on a

"I REMEMBER VERY DISTINCTLY BAYLESS MANNING SAYING YOU WILL FIND THAT LAW IS THE CORPORATE LIFE AND POTENTIALLY YOUR PERSONAL LIFE." ROBERT KLEIN

fellowship to the United Nations Economic and Social Council in Geneva, which was a tremendous experience.

DID YOU HAVE ANY SIGNIFICANT EXTRACURRICULAR ACTIVITIES DURING LAW SCHOOL?

It was a time of great political foment. I took a leave of absence from the law school to work for John Tunney's campaign for the U.S. Senate against George Murphy. Murphy was an absolute hawk on the war in Vietnam and he supported an anti-ballistic missile system that would have taken massive amounts of federal dollars away from critical social areas. So I took nine months off and was the statewide coordinator for the under-30 campaign.

THAT'S THE ERA WHEN I FIRST PAID ATTENTION TO POLITICS. I WAS GROWING UP IN SOUTHERN CALIFORNIA, SO I REMEMBER THAT RACE FROM THE OUTSIDE. WHAT DID YOU DO AFTER GRADUATION?

Well, I had had a number of great professors—

THIS IS GOOD. WE LIKE TO HEAR THIS.

One of these professors was a visiting lecturer, Bill Glikbarg (BA '46), who had his own firm in Los Angeles. I took his course in affordable housing. At the time I was doing some legal aid work for a family in Los Angeles. The family was facing eviction from a house they thought they had an option to buy. So I was interested in the topic. At the end of the course Bill offered me a position as a junior partner in his property development firm. He told me I could influence the market more by creating good affordable housing that draws the tenants and provides a benchmark for comparison for the housing authorities than I could by representing one legal aid client at a time.

SO BUT FOR THAT ADJUNCT COMING IN FROM PRACTICE TO TEACH A COURSE, YOUR ENTIRE CAREER WOULD HAVE BEEN DIFFERENT.

Totally. In my last year at the law school, I was running the Northern California projects for the firm and had five real estate projects in progress. Also, Professor Kaplan sponsored a law school symposium that I organized on the law, civil disobedience, and the ghetto. This was just after the riots in Detroit and the establishment of the President's National Advisory Commission on Civil Disorders, which Victor Palmieri '54 (BA '51) directed. I was able to get Victor to make a presentation to the law school and participate in a section of the course. That experience helped me appreciate my ability to access those who were changing society.

AND THE VALUE OF A LAW DEGREE TO HELP BRING ABOUT CHANGE.

Yes. I remember very distinctly Bayless Manning, a former Stanford Law School dean, saying you will find that law is the passport to every critical area of social policy, as well as the challenges of corporate life and potentially your personal life. He said this is your ticket to participate in a broad range of fields of tremendous importance to society. And that was absolutely true.

HAVE YOU EVER ACTUALLY PRACTICED LAW?

Only legal aid. I never practiced law formally.

YET LAW PLAYED AN IMPORTANT ROLE IN YOUR CAREER.

It's been absolutely crucial. Take, for instance, my drafting of the legislation for the California Housing Finance Agency. The first time we passed it, it was vetoed by Governor Ronald Reagan. The second time we passed it, it was signed by Governor Jerry Brown. But it would have been impossible to do that work without my legal education and legal writing skills. We would be in hearings in the afternoon and have 100 amendments that needed to be turned in by midnight. It would have been impossible to meet those deadlines without the legal education that I had.

SO AFTER MORE THAN 30 YEARS WORKING IN LOW-INCOME HOUSING, YOU EMERGE AS A STEM CELL ADVOCATE.

HOW DID YOU FIRST GET INVOLVED IN THIS AREA OF SCIENCE?

My youngest son was diagnosed with juvenile diabetes. I immediately got involved with the Juvenile Diabetes Research Foundation (JDRF)—first by trying to gain passage of a supplemental NIH appropriations bill to increase funding for research.

SO ONE OF YOUR FIRST THOUGHTS WAS HOW CAN I GET THE GOVERNMENT TO HELP?

You need the federal government to be behind the research. It was committing some resources, but not enough. One third of all Medicare dollars go to people with type-1 or type-2 diabetes so the disease is a national problem and the government's response has been devastatingly inadequate. The then president of the JDRF, Peter Van Etten, contacted me to be a volunteer. He looked at my background in political reform and asked me to become part of the team to get Congress to approve the supplemental NIH mandatory appropriation.

A major turning point for me came after a meeting with Senator John Kerry and my son Jordan, who joined me in D.C. for informal hearings on diabetes.

It was a way for him to fight back against the disease. After hearing Jordan describe for the senator the potential effects of diabetes, Kerry asked him what would happen later in life. Jordan said well, you can go blind, or lose your kidneys, or have amputations and your life can end that way. Afterwards I said, “You’re 12 years old. This is too much for you to handle.” And then he said, “Dad, don’t worry. Everyone is dying. I’m just dying a little faster.” If you’re a father, that’s a totally unacceptable reality.

SO YOU DRAFTED PROPOSITION 71, WHICH PASSED BY A CLEAR MAJORITY IN 2004. IT LOOKS LIKE YOU MAY BE NEARING AN END OF THE LEGAL WRANGLING. THESE ARE EXCITING TIMES FOR CIRM.

Yes. We’re approving \$150 million in research grants and we’re about to put \$300 million into research facilities across the state, and I hope to add another \$600 or \$700 million of facilities from private donations and borrowing by the universities and research institutions.

WHERE WILL YOU FOCUS YOUR RESEARCH EFFORTS?

One opportunity is applying embryonic stem cell research and somatic cell nuclear transfer (SCNT) to expanding the application of adult stem cell therapies. These therapies are very effective in 8 or 9, maybe 12, disease areas. With leukemia and multiple myeloma, we’ve raised the survival rate from 6 percent to 80 percent—that’s tremendous, but it’s only effective for a maximum of 50 percent of the patients for whom one can obtain a 50 percent immune system match with the cell donors. The other 50 percent are dying, even though there is a successful therapy for these diseases. With SCNT in which you match the patient’s immune system or with embryonic stem cell research that creates adult cells with immature immune systems, we have the possibility of expanding the group eligible for this therapy to maybe 70 to 75 percent. The challenges are beyond my imagination but hold such great potential for reducing human suffering.

THE NEXT PRESIDENT MAY HAVE A MORE LIBERAL POSITION WITH RESPECT TO EMBRYONIC STEM CELL RESEARCH.

IF THAT HAPPENS, HOW WILL THAT AFFECT THE CALIFORNIA INITIATIVE?

I hope you’re right. People forget that it was fetal tissue that gave us the science to create the vaccines for polio and smallpox. It is because of that science, and the leaders who allowed it to advance, that we haven’t had a polio outbreak in this country since the 1950s. In 1957 it

was estimated that polio would cost the country \$100 billion a year by 2005—instead, it’s a rare disease. But the key here is that critical breaking areas of science have always been controversial. In 1977 UC San Francisco announced the creation of artificial human insulin—the drug that keeps my son alive. The research that allowed development of that drug, recombinant DNA technology, which was developed at Stanford and UCSF, was considered controversial at the time. It continued because a group of patient-advocates, scientists, and business leaders showed up in Congress and asked that members respect the science and not shut down this developing area of medicine.

