

Dean's Message



"Privatization" has grabbed headlines in a number of recent press reports, addressing our vision for Boalt's future. The term is a lightning rod for debate and generates more misunderstanding than clarity.

Distinguish three issues: our mission, our governance and our financing. Should we privatize our mission? Absolutely not. We make *leaders*, which means providing world-class professional training that is accessible and inclusive. We make *ideas*, which means developing cutting-edge creativity in our research and teaching. And we make a *difference*—the distinctiveness in our public mission comes in part from harnessing our excellence to tackle difficult, critical problems facing California, the nation and the world. This mission, in all its dimensions, is inviolate.

Nor are we advocating privatizing our governance. Bureaucracy notwithstanding, Berkeley and the University of California are a source of great strength for us. And our principal external constituency remains California—its people and causes, its companies and communities.

But as for finances, our subsistence budgeting in recent years, forced by California's dramatic disinvestment in higher education, has threatened Boalt's competitiveness and made undeniable one stark reality: taxpayers will not finance excellence at Boalt as they have in decades past. And that's where the "P" word enters the dialogue.

To vigorously pursue excellence and leadership embodying our public mission, we must attract private resources at unprecedented levels. (The law schools of the Universities of Michigan and Virginia started the process 15 years ago.) This private support will supplement the state's otherwise inadequate contributions, which now account for just 30 percent of the law school's budget—down from 80 percent a generation ago. As I have met with alumni and others over these first months as dean, I have been wonderfully encouraged by their receptivity and the breadth of the shared commitment, with those of us on campus, to place Boalt Hall firmly back in the ranks of the nation's top five law schools.

Excellence at Boalt Hall is already present in so many respects, as demonstrated in this issue of the *Transcript*. The Boalt community is making a remarkable difference in areas as varied as law and technology, human rights and social justice. A package of stories illuminates Boalt's preeminence in intellectual property, tracing our program from its historical roots to today's Berkeley Center for Law & Technology. We profile some of our top law and technology faculty members and introduce you to some remarkable students and alumni.

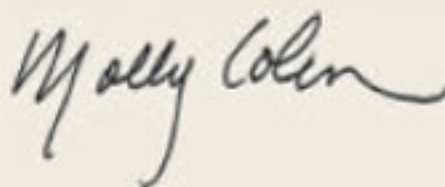
Elsewhere in this issue, we pay homage to the inspiring and ever-youthful Jesse Choper. Congratulations to Jesse, who is defying any rational sense of the passage of time by observing his 40th anniversary as a Boalt Hall professor. Here's to the next 40!

CHRISTOPHER EDLEY, JR.
DEAN AND PROFESSOR OF LAW

P.S. Mark your calendars now: the All-Alumni Reunion on September 24, 2005, will be the very best yet.

Editor's Note

From protecting our cyber rights to exposing forced labor in the United States, our faculty, alumni and students are decidedly making a difference. In this issue we spotlight IP at Boalt, focusing on our groundbreaking Berkeley Center for Law & Technology, which celebrates its 10-year anniversary! Inside we profile a Boalt icon—Professor Jesse Choper (p. 18)—and Silicon Valley legend Larry Sonsini '66 (p. 22). We've expanded the magazine to include two columns: Nota Bene (p. 12), where you can catch up on alumni and faculty news; and Then/Now (p. 55), a glimpse of Boalt history penned by the mysterious *Ursus Major*. As always look for news about classmates in Class Notes (p. 44), which now includes photos. As the magazine's new editor I'm excited about this issue and hope you are, too. Please let me know your thoughts about our stories or comments about the magazine by sending a letter to the editor—and share your news by submitting a line or two for Class Notes. I look forward to hearing from you!



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Letters may be edited for style and length.

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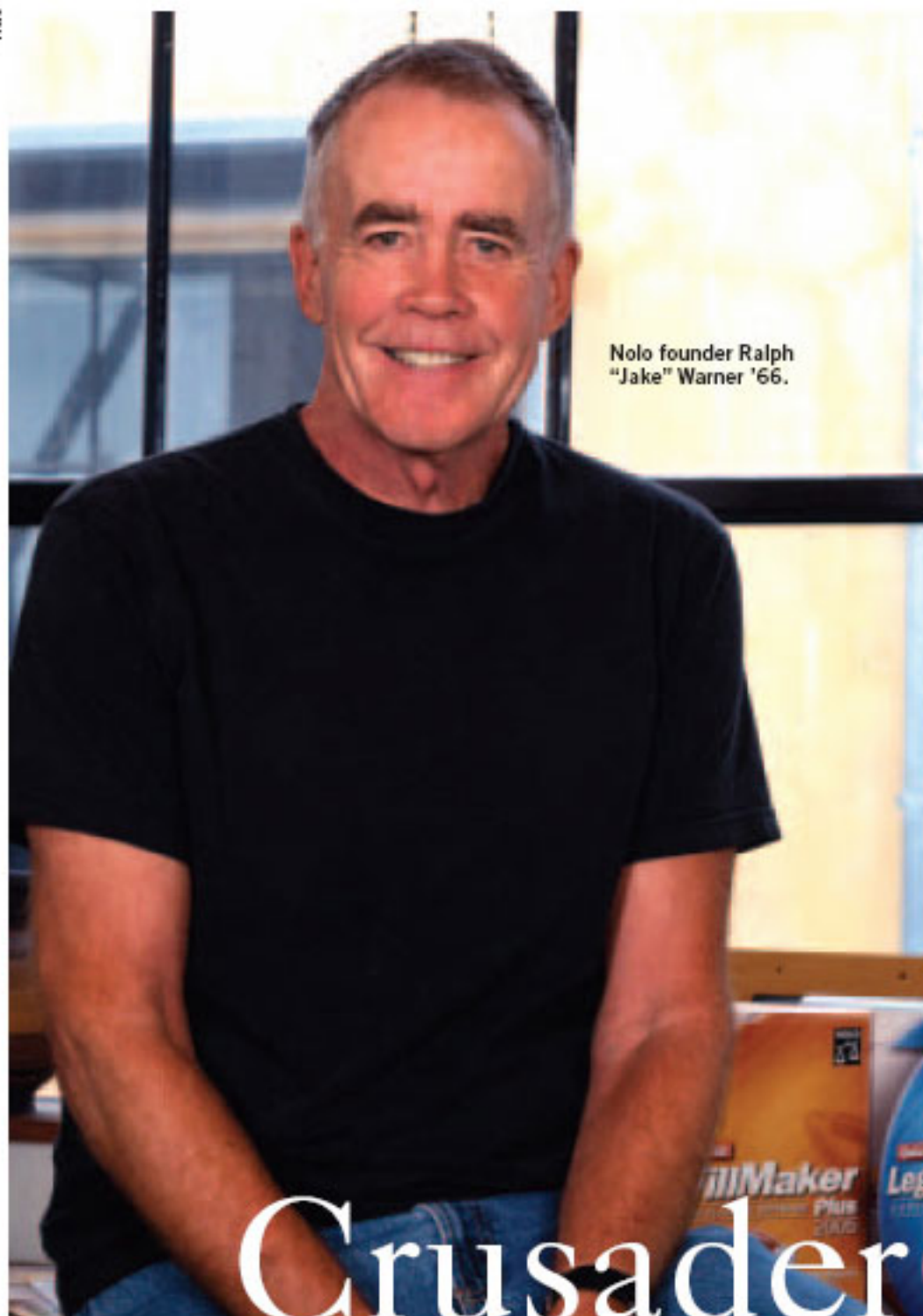
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Nolo founder Ralph "Jake" Warner '66.

Crusader

for Do-It-Yourself Law

Starts Revolution

in Self-Help Publishing

Ralph "Jake" Warner '66 wasn't dreaming of a revolution, of shaking up the legal profession and changing it forever, when in 1971, he co-founded Nolo, the first publisher of do-it-yourself legal books. His goal was pragmatic: to help people take charge of their legal affairs. And his method was straightforward, he says: "Give folks the forms they need, then teach them how to fill in the blanks."

Today the newly retired president of Nolo is credited with increasing legal access for millions of people. The venture he launched with a photocopier is the nation's leading provider of self-help legal and business books, software and online services. After operating solo in its market for 15 years, Nolo is now part of a briskly competitive industry, as consumers increasingly pursue their own legal solutions.

Warner found his inspiration for Nolo in the hard-knocks neighborhoods of Richmond, California, where he joined the Legal Aid Office in 1968 after clerking for a year following law school. President Lyndon B. Johnson had declared his War on Poverty, and legal clinics were opening up nationwide.

News of the free legal services spread quickly. "Low-income folks had never had lawyers before," Warner recalls. Volunteers had to turn away 80 percent of applicants because those with any assets didn't qualify for free services. Their only option was to pay market rate elsewhere. "Back then all the lawyers fixed fees for routine actions," says

Warner. "It cost \$350 to get a divorce in Richmond no matter where you went"—a huge fee at the time. The young lawyer saw firsthand that the legal system was shutting out blue-collar and moderately paid white-collar workers.

The inefficiency of standard legal process—executing documents for one case at a time—struck Warner as mind-boggling. That method couldn't fly at Legal Aid; four attorneys served all of Contra Costa County—once the home of Rosie the Riveter, its shipyards long since closed, unemployment rampant. "A hundred people would need a divorce in the same week, so we'd get a judge and do ... all [the divorces] at once. We learned how to mass-produce law, something nobody had ever done before."

Warner and his Legal Aid colleague Charles Edward Sherman '64 saw a tremendous business opportunity in the unmet need they were witnessing. Why not, they thought, start up a company to produce basic legal tools for people like these?

Nolo's first book, which Sherman wrote, walked readers through the California divorce process, a timely topic because the state had approved no-fault divorce one year earlier, in 1971. Warner wrote Nolo's second publication, a California tenants' handbook. Since then the company has published hundreds of titles on topics ranging from bankruptcy and patents to taxes and wills (including long-time bestseller *WillMaker* software) to same-sex marriage matters, while also expanding into small-business concerns.

At the outset, the legal profession was unremittingly hostile to Nolo, and consumers were wary. Nolo authors held free workshops and appeared on endless talk shows where, Warner says, the first question about do-it-yourself law was always, "Isn't it dangerous?"



Publishing maverick Warner and Toni Ihara (now his wife) relax at Nolo in the early 1970s.

**THE FIRST QUESTION
ABOUT DO-IT-YOURSELF
LAW WAS ALWAYS
"ISN'T IT DANGEROUS?"**

—Nolo founder Jake Warner

"People don't realize anymore how truly revolutionary Nolo was," says Robert Berring, Jr., '74, Walter Perry Johnson Professor of Law and director of Boalt's law library. "Jake took on the legal profession back when it was still a closed club." In the days of fee schedules, which ensured a good income stream for lawyers, his mission to open up the system "was considered seditious behavior by the bench and bar."

When Berring joined Boalt's faculty in 1982, there wasn't one Nolo book on the library shelves. "I was told we were not allowed to have them, that they were insidious and illegitimate," he says. Today the library keeps the complete Nolo list at the reference desk.

In 1998 a tardy shot was fired across Nolo's bow when the State Bar of Texas sued the company for practicing law without a license, a story that made national news. "We knew from the outset we'd win," says Warner, whose confidence

was bolstered after 25 years of waging similar battles. "It was more fun than scary; we even sued [the state] back at one point" in the Supreme Court of Texas.

"The courage that Nolo showed in taking on Texas was a major boost" for the crusade to increase legal access, says Forrest Mosten, an L.A.-based mediator and family law specialist. He calls Nolo "groundbreaking for demystifying the law" and enabling individuals "to craft their own justice." He thinks Nolo is important in preventive law: "Nolo helps people plan their legal affairs, which promotes legal health."

Since Warner began Nolo, self-help law has gone from a hot button to a humdrum issue. The ABA and other legal groups are working to address the underserved. But Nolo's mission remains relevant. "A couple of hundred million people in this country are still largely left out of what large law firms do," says Warner. "I'm not aware of grass-roots efforts to ask, 'How can we make the legal system fairer, more democratic?' That kind of work ought to be encouraged at law schools. It isn't happening. So we still have a way to go."

—JULIA COLLINS

www.nolo.com

A CLASS ACT

First-Year Students Bring Passion, Past Lives to Law School

Just a year ago, 1L student Narayan Melgiri was a world away from Boalt Hall. Working in the sprawling Bombay, India, shantytown of Dharavi, the 27-year-old physician treated scores of young mothers and children for a litany of hunger-related ailments.

"I was eager to do something," says Melgiri of the five months he spent caring for some of the neediest residents of what is known as Asia's largest slum. As a volunteer for the non-profit Niramaya Health Foundation, the

Houston native worked from a converted ambulance and other makeshift clinics, evaluating patients for malnourishment, worm infestations, vitamin deficiencies and other conditions. He also designed a drug-supply system for the humanitarian agency.

For the 2003 graduate of Duke University School of Medicine, studying law was a logical next step. He hopes to intertwine his passions for healthcare, technology and business law by providing legal counsel to bioscience firms on the frontiers of medical innovation.

"Advancing medicine outside the practice of medicine is how I define it," he says of his decision to hang up his stethoscope to plunge into law. Boalt, with its renowned intellectual property and social justice programs, was "a clear choice" in his mind.

Melgiri is one of 272 students in Boalt's talented and diverse class of 2007. Selected from a record 7,685 applicants, the class includes 19 Ph.D.'s, seven Fulbright awardees, five company founders, plus a raft of paralegals, patent agents, software engineers and scientists. Women make up 63 percent of the class, and 36 percent of the students are people of color.

One of the class of 2007's most exceptional features is that it isn't extraordinary. The high-octane mix of skills and past lives reflects many previous

(Clockwise from bottom left) First-year students Diane Brown, Tashica Williams, Kirsten Gibney and Narayan Melgiri bring a high-octane mix of skills and past lives to the class of 2007.



Jim Block

Boalt classes, observes Admissions Director Edward Tom. "The kind of students we admit and attract are qualitatively different," he says.

Diane Brown entered Boalt after spending four years in Kosovo, Yugoslavia, where she served as a United Nations refugee worker. Moved by the plight of children living in the divided city, she independently opened a community center as a haven for Bosnian Muslim, Serbian and Roma youngsters.

Brown got her first unforgettable glimpse of a Bosnian refugee camp while studying in Europe a dozen years ago and decided to learn the root causes of the horrific situation. At UC Berkeley, she majored in peace and conflict studies and learned Serbo-Croatian. Returning to the Balkans, she monitored the October 2000 election in Kosovo and assisted displaced people as an officer for the U.N. High Commissioner for Refugees.

Brown, 31, plans to dedicate her life to improving conditions for refugees, internally displaced people and immigrants: "I think the law is a powerful tool that will let me do that."

Though a whiz in chemistry, Tashica Williams never could have predicted the pathway that led her to Boalt. Four years into a doctoral program at the California Institute of Technology, Williams concluded that while she "absolutely adored" chemistry, she wasn't enamored with the financial and administrative challenges of becoming a research professor.

At a friend's suggestion, Williams, 28, began exploring the field of patent law while completing her doctorate degree. The idea of applying her scientific expertise in this exciting and powerful way captivated her.

Accustomed to the often cut-and-dried approach of scientific reasoning, Williams is intrigued by the new set of critical-thinking skills she's acquiring as a law student. "What I have to accept is there isn't a right answer," she says.

The 1L class is endowed with remarkable students whose interests frequently spill outside Boalt's lecture halls.

On her free weekends, 27-year-old Kirsten Gibney paddles a kayak on the San Francisco Bay as a guide for Environmental Traveling Companions, an organization providing outdoor excursions for people with disabilities and low-income children. "You're volunteering your services to a great cause," explains the former high-school rower. What's more, the outings are "a great escape."

Gibney grew up in Berkeley and earned her undergraduate degree in urban sociology and Spanish at the University of Pennsylvania. She taught English in Spain before returning to the Bay Area, where she worked as a paralegal for the nonprofit Disability Rights Advocates.

"I'd like to do public interest law and use the law as a means for social change," says Gibney, who envisions a specialty in employment law.