We know from history that science needs stability to develop. We also know that every two years when the Congress changes that it can shut down funding despite the new president. California will provide long-term stability for scientists from the United States and all over the world. We have a constitutional amendment—Prop 71—that allows them the legal sanctuary to conduct research in this state, and the funding for this safe harbor will be in place for at least another 10 to 12 years. Researchers who have dedicated their lives to relieving human suffering through this new area of scientific and medical research will have the ability to go from basic research to applied research to translational medicine to the point that private companies may carry it through clinical trials and to the patient—all right here in California. That stability is vital.

YOU HAVE TAKEN A LAW DEGREE INTO FIELDS FAR DIFFERENT FROM MOST PEOPLE AND HAVE CREATED SOMETHING THAT IS VERY IMPORTANT AND I SENSE VERY PERSONALLY SATISFYING AS WELL.

It’s satisfying knowing the large numbers of individuals dedicated to this research that we will fund. As a father and as a patient-advocate, I will celebrate when we have breakthroughs that reduce the suffering of families. I can only hope that juvenile diabetes will be one of those breakthroughs.

EDITOR’S NOTE: *On February 26, the unanimous appeals court decision was announced—overwhelmingly supporting the right for CIRM to raise funds and continue its work.*

GLOBAL WARMING: TURNING PUBLIC CONCERN INTO ACTION

By David G. Victor

Professor of Law and Director, Program on Energy and Sustainable Development
at Stanford's Freeman Spogli Institute for International Studies

Political momentum is building

IN THE EFFORT TO SLOW GLOBAL WARMING. THE SCIENTIFIC EVIDENCE IS BECOMING STRONGER AND PUBLIC CONCERN IS MOUNTING. For leaders in business—especially in industries, such as electric power, that yield large quantities of carbon dioxide and other “greenhouse gases”—the need to develop a strategy in the face of looming regulation will pose challenges greater than any faced in many decades. Tackling global warming is likely to transform the energy industry. It will create many risks for traditional companies as well as opportunities for firms that are politically and technologically best placed to shape the rules. • Although pressure for action by the federal government is mounting, the exact shape of a new federal policy is hardly clear. Some academics, myself included, think a carbon tax applied to the entire economy is best because it would signal the real cost of emissions and would generate revenues that could be used to offset other taxes that exert a drag on the economy. • Politically, however, that’s an unlikely outcome because the conventional wisdom in Washington is that the public abhors taxes. More probable is that the federal government will embrace a cap-and-trade system. The government would fix an “emissions budget,” and companies would be allowed to buy and sell permits so long as their emissions don’t exceed the budget. This approach has been successfully used since 1990 to control sulfur dioxide emissions. Europe already has such a system in place for greenhouse gases, and with that experience an international market could emerge that links the U.S., European, and other markets into a more global scheme. • Setting the cap is the easy part. Allocating the pollution permits and setting the rules of trade is politically much more difficult. The permits would be extremely valuable—worth perhaps tens or hundreds of billions of dollars—and not surprisingly there are many competing ideas on how the government should allocate them. The political process in Washington is only just now beginning to approach this most difficult issue. • Some of the global warming bills under consideration in Congress would give away emission credits for free to the existing emitters—as was done in 1990 when Congress amended the Clean Air Act and created the market for controlling emissions of sulfur dioxide, the leading cause of acid rain. Such allocation schemes actually reward the highest emitters, and this likely handout helps to explain why some of the nation’s largest emitters are now warming to the

idea of regulation. They know that regulation is likely, and they hope that by embracing the process they can steer the rules—especially the rules about which firms get these valuable emission permits.

Economists have been rightly wary of this outcome. They generally prefer using auctions to award permits—as is done, for example, with cell phone licenses and other parts of the radio-magnetic spectrum. But auctions are politically troublesome because firms that contribute to the highest emissions—such as coal-fired utilities and also coal miners—are well organized politically and poised to block rules that trample their interests too severely. Some of the bills in Congress envision the use of auctions, and it may prove possible to utilize an auction for awarding some of the credits. Some European countries are using auctions to allocate a portion of the credits under their trading system, although most favor handouts that allow governments to reward politically favored industries.

Until the federal government acts, the vacuum in U.S. policy is being filled by a myriad of states and businesses that have stepped in to develop their own policies to limit emissions of greenhouse gases. Several states in the Northeast have formed



DAVID G. VICTOR

the Regional Greenhouse Gas Initiative to stabilize CO₂ emissions from power plants through a cap-and-trade system. Five states in the West are creating the Western Regional Climate Action Initiative, which could include a similar market. California has also committed itself to aggressive reduction of greenhouse gases.

In the private sector, a parade of major companies—ranging from GE (which makes efficient power generators and zero-emission wind turbines) to DuPont (which is creating new technologies for growing crops that can be turned into liquid fuels, replacing oil) to Duke Energy (which is a large coal-fired power generation company) and BP (which sells oil as well as lower-carbon natural gas and is also building a low-carbon electric power company)—are now calling for federal action. Many have already begun to invest in low-emission technologies so they are ready when binding rules eventually arrive.

For the electric power industry, this patchwork of rules creates special challenges. That's because most of the industry is highly regulated, and decisions about building new plants—which are new commitments to emit greenhouse gases—require the consent of regulators. During the 1990s, utilities and other power producers built scores of gas-fired power plants. Gas turbines, as well as the gas to fire them, were inexpensive; gas projects and gas-fired electricity were easy for regulators to accept. Today, gas is much more expensive and utilities are shifting back to coal when they contemplate new plants. This shift, which is due to changes in fuel prices, is unfortunate because coal plants emit more than twice the carbon dioxide for each unit of electricity they generate when compared with gas.

Regulators are wary about approving these new coal plants in case they become white elephants as the nation curbs carbon. But they are even more wary of giving the green light to new-fangled coal plants that are much more expensive than conventional technology but could—if they work reliably—lead to much lower

emissions. Determining which investments are “prudent” has never been more difficult. In the Energy Law class at Stanford Law School we look at the history of regulatory approvals for nuclear plants as a guide for how these risky projects might fare in the hands of regulators, and the lessons are sobering. Private utilities will have a hard time justifying these investments, even if regulators give them the green light, because they know that if the plants become financial millstones that their shareholders will get stuck with much of the loss. Indecision, however, is equally dangerous since the nation's utilities could fail to keep up with rising de-

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mand for power. These issues have come to a head in the proposed takeover of the Texas utility TXU, which has abandoned most of its plans to build large, new coal plants partly due to concerns about the impact on global warming; what is less clear is what it will build instead.

One lesson that is becoming clear is that cap and trade, by itself, is not enough. The price of emission permits that is likely in a cap-and-trade system is unlikely to be high enough to encourage companies to invest in fundamentally different energy systems. In most of the country, the economic advantage of coal—when compared with alternatives such as low-carbon natural gas or zero-carbon nuclear power—will be especially hard to displace. Special policies—such as R&D incentives as well as subsidies for novel plants—will be needed to supplement the price signal and accelerate the pace of technological advancement in clean energy. Some of those incentives exist, but not on a scale that is commensurate with the challenge of global warming.