—ABBY COHN

Building a Bridge to the Real World

Boalt Hall's new think tank, the Berkeley Center for Law, Business and the Economy (BCLBE), could only exist on a campus where interdisciplinary work is encouraged.

"The contrast with Harvard is palpable," says Dean Christopher Edley, Jr., who arrived from Harvard Law School in July. "The soil at Harvard," he notes, "is positively toxic with respect to collaborative, multidisciplinary work that is valued and rewarded at Berkeley and especially at Boalt."

Still in its embryonic stages, BCLBE draws together faculty members from Boalt, the Haas School of Business and the Department of Economics as well as folding in to the center Boalt's highly regarded Business, Law, and Economics Program. Modeled in part after the Berkeley Center for Law & Technology, BCLBE is directed by Professor Robert Cooter, a pioneer in the field of law and economics. Dana A. Welch '87 is its newly appointed executive director.

The center's purpose is simple: to offer cutting-edge research in areas of the law, business and the economy. The crisscrossing of disciplines reflects the increasing complexity of the law. This melding of subjects will influence course work as well. A number of classes taught by BCLBE faculty will utilize case studies, which, Edley says, are closer to real-world problems than casebook examples.

BCLBE provides a way station for students pursuing a career in business and the law. Many 1Ls arrive at Boalt convinced they're destined for a public interest law career. And some are, says Professor Daniel L. Rubinfeld, who heads the Business, Law, and Economics Program. For others, though, mounting debt and limited job prospects may generate second thoughts. Or a professor may spark an interest a student didn't know he or she had. "A lot of people who come to law school don't know what the law is about," Rubinfeld says. "Our view is that the sooner students are informed about what the real choices are, the better off they are."

One of BCLBE's goals is to build bridges between academe and the world at large. This spring Professor Jesse Fried is expected to speak with alumni on issues relating to corporate governance, remuneration and executive incentives. Dan Rubinfeld will discuss antitrust law in a global economy. In early March, Janet Yellen, president and CEO of the Federal Reserve Bank of San Francisco (on leave from the Haas School of Business), spoke about the U.S. economic outlook.

"We've been looking inward to our faculty and students," says Rubinfeld. "Now we're going to push outward."

—CAROL POGASH

www.law.berkeley.edu/centers/bclbe

Professor Daniel L. Rubinfeld



Jim Bizz

It's a Guarantee: Boalt Awards Summer Money for Public Service Work

Under a sweeping new plan, Boalt Hall is guaranteeing \$4,000 fellowships to all continuing law students interested in performing public interest/public service work this summer. The Public Interest/Public Service Summer Fellowship Program aims to encourage Boalt students to explore careers in public lawyering by making unpaid summer work and projects financially feasible.

In the past, many Boalt students who longed to devote a summer to public service law faced difficult choices. They either competed for a limited number of grants, struggled with the financial hardship of a summer without income—or were forced to forgo such programs altogether.

"Everybody's thrilled," says 1L Kelly "Bone" Burke, who now plans to pursue an internship in criminal justice work. "Without the grant money, I wouldn't be able to do this. I'd have to put that dream on hold for another summer."

Conceived by Dean Christopher Edley, Jr., the new fellowships will provide some monetary relief to students and also promote public-oriented law as a career option. Edley believes that Boalt's mission as a leading public institution includes a commitment to introduce students to possible public service careers. "A great public law school must be inclusive to produce leaders for all communities and sectors," he says.

Unveiled this spring, the program will be supported by private donations. Several law firms already have generously contributed. The fellowships are available to every continuing student who has demonstrated involvement in public interest and public service work at Boalt. In recent summers, some 50 students received paid summer fellowships for public interest work through Boalt Hall and student organizations, such as the Berkeley Law Foundation, according to Dean of Students Victoria Ortiz. That's less than half the number of students who applied for those competitive awards, she says.

Boalt is encouraging all students, including those who plan to wind up in private practice, to apply for the fellowship and experience public interest or public service lawyering. For information about contributing to the Public Interest/Public Service Summer Fellowship Program, please call Boalt's Alumni Center at 510-642-3093.

—ABBY COHN



During the spring term Hien Nguyen '05 (right) worked as an extern with San Francisco Deputy Public Defender Alex Lillien in the kind of public service/public interest placement that will be available under the summer fellowship program.

Boalt's Fees on the Rise

The cost of attending Boalt Hall this fall has risen dramatically. As part of a compact reached last November between University of California officials and Governor Arnold Schwarzenegger, UC Regents approved fee increases that will bring the price of attending the law school in 2005-06 to approximately \$22,752 for resident students and about \$34,997 for nonresident students. An additional increase is anticipated this spring.

Fees for resident students for the 2004-05 academic year stand at \$21,531, while nonresidents pay \$33,776. For California residents, those fees are nearly double the \$10,945 fees resident students paid for the 2001-02 academic year. Two decades ago, a resident student paid just \$1,407 for a year at Boalt. Nonresident tuition has climbed from \$21,649 four years ago, placing the current cost of a Boalt education for nonresident students on a par with the cost of an education at Harvard and Stanford Law Schools.

The fee increases were needed to partially offset sharp declines in state funding. The state of California's contribution now represents just 30 percent of the law school's budget, down from 60 percent in 1994. Dean Christopher Edley, Jr., warns that the climbing fees threaten the affordability and accessibility of the public law school. As one of his major goals for a capital campaign at Boalt, Edley wants to provide some financial relief to Boalt students through robust financial aid and loan forgiveness programs.

Boalt's increased costs already have created a substantial debt burden for many students. Last year some 218 members of the 322-student class of 2004 graduated with an average debt of \$56,005 each, according to information in a recent American Bar Association survey. That figure is more than \$9,000 higher than for Boalt's class of 2001.

—A. C.

Scholars Lend their Expertise to Boalt

Germany. Israel. Michigan. From near and far these distinguished scholars come to teach and collaborate with permanent faculty members.



◀◀◀◀ **HOLLY DOREMUS '91**, visiting again from the UC Davis School of Law, last fall taught Environmental Law and Policy and Environmental Law Writing Seminar. She is a former associate with Eickelberg & Fewel in Corvallis, Oregon, where her practice concentrated on municipal and land-use law, and clerked for 9th U.S. Circuit Court of Appeals Judge Diarmuid F. O'Scannlain.



◀◀◀◀ **AMIR LICHT**, senior lecturer at the Interdisciplinary Center of Herzliya in Israel, visiting for the 2004-05 academic year, is teaching Law and Social Norms, Corporations and Advanced Issues in Corporate Governance, his major fields of research. Licht has served as an adviser to the Israeli Securities Authority and the Ministry of Justice.



◀◀◀◀ **MARTIN NETTESHEIM**, dean of the University of Tübingen Law School in Germany, has returned to teach European Union Law this spring. He holds the chair for German Public Law, European Community Law, Public International Law and International Political Theory and also directs the Tübingen University Center for International Economic Law.



◀◀◀◀ **ÁNGEL OQUENDO**, visiting from the University of Connecticut School of Law, is teaching Civil Procedure, International Human Rights and Latin American Law for the year. After law school, he clerked for 9th U.S. Circuit Court of Appeals Judge Stephen Reinhardt. His publications and research include a focus on Latin American law—specifically Puerto Rico's status as a U.S. territory.



◀◀◀◀ **PAUL SCHWARTZ**, from Brooklyn Law School, is teaching this spring Information Privacy Law, an area in which he is a leading international expert. He co-authored the first in-depth study of privacy protection provided for personal information in the United States, and has advised U.S. and European governmental bodies on privacy issues.



◀◀◀◀ **YORAM SHACHAR** visited from the Interdisciplinary Center of Herzliya in Israel, where he served as the law school dean from 1995-97. In the fall, he taught an intensive mini-course in Comparative Criminal Law. Shachar's recent research focuses on the quantitative analysis of decision making by the Israeli Supreme Court, as well as a comprehensive study of the drafting of the Israeli Declaration of Independence.



◀◀◀◀ **DAVID SKLANSKY** is here once more from UCLA School of Law. He clerked for Judge Abner Mikva of the U.S. Court of Appeals for the D.C. Circuit and for U.S. Supreme Court Justice Harry Blackmun. After briefly practicing labor law with Bredhoff & Kaiser in Washington, D.C., he spent several years in Los Angeles, prosecuting white-collar fraud. Sklansky will continue to teach courses in the areas of criminal law, criminal procedure and evidence.



◀◀◀◀ **MOLLY VAN HOUWELING**, visiting from the University of Michigan Law School, is teaching Introduction to Intellectual Property and first-year Property. Prior to joining the Michigan faculty, Van Houweling was president of Creative Commons, a nonprofit group that facilitates sharing of intellectual property. She has been a research fellow at the Berkman Center for Internet & Society at Harvard Law School and at the Center for Internet and Society at Stanford Law School.



◀◀◀◀ **PETER WESTEN '68**, from the University of Michigan Law School, taught first-year Criminal Law and a seminar course during the fall. After graduating from Boalt, he clerked for U.S. Supreme Court Justice William O. Douglas and then joined Paul, Weiss, Rifkind, Wharton & Garrison as an associate in the Washington, D.C., office.

—LINDA ANDERBERG
www.law.berkeley.edu/faculty

Forum Brings Welfare Reform to the Forefront

More than 400 people last fall made their way to UC Berkeley to hear *New York Times* reporter Jason DeParle and Dean Christopher Edley, Jr., explore the success of welfare reform and propose next steps to improve the plight of America's poor.

DeParle and Edley were part of a panel discussion moderated by Michael Krasny, host of KQED radio's *Forum*. Edley provided a national policy perspective from his work with several administrations on domestic policies and as cofounder of the Civil Rights Project. Cheryl Polk, executive director of the Miriam and Peter Haas Fund that supports early childhood programs in San Francisco, added a local policy perspective from her work as a clinical child psychologist.

In his new book,

American Dream: Three Women, Ten Kids, and a Nation's Drive to End Welfare, DeParle addresses the question of whether millions of women are better off as a result of reform that moved them off the welfare rolls and into low-income jobs.

The event was sponsored by Boalt Hall's Center for Social Justice, UC Berkeley's Graduate School of Education, Graduate School of Journalism, Richard and Rhoda Goldman School of Public Policy, and School of Social Welfare's Center for Child and Youth Policy.

—LINDA ANDERBERG

www.law.berkeley.edu/news/2004/deparle.html
and www.jasondeparle.com



Michael Krasny, Jason DeParle, Cheryl Polk and Dean Edley engage in a lively discussion on welfare reform at Wheeler Auditorium.



UC Berkeley Office of Public Affairs

Alumni Chapters Bond Boalties

Boalt Hall graduates recently acquired an attractive vehicle for staying close to one another and the law school—alumni chapters. Alumni are gathering for inaugural receptions in Oakland, Sacramento, San Diego, San Francisco, Silicon Valley, New York, Los Angeles and Washington, D.C. Plans are under way for additional chapters. “The purpose is to bring Boalt and the alumni association to where our grads work and live,” explains alumni association president Dana Welch ’87.

Organizers say the chapters serve as a valuable professional resource with mentoring, information on career advancement and other networking opportunities. Events range from cocktail hours to lectures. “It’s up to each chapter to determine what’s most relevant to each locale,” says Welch. Presentations to several chapters this spring will showcase Boalt’s new think tank, the Berkeley Center for Law, Business and the Economy (BCLBE).

—ABBY COHN

www.law.berkeley.edu/alumni/events/calendar.html

Boalt students marshal forces all for a good cause.



Going, Going ... Gone

for a Charitable Cause

The bidding at Pauley Ballroom was fast and furious. On the block were more than 300 items, ranging from a highly valued BarBri law review course to a priceless opportunity to get wildly inventive with a Boalt classmate's hair.

Last fall's ninth annual Berkeley Law Foundation (BLF) auction raised more than \$30,000 for the Phoenix Fellowships, grants that support Boalt students of color pursuing work in public interest law. The auction also showcased the creativity, talents and downright wry side of the Boalt Hall community. The extravaganza, "Boalt to the Future: Celebrating Boalt Hall's Past and Future," drew more than 900 students, faculty, practitioners and law school staff for an evening of food, dancing, socializing and, of course,

fundraising. The most prized item was the BarBri course, which sold for \$3,600. Other sought-after items included a tour of Opus 1 wineries for \$1,000 and a variety of dates with Boalt students, which raised more than \$1,200 in total.

In an offering called "Public Humiliation," Mike Burstein '06 allowed a lucky \$20 bidder to "do whatever you want to my hair for a week." Other student goods and services included home-baked banana bread (based on a nearly 100-year-old family recipe), lessons driving a stick shift (using the

clutch in the donor's car), and an "O.C. Fun Pack" filled with paraphernalia and a signed photo from the popular TV series. Faculty and staff donated their culinary, athletic and even DJ skills to provide auction items ranging from elegant meals and a faculty v. students basketball game to the offer of Professor Stephen Bundy '78 to "DJ any party or fundraiser" with dance tunes from 1930 to 1990. Second-year student and event co-chair Tim Perry '06 said more than 150 student volunteers organized the evening. Along with performing a charitable goal, the auction has "really become the centerpiece for social life at Boalt," he adds.

—ABBY COHN

boalt.org/BLF

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For more information, please contact
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510-642-3093
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Several options help fulfill your financial planning needs:

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Directing a portion of your estate to Boalt may reduce estate tax liability

Charitable Gift Annuity

In exchange for a gift of cash/property to Boalt, you receive fixed payments for life

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Tax deductions may apply to money/property transferred to the foundation, which makes payments to you before passing assets to Boalt

Pooled Income Funds

Gifts are jointly invested and earned income is paid to you

Real Estate

Gifts of real estate may qualify for an income tax deduction

Retirement Assets

A charitable gift of retirement assets may lessen tax burdens

Awards Dinner to Honor

Mark your calendars for May 6—that's when the Boalt Hall community will gather for dinner at the Ritz-Carlton, San Francisco to honor **David R. Andrews** '71 ▼ as the recipient of the 2005 Citation Award. The award is the Boalt Hall Alumni Association's highest honor. Andrews, who retired as

senior vice president and general counsel of PepsiCo in February, is one of the nation's top environmental lawyers. He has served as an eminent legal adviser to the State Department and former

Secretary Madeleine Albright, and was chair of McCutchen, Doyle, Brown & Enersen. The alumni association looks forward to celebrating his exceptional achievement, distinguished career and the renown he brings to the law school. Professor **Jesse Choper** will also be honored at the dinner with the alumni association's Lifetime Achievement Award for his nearly four decades at Boalt as a beloved teacher, an astute scholar and an inspiring mentor.

Alan Yee '78 and U.S. District Judge **Thelton Henderson** '62 brought more recognition to the law school when they were awarded the 2004 California State Bar Awards. Yee, a tireless champion of the rights of the elderly and low-income residents of Oakland's Chinatown, received the 2004 State Bar President's Pro Bono Service Award. A partner at the five-attorney firm of Siegel & Yee, he has spent hundreds of hours fighting for tenants' rights and to improve the traffic

congestion and air quality in Chinatown. Meanwhile Judge Henderson was given the 2004 Bernard E. Witkin [28] Medal, recognizing his prominence as one of the "legal giants among us who have altered the landscape of California jurisprudence."

Judge Henderson was also instrumental in the East Bay Community Law Center's win of the Berkeley Community Award from the Berkeley Community Fund. A longtime friend and supporter of the center, Henderson nominated it for the prestigious award. At an annual dinner attended by more than 400 people, the center was recognized for its exemplary contributions to improving the quality of life in the community. The center was one of only two organizations to receive the annual award.

The *Daily Journal* named Professors **Charles Weisselberg**, **Pamela Samuelson** and **Mark Lemley** '91 to its list of the Top 100 Lawyers in California in 2004. Compiled annually, the list pays tribute to the state's most influential legal practitioners and academics. Weisselberg, Samuelson and Lemley are the only law professors named in the recent ranking. The list also included nine Boalt alumni: **Jeffrey Bleich** '89, partner, Munger, Tolles & Olson in San Francisco; **Elizabeth J. Cabraser** '78, name partner, Lief Cabraser Heimann & Bernstein in San Francisco; **John Davies** '62, of counsel, Allen Matkins Leck Gamble & Mallory in San Diego; **Thelton Henderson** '62, senior judge, U.S. District Court in San Francisco; **John O'Toole** '74, director, National Center for Youth Law in

Oakland; **John A. Schulman** '72, general counsel, Warner Bros. in Burbank; **Larry Sonsini** '66, chairman, Wilson Sonsini Goodrich & Rosati in Palo Alto; **Therese Stewart** '81, chief deputy, City Attorney's Office in San Francisco; and **Steven Weise** '74, partner, Heller Ehrman White & McAuliffe in Los Angeles.