Secondly, our society will need to confront the carbon challenge while also addressing many other energy problems—not least of which is dependence of the oil markets on unstable supplies such as from the Middle East and West Africa. Some solutions to the oil problem could make global warming even worse—for example, synthesizing liquid fuels from coal, which would cause nearly double the emissions. Other solutions could make it easier to tackle the carbon problem, such as through greater use of electric cars and “pluggable” hybrid vehicles that run partly on gasoline and partly on batteries charged by electricity from the grid. Smart meters will make it feasible to move electric loads to the time of day when they are cheapest to serve. The shift to greater use of electricity can make it easier to manage the climate problem because power plants are large, stationary sources of emissions and thus easier to control than millions of vehicles plying the roads.

Effective solutions must be global. The European Union has taken the strongest lead in addressing the climate challenge; the United States, while behind, is now developing a coherent policy. Ultimately, such policies must also extend to all other economies, notably those in the rapidly developing world such as China and India. Some of the technological solutions developing in the advanced industrialized world—such as novel coal plants whose emissions are injected underground and safe from the atmosphere—are likely to find ready application in the coal-hungry developing world.

There is great opportunity in efforts to manage the carbon problem, but dangers also lurk. The broad goal of slowing global warming—which is now widely shared by the American public and business—could be implemented in a way that causes severe regulatory confusion. In a capital-intensive industry where time horizons are long—as they are, especially, in electric power—confusion and indecision can be extremely harmful. **SL**

C L I N I C

CLINIC PROGRAM GAINS MOMENTUM

Walk into the Stanford Legal Clinic and you'll find students hard at work conducting research, interviewing clients, and developing case strategies. Some are obtaining asylum protection for immigrants; others are representing elementary and high school students in special education proceedings. In short, not only are they learning to think like lawyers, they are learning to act like them—and improving the lives of others along the way. • Clinical legal education has become an increasingly important priority for the law school, which aims to offer this practical experience to every student who wants one. Helping to jumpstart these efforts are Louis Lupin '85 and his wife, Margarita, who recently donated \$1 million to support clinical education at the law school. • “Clinical education serves as a vital link between the classroom and the real world of practice; it's also a significant vehicle for cultivating students' commitment to public service,” says Louis Lupin, executive vice president and general counsel of QUALCOMM. “This is an extraordinary opportunity to build a program that will become a national model for excellence.” • The Lupins' pledge comes during a time of tremendous growth for the current clinical program, which began in 2005 with the generous support of David and Stephanie Mills, who made possible the appointment of Lawrence C. Marshall, David and Stephanie Mills Director of Clinical Education and associate dean for public interest and clinical education. This was followed by the endowment of a clinical professorship, the Eric and Nancy Wright Professor of Clinical Education, to which William Koski (PhD '03) was appointed in 2006. The Mills also recently committed an additional \$1 million in expendable funds to the clinics. • Providing an additional boost are James “Jim” and Catherine “Cathy” Koshland, who have pledged \$350,000 in expendable clinic funds. Both Koshlands have strong ties to Stanford: Jim '78 serves on the law school Dean's Advisory Council and the Campaign Steering Committee; and Cathy (MS '78, PhD '85) earned advanced degrees in mechanical engineering. • Additionally, Peter D. Staple '81 (BA '74) and Harise Stein (BS '74) have pledged \$250,000 to support clinical work and outreach relating to domestic violence.

Other recent gifts include commitments of \$250,000 each from Cooley Godward Kronish and Orrick, Herrington & Sutcliffe to fund two clinical fellowships over a five-year period. Cooley's gift is earmarked for the Immigrants' Rights Clinic; Orrick's will fund a new general counsel clinic focusing on assisting nonprofits.

“Clinical education is a very expensive endeavor. The school's long-term commitment to it requires we garner substantial resources to meet immediate growth needs as well as secure permanent endowment funding to ensure its future viability,” says Catherine “Rinnie” Nardone, associate dean of external relations. “These gifts help the school tremendously in both respects.”

LOUIS LUPIN '85



SHINING A LIGHT ON THREE-STRIKES LAW

Earlier this year, the Criminal Defense Clinic launched an initiative focused on prisoners sentenced to life imprisonment under California's three-strikes law. • “This is an area in which there has not been a focus on in-court advocacy and where in many parts of the state defendants are not getting access to appointed counsel following their direct appeals,” says Lawrence C. Marshall, David and

Stephanie Mills Director of Clinical Education and associate dean for public interest and clinical education. Marshall notes that for many defendants, their “third strike” is for minor crimes like petty theft, for which the penalty of life imprisonment seems wildly disproportionate. • Thought to be the first in the nation, the Three-Strikes Project took in 12 students this past semester who worked on six cases, under close supervision by Marshall and

NEWS

Thinking and Acting Globally

WHEN CRAIG SEGALL '07 was an undergraduate at the University of Chicago, he spent his summers on a mountaintop studying the effects of climate change on high-alpine snow. What he discovered alarmed him. Rising temperatures were shrinking the snow packs, severely disrupting the food sources of the surrounding bird and plant life.

Today, amid a groundswell of attention being paid to global warming, Segall is one of several students at Stanford's Environmental Law Clinic representing clients who are working on solutions. Through multiple legal tacks, the clinic is representing organizations and individuals trying to effect changes in public policy and ultimately bring global warming even further into the public consciousness.

In February, the clinic filed an amicus brief on behalf of U.S. Senator John Kerry and U.S. Representative Jay Inslee in support of environmental groups suing the Bush administration (*Center for Biological Diversity, Friends of the Earth, and Greenpeace, Inc. v. Brennan, et al.*). The brief contends that the administration failed to issue critical data about climate change in violation of the Global Change Research Act of 1990.

Under the guidance of the clinic's director, Deborah A. "Debbie" Sivas '87, Segall worked with Senator Kerry's office to outline and write the brief. Along the way, Segall tracked down a key figure in the climate change debate: Rick Piltz, a former government scientist who has alleged that a White House official selectively edited

scientific documents on climate change. Piltz agreed to be a declarant in the case this April—a major coup for the clinic's clients.

"Partly this case is about visibility," says Sivas. "It's also about trying to get information out there to the public, policymakers, and lawmakers. Our clients are fighting to have federal agencies internalize these issues and do something about them."

Another line of attack is fuel standards, also known as CAFE (Corporate Average Fuel Economy). The clinic represents the lead petitioner, the Center for Biological Diversity, in a suit being brought against the National Highway Traffic Safety Administration. The suit alleges that NHTSA's new mileage standards for light trucks are well below what is technologically possible and fails to address global climate change. More specifically, the suit contends that the standards violate the National Environmental Policy Act.

On a more local level—with a potential ripple effect nationally—clinic students are representing clients grappling with the implications of the California Global Warming Solutions Act of 2006, which requires the state to turn back greenhouse gas emissions to 1990 levels and also to prevent utilities from buying energy from high-pollution producers. On behalf of its clients in this matter, the clinic will be offering comments to the California Air Resources Board, which is responsible for implementing the legislation.

"We represent clients trying to push the government toward action in different ways. Our students are learning that creative lawyering means looking for any lever we can," says Sivas.

by San Francisco defense attorney Michael Romano '04.

One goal for the project is to present a full picture of the defendant to the sentencing judge—a common practice in death penalty cases that Marshall and Romano seek to apply in three-strikes sentencings. "In cases where a defendant is being threatened with a life sentence based on beliefs about the way in which the person led his life and the nature of the crimes he committed, there must be a meaningful investigation into

the defendant's life story and the nature of the criminal acts so the judge, who is allowed to depart from the three-strikes scheme, has adequate information," Marshall says.