Professors **Malcolm Feeley** ▼ and **Catherine Albiston** '93/'01 ▼ have received recognition from the Law and Society Association—a group of scholars from multiple fields and countries who are interested in the place of law in



social, political, economic and cultural life. Professor Feeley was elected to a two-year term as president of the association, with his president-elect year commencing in June. Professor Albiston has been elected a trustee of the association. She joins Professor **Jonathan Simon** '87/'90 ▼ on the 24-member board.

More accolades for Boalt's deserving professors: in 2004 Professor **Melvin Eisenberg** was awarded an honorary doctorate from the University of Cologne in Germany.



David Andrews '71 and Jesse Choper

Eisenberg is the Koret Professor of Law and specializes in contract theory, contracts, corporations and legal process. In 1998 the University of Milan conferred upon him the honorary degree of doctor of laws.

Moving on to our distinguished alumni, the Partnership for New York City named **Larry Thompson '76** a 2004-05 David Rockefeller Fellow. Thompson is first deputy general counsel and managing director of The Depository Trust & Clearing Corporation, and is one of 18 New York City-based executives selected for this prestigious program. Participants learn about the public needs of New York City and take an active role in shaping its future.

On the publishing front, Boalt's *Berkeley Women's Law Journal* celebrates its 20th anniversary with a commemorative anniversary edition. The issue features articles pertaining to the journal's mandate to publish research, analysis and commentary addressing the lives and struggles of underrepresented women. Contributions include "The Legal Production of Identities: A Narrative Analysis of Conversations with Battered Undocumented Women" by Margot Mendelson.

Professor **Aaron Edlin** has recently helped found a new Web journal, *The Economists' Voice*, with The Berkeley Electronic Press (bepress). The bepress publishing model promotes high-quality, rapidly disseminated e-journals. Edlin is a co-editor of the journal, which provides a nonpartisan forum for economists to present innovative policy ideas or engaging commentary on the issues of the day. (www.bepress.com/ev)

In June 2004, U.S. Solicitor General **Ted Olson '65** stepped down from the position he held for three years. During his tenure, Olson personally argued 26 cases before the courts and attended virtually every one of the approximately 180 cases argued by his office. Olson has returned to private practice with Gibson, Dunn & Crutcher in Washington, D.C.

Associate Justice **Reynato S. Puno '68** (LL.M.) of the Supreme Court of the Philippines dropped by Boalt Hall in late August while wrapping up a trip to Central and South America on an information-sharing program sponsored by the World Bank. "It's a sentimental visit," explained Puno after taking a nostalgic tour of the law school campus. Puno was appointed to the Philippine high court in 1993 by then-President Fidel Ramos and is the second most senior justice on the 15-member court.

More court news—**Jean Galbraith '04** will be clerking this year for Justice John Paul Stevens of the U.S. Supreme Court. While at Boalt, Galbraith was editor in chief of the *California Law Review*. Congratulations to Galbraith on this prestigious and well-deserved honor!

The American Civil Liberties Union of Northern California gains a valuable



resource in **Nicole Ozer '03**, who will head up the new San Jose office as the technology and civil liberties policy director. She brings to the organization her experience as a judicial clerk for the U.S. District Court for the Northern District of California and a litigation associate with Morrison & Foerster.


Matthew Adams '98 ▼ also fights the good fight as legal director of the Northwest Immigrant Rights Project in



Granger, Washington. The nonprofit organization, which advances the legal rights of low-income immigrants in Washington, recently celebrated its 20-year anniversary.

The Honorable **John Phillips '68**, ◀ a 20-year veteran of the Monterey County courts, has retired from the bench but will remain active with Rancho Cielo, the newly opened center for at-risk kids that he founded in Monterey, California. The program provides training, education and life skills to young adults who have shown promise during rehabilitation at juvenile hall or the youth center. Phillips will be greatly missed on the bench, but will continue to provide valuable service to the community.

—LINDA ANDERBERG

A photograph of three women standing in front of a window with horizontal blinds. The woman on the left is wearing a dark long-sleeved top and has her arms crossed. The woman in the middle is wearing a dark top and glasses. The woman on the right is wearing a dark blazer and has her arms crossed. The lighting is dramatic, with strong shadows from the blinds.

From left, Charlotte Wiener '05 and Kaja Tretjak '05 work with clinic director Laurel Fletcher on forced labor issues.

America's Hidden Slave Trade Exposed

Jen Block

Contrary to common belief, slavery in America did not end in Abraham Lincoln's time. It thrives today in a new form, in cities and towns nationwide, where thousands of people are forced to work for little or no pay in poorly regulated jobs from prostitution to crop picking, their silence ensured by psychological and physical violence.

The plight of these silenced victims is the subject of *Hidden Slaves: Forced Labor in the United States*, a new report on "modern-day slavery" prepared by the nonprofit group Free the Slaves and UC Berkeley's Human Rights Center. Boalt's International Human Rights Law Clinic, directed by Laurel Fletcher, clinical professor of law, collaborated with the center throughout the project, which was funded by The Sandler Family Supporting Foundation.

"Americans find it very difficult to believe contemporary slavery is going on in the U.S.," says Fletcher, who also directs the Forced Labor Project at the Human Rights Center. "Not only does it exist but it is a much larger problem than people think," likely far exceeding the report's estimate of 10,000 captive laborers at any given time. Cases occur in at least 90 cities nationwide, with the greatest concentration in California, Texas, Florida and New York, which have large immigrant populations. The majority of trafficked individuals come from 39 different countries, notably China, Vietnam and Mexico.

BY JULIA COLLINS

The study calls for increased outreach and stronger protections for survivors who come forward.

"When you talk about slavery today, victims don't stand in line and raise their hands to be counted," says John Miller, ambassador-at-large and senior adviser on international slavery to the Secretary of State. "There are no recent reports, even government reports I've seen, on slavery that attempt to give as thorough an account of the problem as *Hidden Slaves*." He plans to have copies of the report on hand for two upcoming White House meetings on human trafficking, one to be presided over by the Secretary of State.

Forced labor in America happens in industries that rely on cheap labor and receive little monitoring. The report estimates that 46 percent of victims toil in sex services such as prostitution and strip clubs, 27 percent in domestic work, 10 percent in agriculture, 5 percent in sweatshop/factory jobs, and 4 percent in restaurants and hotels. Three percent are children who are exploited for sex.

The report's stark accounts of terrorized citrus pickers and garment workers, captive domestic help, and young girls enslaved in brothels attracted media coverage in the *Washington Post*, *San Francisco Chronicle*, *Christian Science Monitor*, *Chicago Sun-Times*, and in India and China. *Nightline* devoted a program to the case of a young Zambian boy enslaved in a choir touring the United States.

How does forced labor flourish in the land of the free? Fletcher cites the lack of access to safe and legal immigration, and the unprotected status of the forced laborer. Traffickers control their captives through violence and by withholding money, confiscating passports and threatening deportation and harm to loved ones. They are often their victims' sole source of employment, their only link to the outside world.

One such case happened in Berkeley, where the perpetrator, an Indian-born American citizen, Lakireddy Bali Reddy, was a major rental property owner. For 15 years he brought girls as young as 8 from his home village where, Fletcher says, "he was worshipped as a deity." The girls were "forced to work on his properties and service his sex life," she adds. Complicating the case were the girls' confused loyalties caused by fear and dependency. One victim even held another girl down while Reddy raped her, according to Fletcher. What kept the girls from walking away? "He was their link to home," she says.

The clinic took on the *Hidden Slaves* project to look at new challenges raised by the phenomenon of globalization and to target an area where the human rights dimension is central, Fletcher says. "The prohibition against slavery, whether by public or private actor, is a bedrock principle of international law," she notes. Yet in 2005, human trafficking flourishes worldwide, despite legal weapons that include the Victims of Trafficking and Violence Protection Act passed by Congress in 2000.

Fletcher played various roles on the project: "I was a bit of the restaurant manager, waitress, cook and dishwasher in this 'soup to nuts' operation." In addition to coordinating with other researchers, conducting interviews with policymakers and experts, and co-writing the report, she supervised clinic students during the spring and fall semesters of 2003.

"It was very moving to interview survivors and those who work directly with them, and to understand firsthand the extreme degree of fear and isolation the survivors felt," says Kristin Madigan '04, a clinic student who worked on the project in spring 2003. She then continued solo



that summer as a research assistant to the Human Rights Center's team, sometimes traveling along to take notes and offer other support.

Abigail Lloyd '04 also worked on the project as a clinic student in spring 2003. Her assignment was to investigate international prohibitions against forced labor and U.S. compliance issues. While sifting through hundreds of news articles seeking case studies, she discovered a recurring theme of police difficulty in recognizing human trafficking, often mistaking it for illegal immigration. "Police get training in a lot of different laws," she says. "Now they should be trained in the trafficking act so they don't treat the victims as criminals."

The report focuses on the United States because it is a primary destination country for trafficked individuals. Previous studies had dealt with sending countries. Prior to *Hidden Slaves*, Fletcher says, "there really hadn't been any quality research to identify the extent of the problem or to look at the quality of the U.S. government's response."

Representative Eliot Engel (D-NY) supports the report's focus on the United States. "That slavery continues worldwide is shocking," says Engel, who spoke at a September Capitol Hill news conference to announce the report's release. "That there are more slaves than ever before is disgusting. That tens of thousands of people here in the United States are slaves is unconscionable."

The U.S. trafficking act criminalizes forced labor and provides aid to survivors, but bases its help on prosecutorial cooperation, focuses on federal actions, and does not address the difficulties of identifying and handling cases on the local level. *Hidden Slaves* calls for a major campaign to raise public awareness and improve monitoring of suspect industries, plus better training and coordination among law enforcement professionals at all levels. "The report makes the point that every police department is equipped to handle homicides, yet fewer murders occur each year than do cases of slavery," notes Lloyd.

Fletcher stresses that a major goal of the report's authors was to arm policymakers with empirical data. Already *Hidden Slaves* is making a difference in California. When the legislature opened sessions in December, Assemblywoman Sally Lieber (D-Mountain View), who chairs the state's Select Committee on Human Trafficking, submitted a bill to make this crime a felony, provide social services to victims and allow them to qualify more quickly for federal programs. Her bill, now under review, has strong bipartisan support.

The hope, Fletcher says, is that more states will follow suit, and forced laborers in America, many suffering in plain view, will receive the legal protections they deserve.

Julia Collins is a Boston-based writer and former senior editor of the Harvard Law Bulletin.

www.law.berkeley.edu/cenpro/ihrc/projects.html



Rethinking Crime Control

BY SHANNON SEIBERT

Consider these startling statistics: more than 2 million adults incarcerated in jails and prisons nationally; more than 8 million adults under some form of correctional custody. Many of these individuals are casualties of a crime control battle, or what some observers call a “war on crime,” waged by policymakers since the last century.

In the past 30 years, the crackdown on crime has resulted in a huge expansion of the prison industrial complex and a 500 percent increase in prison populations. Minority communities have been the hardest hit. More than 18 percent of African Americans and 10 percent of Hispanics (compared to 3.5 percent of whites) can expect to be incarcerated in their lifetime, according to the U.S. Department of Justice.

The war on crime has also affected public policy outside the criminal justice arena.

Public officials have implemented increasingly austere measures to manage an array of social problems. Some researchers, scholars and criminal justice activists believe there should be a different model for crime control. To that end, Boalt Hall’s Center for Social Justice (CSJ) is spearheading an effort to transform public debate and understanding of criminal justice policies in the United States.

“The most pressing issues,” says Professor Ian Haney López, “[are] the massive incarceration of minorities and the spreading model of criminal law as an approach to solving social problems that would be better addressed in terms of welfare policy, public health or education reform.” It’s not that increased welfare assistance, affordable healthcare and better education would prevent the funneling of millions of people—and billions of dollars—into the criminal justice system, insists Haney López. It’s that social needs

of every sort are increasingly being construed as problems of individual antisocial behavior best treated through punishment and incarceration, he explains.

The human toll of prevailing public policy to control crime has been devastating to the polity, some researchers say. “The war on crime has torn at the fabric of our society in ways that reach far beyond its impact on the people incarcerated and their families,” asserts CSJ Director Mary Louise Frampton. “It has affected the way we look at race. It has affected our democracy. It has affected our sense of community.”

Because the war on crime has fundamentally changed society, Frampton and her colleagues contend, attention must be focused not only on ending the war, but also on identifying strategies to rectify the harm it’s caused.

In the first of many steps toward this goal, Professors Haney López and Jon-

athan Simon '87/'90 and Visiting Professor David Sklansky collaborated with Frampton to organize a symposium, *After the War on Crime: Race, Democracy and the New Reconstruction*, held at Boalt last October. The three-day conference featured leading scholars, activists and journalists who offered various perspectives on the current state of the criminal justice system and strategies for change.

Keynote speaker San Francisco District Attorney Kamala D. Harris delivered The Honorable Mario G. Olmos '71 Law and Cultural Diversity Memorial Lecture. In her address, Harris proposed taking a wholly different view of crime control. She told participants if they want to change the

The enthusiasm generated by the symposium animated a group of professors, lawyers, students and activists that convened the final day of the event. Seated around a circular table in Boalt's Goldberg Room, participants engaged in a free-flowing exchange of ideas to determine where research is most needed and what future steps should be taken.

Emerging from the meeting was a working group whose overarching goal is to bridge what participants consider a historical disconnect between the work of scholars and the needs of policy activists. "I think the policy activist groups have a very narrow picture of what academics can do for them," says Simon, associate dean

offer tangible alternative models for dealing with public safety issues.

The working group met in February and plans to meet again in early April to discuss publication plans for the white papers and how to disseminate them widely among policymakers, academics and activists. Also stemming from the War on Crime conference is the Center for Social Justice's plan to publish a collection of essays on criminal justice policy in the United States. Panelists were asked to submit their thoughts on issues of public safety and reconstruction strategies to Frampton, Haney López and Simon, who are editing the collection. "We ended up with original, interesting, insightful work," Haney

"The war on crime has torn at the fabric of our society in ways that reach far beyond its impact on the people incarcerated and their families."

—Center for Social Justice Director Mary Louise Frampton

criminal justice system, they must first work to change the underlying assumptions about crime that drive that system. She suggested that criminal justice be approached as a "public health" issue rather than a "crime suppression" issue. Referring to the common practice of identifying politicians as either "tough" or "soft" on crime, Harris said the question people should ask their representatives is not "Are you tough on crime, or are you soft on crime?" but rather, "Are you smart on crime?"

Panel discussions ranged from the psychological and socialization effects of incarceration to the influence of the criminal justice system upon the perception of race in American society. Speakers challenged the dominant theories driving the growth of the penal system, journalistic framing of criminal justice issues, the use of the nation's youth as political pawns, and the discriminatory effects of criminal disenfranchisement.

for the Jurisprudence and Social Policy Program. Similarly, he explains, academics lack an understanding of how their knowledge can help activists affect public policy.

Rose Braz '92, director of Critical Resistance, an Oakland, California-based organization that works to reduce society's reliance on imprisonment as a solution to social problems, is enthusiastic about the working group's endeavors. "My hope is that the working group really pushes some new solutions to the problem of using prisons in this society as an answer to social, political and economic problems," Braz says.