Another aim of the project is to educate the public about the law itself. "If the people of California decide that they wish to maintain the current three-strikes law—by far the harshest in the United States—that decision should



LAWRENCE C. MARSHALL

be an educated one, in which voters understand the complexities of the issue and the toll that these sentences play on families and communities," says Marshall.

The project is already seeing results. On March 19, a Santa Clara County judge

rejected a proposed life sentence for one of the Criminal Defense Clinic's clients, a transient who had failed to promptly update his sex-offender registration after becoming homeless. Carly Kaufman '07 and Lauren Sun '08 researched the client's history and established his failure to register was due to mental limitations. The judge ultimately accepted the clinic's proposed sentence—probation under the supervision of the Mental Health Court.

F A C U L T

Greely Named AAAS Fellow

THE AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE (AAAS), the world's largest general scientific society, elected Henry T. "Hank" Greely (BA '74), Deane F. and Kate Edelman Johnson Professor of Law, to be a fellow, an honor bestowed upon members by their peers. Greely was recognized for his contributions to the public policy debate surrounding emerging technologies—specifically, stem cell research and human genetics. He is one of ten Stanford professors being honored by the AAAS this year.

Sivas Receives Award of Excellence

DEBORAH A. "DEBBIE" SIVAS '87, director of the Environmental Law Clinic and lecturer in law, recently won an Award of Excellence from the Pit River Tribe for her advocacy on its behalf. The tribe, represented by the Stanford Legal Clinic, won a major victory to protect a sacred site near Medicine Lake in Northeastern California from energy development, when the U.S. Court of Appeals for the Ninth Circuit reversed a lower court ruling and rejected renewed energy leases made by the federal government to a private company. Sivas served as the counsel of record on the case.

Lessig's Groundbreaking "Code" Reissued

LAWRENCE LESSIG, C. WENDELL AND EDITH M. CARLSMITH PROFESSOR OF LAW, has released a new edition of his pioneering 1999 book, *Code and Other Laws of Cyberspace*. *Code: Version 2.0* proclaims itself "a translation of an old book—indeed in Internet time, it is a translation of an ancient text." Lessig, who specializes in the crossover of technology and copyright law, notably used Wiki technologies



to enable collaborative revision of the book. The book is licensed under Creative Commons, an online public copyright licensing service Lessig co-founded in 2001, and can be downloaded at <http://codev2.cc>.



Kessler Wins Research Fellowship

AMALIA D. KESSLER (MA '96, PHD '01), associate professor of law and, by courtesy, of history, has been awarded a Charles A. Ryskamp Research Fellowship by the American Council of Learned Societies. The fellowship, funded by the Andrew W. Mellon Foundation, supports two semesters of research leave for advanced assistant professors in the humanities and related social sciences. Kessler was one of 12 fellows selected from 184 applications. Her research will focus on equity law and procedures—the history and tradition of which Kessler says is largely forgotten—and "how American culture came to be imbued with the sense that due process and adversarial process are synonymous."

Bankman's ReadyReturn Makes Comeback

AN INNOVATIVE TAX RETURN PROGRAM co-developed by Joseph Bankman, Ralph M. Parsons Professor of Law and Business, has been revived by

the California Franchise Tax Board. ReadyReturn is designed to help certain California taxpayers file their tax returns by offering them the option of automatically computed, ready-to-sign forms prepared by the state. ReadyReturn was successfully piloted for the 2004 and 2005 tax years, but plans to formally adopt the program in 2006 were killed by a rider to the state's budget bill. The program was opposed by tax software manufacturers, including Intuit, maker of TurboTax software. In the last election cycle, Intuit spent \$1 million in the race for state controller, supporting Tony Strickland against ReadyReturn supporter John Chiang. Chiang won the election and, along with other members of the Franchise Tax Board, voted to reinstate the program to 1 million taxpayers. If the board's decision stands, ReadyReturn will be available for taxpayers filing their 2007 returns.

Gould Delivers Inaugural Lecture

WILLIAM B. GOULD IV, CHARLES A. BEARDSLEY PROFESSOR OF LAW, EMERITUS, gave the first annual William R. Stewart Lecture in Labor and Employment Law at the

Y N E W S

Indiana University School of Law at Bloomington. The lecture honored the memory of Gould's friend and former colleague, William R. Stewart, who served as chief counsel for the National Labor Relations Board.

Barton Releases IP Research

JOHN BARTON '68, GEORGE E. OSBORNE PROFESSOR OF LAW, EMERITUS, presented a report to the World Intellectual Property Organization addressing the flow of technology to developing nations. The study, "New Trends in Technology Transfer: Implications for National and International Policy," was published by the International Centre for Trade and Sustainable Development.

Polinsky Paper Gets Top Hits

"MANDATORY VERSUS VOLUNTARY DISCLOSURE OF PRODUCT RISKS," co-written by A. Mitchell Polinsky, Josephine Scott Crocker Professor of Law and

Economics, made the Social Science Research Networks' "Top Ten" download list.

The paper analyzes a model in which firms acquire information about product risks and may or may not be required to disclose this information.

FACULTY AWARDS FROM PUBLICATIONS

American Lawyer

Recognizes Fisher, Lemley, and Martinez

JEFFREY L. FISHER, MARK A. LEMLEY (BA '88), AND JENNY S. MARTINEZ are included on *The American Lawyer's* "Fab Fifty" list of up-and-coming litigators under 45. Fisher, associate professor of law (teaching), was recognized for his numerous arguments before the U.S. Supreme Court, including two victories in 2004 that "dramatically affected the criminal justice system." Lemley, William H. Neukom Professor of Law, was cited for his instrumental role in high-profile intellectual property cases. Lemley has represented several cutting-edge companies including Google, TiVo, Intel, and YouTube. The magazine also acknowledged Martinez, associate professor of law, for her work on behalf of Jose Padilla, a terrorist suspect who was detained and denied counsel for more than two years. Martinez fought to have

Padilla's "enemy combatant" status removed and will assist on his case when he is tried in federal district court in Miami.

Daily Journal Gives Kudos to SLS Faculty

ASSOCIATE PROFESSOR OF LAW (TEACHING) JEFFREY L. FISHER was included in the *Daily Journal's* "20 Under 40" list, a compilation of 20 of the most influential lawyers under 40. The publication paid tribute to Fisher's role as co-director of the Supreme Court Litigation Clinic and his work with his firm, Davis Wright Tremaine, which continues to pursue a punitive damages award from Exxon for the 1989 Valdez oil spill off the coast of Alaska. The *Daily Journal* recognized Mark A. Lemley (BA '88), William H. Neukom Professor of Law, in another impressive list: "Top 100: California's Leading Lawyers." Lemley was singled out for his expertise in intellectual property and in particular his role in advising the U.S. Supreme Court in *eBay Inc. v. MercExchange*. Former Dean Kathleen M. Sullivan and former Assistant Dean Thelton Henderson were also lauded

for their contributions to legal academics and prison reform, respectively.

Jenny Martinez Wins "20 Elite Women for 2007" Award

ASSOCIATE PROFESSOR OF LAW JENNY S. MARTINEZ has been named one of *Hispanic Business Magazine's* Women of the Year and one of "20 Elite Women for 2007." The award, to be presented in April, recognizes "success, drive, hard work, and civic involvement."