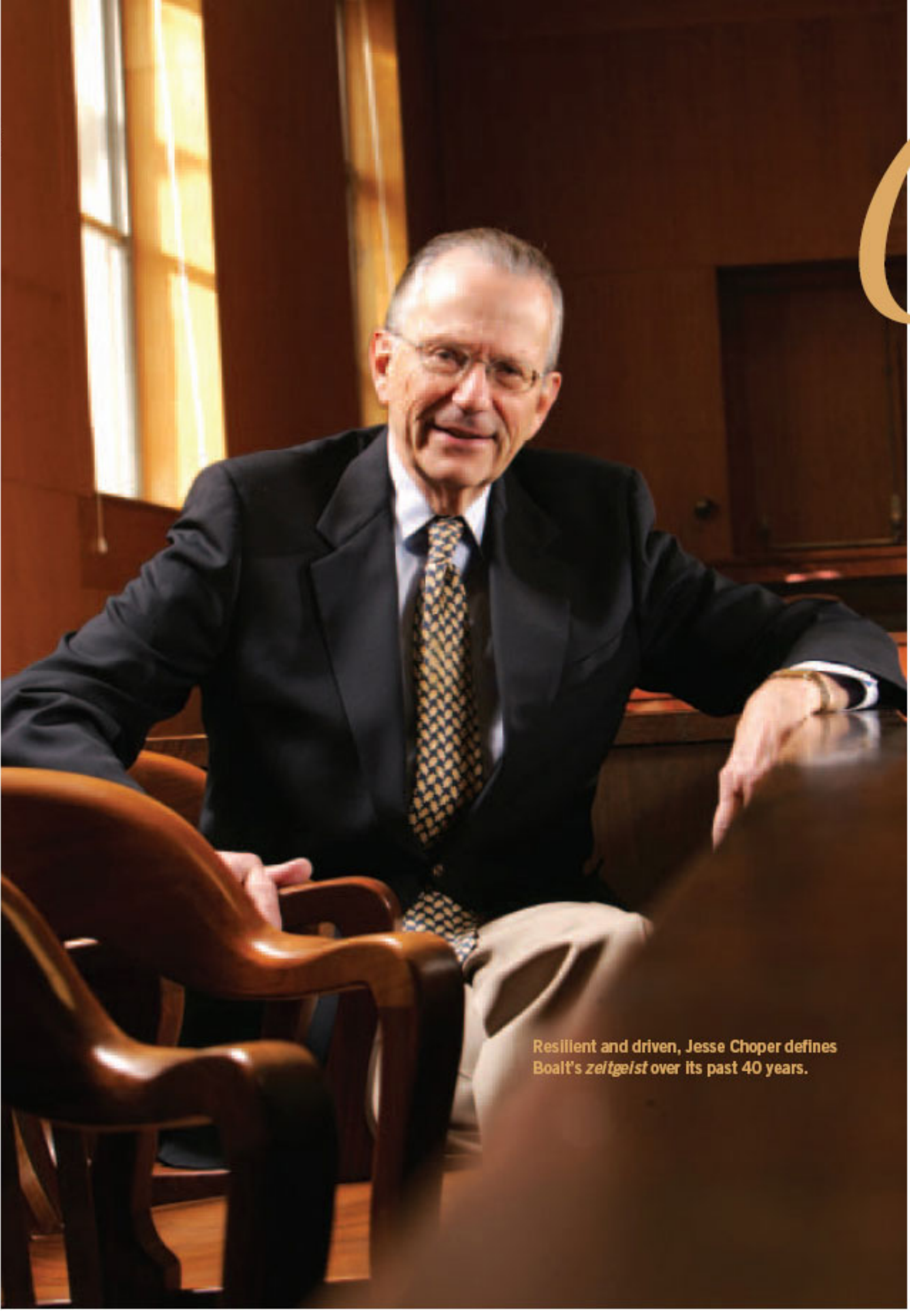
The group will draft three white papers. The first of the papers will document the devastating consequences of the war on crime. The second will address the effect of the war on crime upon people and organizations in all sectors of society, including unions, teachers, environmentalists and religious organizations. The third paper—and likely the most challenging—will

López says, adding that the panelists' submissions mark "the reflections of some of the top thinkers on the issues." CSJ is negotiating with the presses of the University of Chicago and New York University for the book's publication in the fall of 2005.

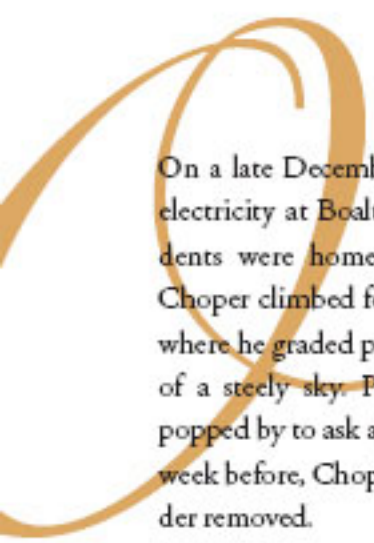
Organizers hope the book will have a sweeping impact, spark new conversation and offer a fresh approach to criminal justice. "In a way, the debate on whether we should have a war on crime is over. We've already had it; it's in place now," explains Simon. "We want people to kind of shift focus and start talking about whether [they] thought it was a good idea or not. Now that we've got this mess on our hands, what are we going to do about it?"

Shannon Seibert is a freelance writer completing the J.D. and master's in journalism programs at the University of Southern California.

www.law.berkeley.edu/cenpro/csj/after_war_on_crime.html



Resilient and driven, Jesse Choper defines Boalt's *zeitgeist* over its past 40 years.



On a late December morning, when the electricity at Boalt Hall was off and students were home on holiday, Jesse H. Choper climbed four flights to his office, where he graded papers by the harsh light of a steely sky. Periodically a colleague popped by to ask about his health. Only a week before, Choper had had his gallbladder removed.

His colleagues considered Choper indestructible—an attitude shared by the 69-year-old Earl Warren Professor of Public Law. When he contracted chicken pox, Choper quarantined his office and continued to work. Nothing comes between Choper and what he calls “the biggest thing in my life”—Boalt Hall. The school, where he has taught for 40 years and was dean for 10, has defined him as he has defined it.

“For many he is the personification of Boalt Hall,” says Assistant Professor Goodwin Liu. Choper’s love of the law, sense of logic, and method of teaching—tying students into Socratic knots, not to humiliate, but to teach—have molded generations of students. And while others may best remember him as dean for his success at fundraising—once scooping up \$1.6 million from a single donor over dinner—he is most proud of the faculty appointments made during his tenure as dean and as head of the Faculty Appointments Committee.

In May the Boalt Hall Alumni Association will recognize Choper with its Faculty Lifetime Achievement Award. “It was an extremely easy choice,” says Karen Stevenson ’80, award ceremony co-chair and executive director of Legal Aid of Napa.

Admirers of Choper’s career concur. “He is one of a handful of experts on constitutional law,” says University of Michigan law professor emeritus Yale Kamisar, an authority on criminal procedure. “People have had to deal with him whether they agreed with him or not.”

Choper can sum up any law case in 50 words. And his memory is so crisp that while others need to reread cases each year, Kamisar says, Choper doesn’t. What’s more, adds Joel Zeldin ’71, a partner at Shartsis, Friese & Ginsburg, “He could be an expert on anything, including the 1955 outfield of the Philadelphia Phillies.”

Choper’s scholarly legacy reflects his core fields of expertise. His landmark casebook on constitutional law, co-authored with Kamisar and others, is in its ninth edition. His corporate law casebook is in its sixth edition. In 1982 his *Judicial Review and the National Political Process: A Functional Reconsideration of the Role of the Supreme Court* received the Order of the Coif for the best book published on the law in three years. Constitutional law scholar Kathleen M. Sullivan calls *Judicial Review* “one of the most important works in our generation.” It argues, she explains, why the courts should stay out of battles between the federal government and the states. “They are perfectly equipped to duke it out themselves,” says Sullivan, professor and former dean of Stanford Law School.

In the area of church and state, Choper’s ideas have met with controversy. One reviewer said his tome *Securing Religious Liberty: Principles for Judicial Interpretation of the Religion Clauses* would please no one. And when Choper stated that, according to his interpretation, the Constitution allowed for the funding of parochial schools, he recalls, he “lost all earlier allies.” In religion law, says Sullivan, Choper correctly predicted that the court would uphold more religious participation in public programs. “He’s

Boalt's (40-Carat) Jewel in Its Crown

BY CAROL POGASH

always been a savvy observer, handicapping what the Supreme Court is up to," she notes.