Lemley and Fisher Among Recorder's "Top 13 Bay Area Litigators Under 45"

MARK A. LEMLEY (BA '88), WILLIAM H. NEUKOM PROFESSOR OF LAW, was pictured on the cover of a special "Litigation 2007" supplement to the *San Francisco Recorder* on February 20. The article, "Litigation's Rising Stars," profiles Lemley and Jeffrey Fisher, associate professor of law (teaching), as among the top 13 Bay Area litigators under 45.



GOING BEFORE O'CONNOR

"I had, of course, never argued a case before any court, much less the Ninth Circuit. And if that were not enough, soon before the hearing an excited court clerk called to inform us that retired Supreme Court Justice Sandra Day O'Connor would be sitting on the three-judge panel that would hear our case." PAUL SPITLER

MATTHEW J. SANDERS '02

"I'VE ARGUED BEFORE JUSTICE SANDRA DAY O'CONNOR." THIS IS THE LINE I HAVE USED TO DELIBERATELY MISLEAD MY COLLEAGUES, friends, and, yes, even my family members into thinking that fewer than five years out of law school I have argued in the U.S. Supreme Court. Of course I haven't; the closest I've come is standing in the surprisingly narrow space between Nina Totenberg and Justice Stephen Breyer (BA '59), while I was sworn in as a member of the Supreme Court bar. (In other words, not close at all, although I do feel supremely important when I bypass the public line on my way to the special people line to attend arguments at the Court.)

No, my line about Sandra Day O'Connor '52 (BA '50), while true, pertains to the different but no less thrilling experience of arguing before Justice O'Connor while she was sitting by designation on a panel in the Ninth Circuit Court of Appeals, where I do most of my work as an appellate lawyer with the environment division at the U.S. Department of Justice. The case concerned a long-running dispute between snowmobilers and skiers who share a prime recreation area in the Humboldt-Toiyabe National Forest, just south of Lake Tahoe, California. By the time the case reached my desk, the legal issues concerned whether the Ninth Circuit had jurisdiction to hear the appeal and, if it did, whether my client, the U.S. Forest Service, had taken reasonable steps to resolve the conflict and deal with the thorny legal status of a road that runs through the area.

The briefing was tough and Justice O'Connor was making me sweat before I even saw her, but fate had thrown me yet another twist. My opposing counsel was Deborah A. "Debbie" Sivas '87, the director of the Stanford Environmental Law Clinic, under whom I had worked as a clinic student just four years earlier. And now, I had to litigate against her? Fortunately our good relationship was saved by 3L Paul Spitler, who stood between our zealous glares as he eloquently made his clients' case. Stanford's Margaret "Meg" Caldwell '85, and a number of current students, also attended.

Stanford's representation at the argument that day—on the bench and on both sides of the podium—reminded me of the law school's excellence, of the stellar education I received in the environmental curriculum and clinic, and, most important, of the kind and collegial people who direct and participate in those programs. And did I mention that I argued before Justice O'Connor?

MATTHEW J. SANDERS '02 practices in the Appellate Section of the Environment & Natural Resources Division of the U.S. Department of Justice in Washington, D.C. The views expressed in this article are Sanders's personal views, not necessarily those of the Department of Justice.

PAUL SPITLER '07

WE WERE GATHERED IN THE U.S. COURT OF APPEALS BUILDING IN SAN FRANCISCO—A SETTING FIT for a Hollywood courtroom drama with its ornate marble walls and floors, mosaic ceilings and murals. The courtroom was standing room only, so full that the hearing was being televised in the court's cafeteria, which was also full. When the bailiff bellowed "All rise!" and announced our case, I took my last sip of water and stood. "Madam Justice, your honors, may it please the court. . ." Then, I launched into the first argument of my legal career, before the Ninth Circuit Court of Appeals, with retired



PAUL SPITLER '07



MATTHEW J. SANDERS '02

On the Supreme Court, Justice O'Connor was renowned for pushing counsel to apply their argument to hypothetical scenarios she created. Another judge on our case, Judge Susan P. Graber, was known for asking extremely detailed questions about the administrative record for the case. The last judge, Judge Richard G. Tallman, was not known as a tough questioner but was considered conservative on environmental suits.

I had to be ready for it all. With the assistance of Environmental Law Clinic Director Debbie Sivas '87, I tore into preparations—setting out a lengthy list of potential questions—which my wife quizzed me on during breakfast. And lunch. And dinner.

Mere seconds into my opening statement, Judge Tallman interrupted me. "Do we even have jurisdiction over this case?" he asked. I coolly responded as if I had heard the question a thousand times before. It was the first question on my list.

A month after the argument, the court dismissed our appeal. Because the management plan had been sent back to the forest service for revision, the court concluded that our appeal was premature.

The result was, of course, disappointing, but it took nothing away from the experience. I learned an immense amount about how to think through a case and how to prepare and present an argument. Those valuable skills are difficult, if not impossible, to learn in a classroom and will serve me well in my future career. **SL**

PAUL SPITLER *plans to join Shute, Mibaly & Weinberger after graduation where he hopes to continue practicing environmental and land use law.*

Justice Sandra Day O'Connor '52 (BA '50) sitting on the bench.

It took this case six years to reach the Ninth Circuit, wending its way from a small swath of national forest land south of Lake Tahoe where snowmobilers were competing with skiers for space. In 2000, the Stanford Environmental Law Clinic filed suit on behalf of the skiers, known as Friends of Hope Valley, against the U.S. Forest Service, alleging that the forest service management plan for the area was unlawful in allowing snowmobile use. After years of failed settlement discussions and an unsatisfactory district court decision, the

case landed in the Ninth Circuit in fall 2006. Under special rules, the Ninth Circuit allows students to receive certification to argue cases. As a third-year student in the Environmental Law Clinic, I had helped to develop the appellate briefs and was selected to argue the case.

I had, of course, never argued a case before any court, much less the Ninth Circuit. And if that were not enough, soon before the hearing, an excited court clerk called to inform us that retired Supreme Court Justice Sandra Day O'Connor would be sitting on the three-judge panel that would hear our case.

"We have an incredibly strong case. It is hard to find anyone in history who had a better proven appreciation for the nature of his actions." MILES EHRLICH '92 in the March 10 *New York Times* article, "Was Dane's Madness Just Method? Jury to Decide." Ehrlich served as prosecutor for "The Trial of Hamlet," a mock trial conceived by Justice Anthony M. Kennedy (BA '58) to determine Hamlet's criminal responsibility for murdering Polonius. The trial was performed on March 15 at the Kennedy Center as part of a six-month Shakespeare festival.



"This may be a bell that can't be unrung. The audit firms have already incorporated a lot of the inefficient 404 process into their integrated audits, and once audit firms have processes in place, it's very hard to persuade them to back off and ease up on those processes." JOSEPH A. GRUNDFEST '78, W. A. Franke

Professor of Law and Business, as quoted in the *Wall Street Journal*. The November 10 article, "Business Wins Its Battle to Ease a Costly Sarbanes-Oxley Rule," discusses proposed changes to a section of the Sarbanes-Oxley corporate reform law.

"This technology sends the Orwell meter into the red zone. There's almost no scenario under which the benefit can't be obtained from an anklet or a bracelet. The only reason to implant it is so that it can't be removed voluntarily, which makes it a human rights issue." MARC ROTENBERG '87, executive director of the Electronic Privacy Information Center, addressing the privacy issues prompted by implanted technologies. He is quoted in the article, "A Medical ID Business, Much Criticized, Plans a Stock Offering," printed in *The New York Times* on February 5.

"It's peculiar to me that schools are still spending all this effort on the first year. It's the one that already works. The thinking [is] you have to put all your focus into the year where you have the students' attention. But for some reason, we can't hold their attention during the second and third year—most likely because it's more of the same." LARRY D. KRAMER, Richard E. Lang Professor of Law and Dean,

addressing proposed changes to the second- and third-year law school curriculum at Stanford. In the November 8 *Inside Higher Ed* article, "Beyond the First Year," Kramer offers his perspective.



ALUMNI AND FACULTY SPEAK OUT

in the

"Aside from the fact that this is a great story about Barney the purple dinosaur who sings 'I love you, you love me' and yet his lawyers are out there spreading anything but love, there's a bigger point. . . . For every case like this we find out about, there are hundreds, perhaps thousands, of situations that go unnoticed where free speech is chilled off the Internet." FRED VON LOHMANN '95 (BA '90), attorney for the San Francisco-based Electronic Frontier Foundation, as quoted in the *Los Angeles Times*. The November 29 article, "Happy ending? Suit over Barney parody is settled," discusses the low visibility of many free speech cases.



"[The uniformity promoted by the 1977 law] can still be achieved. You just have to add one procedural protection for defendants." JEFFREY L. FISHER, associate professor of law (teaching), in the *San Francisco Chronicle*. The January 22 article, "Supreme Court Strikes Down California's Sentencing Law," discusses the high court's 6-3 ruling in *California v. Cunningham*. Fisher wrote a brief in the case on behalf of the National Association of Criminal Defense Lawyers.

Justices are indicating "that the patent system is out of whack and needs to be reined in." MARK A. LEMLEY (BA '88), William H. Neukom Professor of Law, in the *Wall Street Journal*. The November 28 article, "As Patents Grow More Contentious, Battlegrounds Shift to High Court," examines the Supreme Court's increased attention to patent law.

"The government blinked in this standoff. . . . It certainly helps the press and whistle-blowers to resist the strong-arm efforts of the government." ANTHONY D. ROMERO '90, executive director of the American Civil Liberties Union, in a December 19 *New York Times* article, "Prosecutors Drop A.C.L.U. Subpoena in Document Fight." The subpoena sought to retrieve copies of a classified document detailing policies of photographing enemy prisoners of war.



“Businesses in Internet time can’t wait around for years for lawsuits to be resolved. Google wants to be able to get this done and get permission to resume scanning copyrighted material at all the libraries. For the publishers, if Google gives them anything at all, it creates a practical precedent, if not a legal precedent, that no one has the right to scan this material without their consent. That’s a win for them. The problem is that even though a settlement would be good for Google and good for the publishers, it would be bad for everyone else.”

LAWRENCE LESSIG, C. Wendell and Edith M. Carlsmith Professor of Law, as quoted in *The New Yorker*. The January 29 article, “Google’s Moonshot,” explores the legal wrangling between Google and publishing companies.

“There is a debate raging among legal academics as to whether the new chief justice really is a judicial minimalist or merely plays one on TV. Similarly, there is some question as to whether he is truly an unabashed proponent of unanimity or whether he’d simply prefer that the Court be unanimous, so long as it unanimously agrees with him. Some of Roberts’s most important decisions last term were neither humble nor unanimous, and while it’s still too early to tell, it’s fair to say that his impulse to judicial minimalism is tempered by his impulse to Sherpa the law along a more conservative footpath. But all of these nuances tend to fall away in a prime-time television interview, and the lasting impression is of a serious man taking his constitutional responsibilities seriously.” DAHLIA LITHWICK ’96 writing in her weekly “Jurisprudence” column for *Slate*. The November 14 article, “The High Court Goes Courting; Supreme Court justices talk to media in self-defense,” examines the then newly appointed chief justice’s positioning.

“It was an eye-opener on how powerful a big company can be in state government. But it’s certainly worth it with this outcome.”

JOSEPH BANKMAN, Ralph M. Parsons Professor of Law and Business, in the December 5 *San Jose Mercury News* article, “State to Simplify Tax Filing for Some.” The article discusses the California Franchise Tax Board decision to reinstate ReadyReturn, a government tax preparation program Bankman helped create, despite attempts by tax software maker Intuit to stop it.

“All of the judges agreed that the Kamehameha School has a noble mission and has had extraordinary success in addressing what all the judges admitted are the continuing disadvantages suffered by Native Hawaiians,”

KATHLEEN M. SULLIVAN, Stanley Morrison Professor of Law and former dean, in *The New York Times*. The December 6 article, “Hawaii Schools’ Racial Enrollment Upheld,” examines a federal appeals ruling in favor of a school admissions policy that requires students must have an ancestor who lived in Hawaii in 1778.



news



“There’s a big debate going on right now. People say that you can’t go inside somebody’s house; but, I say, you can sit outside and listen to the radio.”

JENNIFER STISA GRANICK, executive director of the Center for Internet and Society and lecturer in law, as quoted in *The New York Times*. The November 27 article, “The Air Is Free, and Sometimes So Are the Phone Calls That Borrow It,” explores the topic of authorized and unauthorized Wi-Fi use.

“Freedom of thought has always been buttressed by the reality that you could only tell what someone thought based on [his or her] behavior. This technology holds out the possibility of looking through the skull and seeing what’s really happening, seeing the thoughts themselves. . . . It opens up for the first time the possibility of punishing people for their thoughts rather than their actions.”

HENRY T. “HANK” GREELY (BA ’74), Deane F. and Kate Edelman Johnson Professor of Law, in *The New York Times Magazine*. The March 11 article, “The Brain on the Stand,” describes the potential legal implications of using functional magnetic resonance imaging brain scans for lie detection.



“Starting a company is like launching a rocket,” Mr. Johnson said. “If you’re a tenth of a degree off at launch, you may be 1,000 miles off downrange.” CRAIG JOHNSON ’74, managing director of Concept2Company Ventures, as quoted in *The New York Times*. The October 22 article, “It’s Not Who You Know. It’s Where You Are,” explores venture capitalism and Web 2.0 companies in Silicon Valley.

ALUMNI WEEKEND 2006

Celebrating the Reunion Classes of
1951, 1956, 1961, 1966, 1971, 1976, 1981, 1986, 1991, 1996, and 2001

Neta Armagost, John Armagost '56 (BA '51),
Hugh Friedman '56, and
Bill Allen '56 (BA '48) at the
Alumni Weekend 2006 Luncheon
(photo: Misha Bruk)



The entrance to the
Alumni Weekend 2006 Reunion Dinners
for the Classes of 1951, 1956,
1961, 1966, 1971, 1976, 1981, 1986,
1991, 1996, and 2001
(photo: Misha Bruk)

(L-R) Toni Rembe Rock, Arthur Rock,
William H. Neukom '67,
and Sally Neukom attended
the Dean's Gala on October 12, 2006.
(photo: Jennifer Paschal)



Moderator, Dahlia Lithwick '96,
and panelists Bob Cochran '74 (BA '71),
Scott Turov (MA '74),
and Professor Paul Goldstein discuss
how lawyers are portrayed in entertainment.
(photo: Misha Bruk)

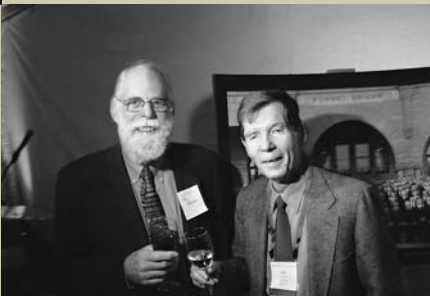


(L-R) Speakers Professor Norman Spaulding '97,
Cody Harris '07 (BA '00),
Michelle Galloway '89 (BA '87),
Louis P. Friedman '86 (BA '83),
and Dean Larry Kramer at the Dean's Gala
on October 12, 2006
(photo: Jennifer Paschal)

Alumni and friends Richard Forde '01,
Sarah Blumling, Mark Blumling '01 (BA '96),
and Derek Shaffer '00
recall law school memories at
the Alumni Weekend 2006 Reception.
(photo: Misha Bruk)



Stanford Law School alumni gather
at the Alumni Weekend 2006 Reception.
(photo: Misha Bruk)



Alumni Bob Peterson '66 and Roy Schmidt '66 (BA '63)
pause for a photo opportunity in front of
their 1966 class picture at the Alumni Weekend 2006
Reunion Dinners. (photo: Noah Berger)

(L-R) Campaign Steering Committee members
Michael Miller '75, Barry Newman '83 (MBA '82),
Louis P. Friedman '86 (BA '83), Michael
Jacobson '80, Brad Jones, JD/MBA '80,
Louis Eatman, JD/MBA '73, Michelle
Galloway '89 (BA '87), Dean Larry Kramer, Gail Block
Harris '77 (BA '74), Jim Gaither '64, Warren Christopher
'49, Stephen C. Neal '73, Vaughn Williams '69,
Chuck Koob '69, and Louis Lupin '85
attended the Dean's Gala on October 12, 2006.
(photo: Jennifer Paschal)



EMMET B. HAYES '35 (BA '32) of Burlingame, Calif., died November 1, 2006. Before beginning his studies at Stanford, Emmet worked his way around the world on the SS *President Wilson*, starting at the age of 18. He practiced law for some 50 years in San Francisco and taught at Golden Gate Law School. He was passionate about genealogy and left his family an autobiography. He was predeceased by his wife, Maxine Lee. Survivors include his daughter, Sharon Collins; his son- and daughter-in-law, Bill and Ute; and three grandchildren and six great-grandchildren.

HON. HENRY RENTON ROLPH, SR. '40 (BA '36) of Mill Valley, Calif., died October 2, 2006, following a sudden illness. He was 81. After serving as an officer in the Marine Corps during World War II, Henry co-founded Graham, James and Rolph. He was a San Francisco supervisor from 1956 to 1961 and later served as the San Francisco Superior Court's presiding judge from 1976 to 1977. He is survived by his son Henry Jr. (BA '70), daughter Barbara (BA '72), and three grandsons.

EARLE ROBERT WILLIAMS '40 of Stockton, Calif., died January 7, 2007. He served as a Marine in World War II and worked as an attorney in Stockton for many years. An active alumnus, Earle participated in countless Alumni Weekends. Among his survivors is his daughter, Marie Robertson (BA '69, MA '70).

RUSSEL LLOYD HOFVENDAHL '48 of Santa Cruz, Calif., died September 12, 2006. He entered the law school with the help of the GI bill in 1946. After graduation Russ practiced law for 25 years, eventually becoming president of the Santa Clara County Bar Association. He is survived by his wife, Beverly; children David, Camille, Steven, and Kathleen; and many grandchildren and great-grandchildren.

GEORGE M. HENZIE '49 (BA '42) of Los Angeles, Calif., died December 28, 2006. He retired in 1999 after 50 years of practice with Belcher, Henzie & Biegenzahn. His friends and family remember him for his fine work ethic

and loyalty to both his clients and loved ones. George is survived by his wife, Susan, and their sons, Gregory and Gary.

CHARLES R. PURNELL '49 (BA '47) of Palo Alto, Calif., died January 18, 2007. As a captain in the U.S. Army during and following World War II, Charles served in Europe and the Philippines before entering law school. He joined the San Francisco law firm of Pillsbury, Madison & Sutro (now Pillsbury Winthrop Shaw Putnam LLP) where he practiced business and real estate law. During his career, he founded Pillsbury Environmental Law Group and continued to foster its activities until his retirement. He is survived by his wife, Jane, and three sons, Charles, Bradley, and Whitney.

ROBERT THOMAS SJOGREN '49 of San Diego, Calif., died July 15, 2006, of an aneurysm. He was 84. A lieutenant in the Navy during World War II, he used the GI bill to pursue a Stanford law degree. During his 55 years of practicing, Robert often donated services to organizations such as the Lemon Grove Historical Society. Survivors include his wife, Marjorie; daughters Karen, Robin, and Sandra; son Eric; sister Janet; and six grandchildren.

DANIEL J. MONACO '50 of Hillsborough, Calif., died February 13, 2007. He served in the U.S. Military Intelligence during WWII as a cryptographer and Japanese interpreter and later went on to be a professor of international economics at the University of Florida, trial attorney, and founder of Monaco, Anderlini, and Finkelstein. He is survived by his longtime partner Marcia Leonhardt; daughters, Mimi Monaco Donsbach and Denise Monaco; and grandchildren, Liana and Boris Donsbach.

NORMAN W. KAVANAUGH '53 of Hillsborough, Calif., died October 30, 2006, from complications of cancer and strokes. He was a partner at Bronson, Bronson & McKinnon in San Francisco. He volunteered for and offered his leadership to many organizations, including the Legal Aid Society, the San Mateo County Bar Association, the Volunteer Bureau of San Mateo County, and the San Mateo Union High School Board. Norman also co-founded the San Mateo Community Foundation. He is survived by his wife, Lee; his sister, Ann Dart of

Oceanside; two sons, Matthew, of Calabasas, and David, of San Carlos; grandchildren Rachel, Aaron, Anna, Hayden, and Hunter.

RICHARD R. ST. JOHNS '54 (BA '53) of London, U.K., died October 28, 2006, at the age of 77. He was partner at O'Melveny & Myers from 1963 to 1968 and, in 1981, joined Metro-Goldwyn-Mayer as an independent producer. Richard was one of the founders of SBS Broadcasting, a leading player in European broadcasting, and served as president and CEO until he retired in 1994. He is survived by his wife, Susan, and three children.

ROBERT S. ODELL, JR. '56 (BA '42) of Palo Alto, Calif., died July 14, 2006, at 86. After earning his law degree, he opened a private practice. In addition to running his practice, he also served as legal counsel for Wadsworth Publishing Company from 1969 to 1983. His wife of 46 years, Ruth (Kasch '48), died in 1994. Robert is survived by two sons, Timothy and Joshua; one daughter, Helen Morland; and six grandchildren.

ARTHUR MEJIA, JR. '59 (BA '56, PHD '68) of San Francisco, Calif., died November 16, 2006, of leukemia. He was a professor of history at San Francisco State University and published many scholarly works on European history. Arthur was very active in Bay Area clubs and organizations. He served on the board of The Hearing Society for the Bay Area (now Hearing and Speech Center of Northern California) and was the director of the San Francisco Museum and Historical Society. Survivors include his longtime companion, Andre Matsuda; his aunt, Ines Mejia Folger, and his goddaughter, Cate Schley Zovod.

JOSEPH ANDREWS FOREST '62 of Kingston, Wash., died October 14, 2006, at 74 from Lou Gehrig's disease. A prominent Marin County lawyer and Democratic Party activist, he served as the city attorney for Larkspur, Novato, Petaluma, Cotati, and Calistoga. Joseph is survived by his aunt, Kathleen Andrews; daughters Cindy Anne and Jacqueline; son Benjamin; and longtime companion, Marganne Clay.

HON. GREGORY STARR JENSEN '66 of San Mateo, Calif., died December 27, 2006, at Palo Alto Veteran's Hospital. He had served in the Marine Corps, where he was paralyzed from the waist down due to a tragic accident. Though confined to a wheelchair, his successes were numerous, both in his career as a judge in San Mateo County and in his recreations. Gregory competed in both the national and international wheelchair games in basketball, archery, and track and field. He is survived by his sisters, Linda and Ann; three nieces and one nephew; and 13 great-nieces and great-nephews.

TIMOTHY CHRISTOPHER RUTHERFORD '78 (BA '75) of San Diego, Calif., died February 21, 2007. Timothy grew up in Point Loma and returned there to raise his children. He was a distinguished community member and an estimable lawyer, having served St. Dunstan's Episcopal Church and the Christian Legal Society in numerous capacities. He is survived by his father, G.W. "Bill," and his wife, Bertha Rutherford; and children, Lezlie and Ryan Paros and Christopher, Abigail, Austin, and Baylor Rutherford.

DEBRA JANE ROTH '81 of Los Angeles, Calif., died September 4, 2006, after a ten-month battle with a rare form of endometrial cancer. She is survived by her daughters, Lauren and Alana; her parents, Eugene and Janet; and her sisters, Barbara and Ellen.

MARC ETHAN BENNETT '96 of New York, N.Y., died on January 31, 2007, of lung cancer. [See "Classmates" p. 71.]

LAURIE CHREITZBERG '05 of Palo Alto, Calif., died October 8, 2006. She was an associate with Latham & Watkins of Menlo Park. A memorial service for Laurie was held in the moot courtroom of the law school on October 24, 2006. [See "In Brief," p. 6.]

FACULTY

J. KEITH MANN, professor emeritus and former dean, died November 27, 2006. [See "In Brief," p. 5.]

kudos to

CHUCK REED '78 won the November run-off election and is the new mayor of San José.

California Lawyer magazine selected MICHAEL C. CAMUNEZ '98 as the recipient of its Angel Award honoring outstanding pro bono lawyers.

DAVID FRANK LEVI '80 has been selected as the next dean of Duke Law School. Levi was chosen following an eight-month national search from among more than 200 candidates.

The ACLU of Oregon honored ELDEN ROSENTHAL '71 with the E.B. MacNaughton Civil Liberties Award for his outstanding contributions.

QUALCOMM appointed former U.S. attorney CAROL C. LAM '85 to be the company's senior vice president and legal counsel.

MICHELE R. MARTINEZ CAMPBELL '89 has published her latest book, *Cover-Up*, the third in a series chronicling the adventures of prosecutor Melanie Vargas.

LESLYE OBIORA JSD '00 was appointed Nigerian Minister of Solid Minerals Development.

The *San Francisco Daily Journal's* supplement on "California's Leading Lawyers" includes several alumni.

The section on "The Wild Bench" includes RONALD GEORGE '64 and VAUGHN WALKER '70. MARK LEMLEY '88 is listed among "The Scholars" and FRED VON LOHMANN '95 (BA '90) is featured in "The Crusaders." Also recognized were STEPHEN NEAL '73, CARMEN CHANG '93 (MA '81), and J. TERENCE O'MALLEY '75.

GARY COLE '85 has written a new memoir, *Artlaw: The Odyssey of a Republican Cultural Creative*.

BUILD founder and CEO, SUZANNE MCKECHNIE KLAHR '99, was honored as a recipient of the Jefferson Award for Public Service. This award has often been called "the Nobel Prize for the public sector."

DIANE FIELDS GEOCARIS '75 (BA '72) is a recipient of the Stanford Medal for her "deep and lasting volunteer commitment to the University."

DONNA SHESTOWSKY '99 (PhD '03) is the 2007 recipient of UC Davis School of Law's William and Sally Rutter Distinguished Teaching Award.

EUNICE H. CHO '09 was awarded a Paul and Daisy Soros fellowship for New Americans, established to provide opportunities for continuing generations of New Americans to achieve leadership in their chosen fields.

MARK SAVAGE '88 and JESSE SMITH '85 (BA '82) were named 2007 *California Lawyer* Attorneys of the Year Award winners.

M. SUE WILSON '74 made *Law & Politics's* list of Top 100 Women "Super Lawyers" in the state of Minnesota, garnering the top spot in the practice of family law.

G A T H E R I N G S

Public interest fellows Michael Roney '08, Caitlin Weisberg '08, and Kavita Narayan '08 were among the 150 guests at the October reception to celebrate the creation of the Center for Public Service and Public Interest Law (now the Levin Center) and to honor the recipients of two new awards recognizing outstanding public service lawyers. (photo: Noah Berger)



Public service awardees with the dean: Professor William P. Quigley, Dean Larry Kramer, and Christa Gannon '97 at the October Public Service Awards Reception (photo: Noah Berger)



Professor Ronald Gilson chats with Myron Scholes, Nobel laureate and professor emeritus, Stanford Graduate School of Business. In early March, Professor Scholes presented the 2007 Morrison & Foerster Lectureship in Honor of Marshall L. Small '51 (BA '49); the topic of his talk was "Risk Transfer and Corporate Governance." (photo: Steve Gladfelter)



(L-R) Professor Robert Weisberg '79, Hon. Vaughn Walker '70, Hon. Elizabeth Grimes '80, and Dean Larry Kramer at the 2006 Swearing-In Ceremony (photo: Misha Bruk)



Class of 2006 alumni are sworn in to the California State Bar on December 7, 2006, by Hon. Elizabeth Grimes '80 and Hon. Vaughn Walker '70 at the annual Swearing-In Ceremony at Stanford Law School. (photo: Misha Bruk)

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STANFORD LAW SCHOOL ALUMNI WEEKEND

Join Fellow Classmates **October 11 – 14, 2007**, as We Celebrate Stanford Law School Alumni Weekend

Special Reunion Events Will Be Held for the Classes of 1952, 1957, 1962, 1967, 1972, 1977, 1982, 1987, 1992, 1997, and 2002



Alumni Luncheon Saluting Volunteer Leadership | Reception for Alumni and Students of Color | Classes Without Quizzes
Timely and Informative Panel Discussions | Stanford Law School Tailgate Party | Stanford vs. TCU Football Game

Please Visit Us at www.law.stanford.edu/alumniweekend for Updates and to Let Us Know You Are Planning to Attend