Choper regularly applies his handicapping savvy to the racetrack. A modest man of simple tastes, he calculates that he loses \$10 every time he plays the horses. His clashing clothing, which made him "a joy to tease," says colleague Sanford Kadish, Alexander F. and May T. Morrison Professor of Law, Emeritus, has given way to a more refined style since he married his second wife, Mari, in 1997. He has two

*"He's always been
a savvy observer,
handicapping what
the Supreme Court
is up to."*

*—Constitutional law scholar
Kathleen M. Sullivan*

sons by his first marriage (Marc and Ted) and two stepdaughters (Molly and Emily). Choper religiously attends UC Berkeley's basketball and football games and is the faculty liaison to the PAC 10 and NCAA. His charm cloaks his drive, toughness and synapses firing at the speed of light. He's so disciplined that he grades himself after each class. Although he enjoys classical music, he won't listen until after 5 p.m.

His life, he likes to say, has been a series of accidents, "unplanned decisions made on the spur of the moment. And yet," he adds, "I never made a serious choice I regret, although there have been bets on horses that I regret."

He grew up in the mining town of Wilkes-Barre, Pennsylvania, the son of

Russian-Polish Jewish immigrants. His father, a shopkeeper, died when Choper was not quite 5. After that, he says, "I was largely left on my own." Mentors would guide him; teachers would shape him. It was in law school that he honed his systematic way of thinking that later he would impart to students. While in high school, he won a scholarship at a regional math competition and took a minute or two to choose Wilkes College. "I did real well there," Choper says in characteristic understatement. He had the highest grades in the history of Wilkes.

Although he'd been an accounting major, his college debating coach convinced him to try law school, filling out applications for him to Harvard, Yale, Columbia and the University of Pennsylvania. As a young man, Choper wanted to earn a lot of money, but that gave way to a greater interest—teaching. The schools all offered full scholarships, but the choice was simple: the University of Pennsylvania

Law School found him a job teaching accounting at the Wharton School. Kamisar compares the twinning of such diverse subjects as accounting and law with excelling at bridge and football. In law school, Choper ranked second only to Anthony Amsterdam, "a genius," Choper says of the prominent civil rights advocate. Among classmates Choper was known as "the first among the mortals."

Before Choper graduated, the dean at Penn wrote to Supreme Court Chief Justice Earl Warren '14 on Choper's behalf. Choper calls clerking for Warren "the headiest experience of my life." He worked on three opinions, including one that dealt with church and state (Sunday closing laws), a subject which he had mulled over since

childhood. Growing up Jewish, he recalls, "I had troubling experiences with schools' religious practices." The experience was formative. Choper would become one of the nation's experts on church and state.

At the Supreme Court, he fell in love with constitutional law. Choper has maintained his ties to the highest court; one year he placed four Boalt students as clerks. Last year Choper played a direct role in placing three of the four Boalt students clerking there.

His reputation preceded him when he joined Boalt in 1965. While teaching at the University of Minnesota Law School, he co-wrote the landmark constitutional law casebook and in 1963 authored his first article on the constitutionality of religious exercises in schools. The following year the Supreme Court cited his article in a decision.

At Boalt he found "a certain vitality, excitement brewing" among the young faculty. "He was like a boxer," recalls an admiring Henry Holmes '69, a Hollywood entertainment lawyer with Greenberg Traurig. "Some guys hit you once or twice; he'd hit you 10 times." Holmes remembers Choper telling his Constitutional Law class, "You will learn to love the interstate commerce clause." "Sure, like I care," Holmes recalls thinking at the time. And then, as Choper predicted, he did.

Over the years, Choper's classes have been so oversubscribed that he has limited students to either his Constitutional Law or Corporations course because, he explains, he was teaching the same thing. "I soon realized he was right," says Judith Gold '80, a partner at Heller Ehrman White & McAuliffe. "He was teaching us to think ... to roll our thoughts over and over in our minds like marbles, until we'd looked at them from all angles and they'd become perfectly polished."

Classroom charisma helped Choper during his 10 years as dean (1982-92). "He was a great magnet for people," says Larry Sonsini '66, of Wilson Sonsini Goodrich & Rosati. And many alums found it hard to say no to Choper when he was fundraising. "I would have a lot more money in my life if I had never gotten to know Jesse," muses Stu Gordon '65, of Gordon & Rees. When asking for \$50,000 or more, Choper says, he found it "hard to get the words out," his hands gesturing from his chest to his throat. But his schmooze-with-me personality and the fundraising process he created

increased annual contributions fourfold.

Choper found the second half of his tenure as dean to be "far and away ... the most unpleasant time." Students pushing for a diverse faculty disrupted classes and held sit-ins, including in his office. "One of the functions of a dean during those years was to be a fire hydrant ...," says Kadish, dean emeritus. In retrospect, Choper sympathizes with the students. "They had no power," he says, "and they wanted to accomplish something they felt strongly about. I am a great believer

in the virtues of diversity, but more than others, I am a believer in traditional academic values. For me there were a number of conflicts."

Among classmates Choper was known as "the first among the mortals."

Hearing his critics, Choper oversaw the hiring of more minorities. One year Boalt hired two African Americans (one male, one female), one Caucasian woman, one Hispanic man and a man with Argentinean heritage. He is also known for his professional encouragement of women. In 1980, Gold recalls, Choper helped her with a clerkship when other professors refused, claiming the position should go to a man.

There's something old-fashioned about his dedication. He still takes roll, because if students don't come to class, he says, they might just as well take a correspondence course. And "he still believes in cold calls," says Stephanie Schmid '05, who has tangled with him. Choper admits he's relentless, but always for a larger cause. He warns his students, "I can't answer the questions I'm going to ask."

Generations of students have debated among themselves about what views Choper holds; they can't tease out his politics from his questioning in class. "I live by analytic reasoning," he says, sounding more like the boy from Wilkes-Barre than the law school icon. "It is a narrow talent. It is my talent."

Carol Pogash, a veteran Bay Area writer, regularly contributes to The New York Times



A reflective Jesse Choper in his office in the 1970s.

Larry Sonsini '66
and his collection
of IPO "Lucies."

MYTH



Less than three years out of Boalt Hall, a promising but green lawyer faced the biggest challenge of his young career. Larry Sonsini '66 was asked to handle the public offering for a laser manufacturing company in Palo Alto. Sonsini realized he needed to turn to a higher authority—and he knew precisely where to find one.

"It was exciting and it was terrifying and I remember calling Dick Jennings and saying, 'You know, I'm doing this public offering and no one else in the firm really has ever done one,'" recalls Sonsini of that pivotal event some 35 years ago.

A towering architect in the field of securities regulation, the late Professor Richard Jennings '39 counseled his former student and research assistant, suggesting that Sonsini call him or an expert at the Securities and Exchange

Commission in San Francisco whenever questions arose. Ever diligent and resourceful, Sonsini followed his mentor's advice and pored over the notes he had saved from Jennings' securities class. "I kind of bootstrapped and learned the right way," says Sonsini, who has gone on to become a towering legal figure in his own right.

Larry Sonsini is variously hailed as the best high-tech lawyer in the country, a transactions wonderworker and an almost mythical guru who helped create Silicon Valley. "I was fortunate to be able to come here in the very early growth of the technology industry," says Sonsini, whose clients have included such high-tech behemoths as Apple, Sun Microsystems, Seagate, Netscape, Hewlett-Packard (HP) and Google.

At age 64, Sonsini serves as chairman of the 600-lawyer-strong Wilson Sonsini Goodrich & Rosati, a Palo Alto-based firm regarded as the world's leading provider of legal services to technology and growth enterprises. Borrowing a sports metaphor, a trim-looking Sonsini, who played freshman football and rugby at UC Berkeley, says, "I think right now I'm at the top of my game."

His firm has followed a trajectory similar to Silicon Valley's, and today, with eight offices, represents more than 300 public and 1,500 private companies. In the bull market of 1999, Sonsini figures that his team handled a staggering 110 public offerings. Sonsini, though forced to downsize from some 800 attorneys, describes the ensuing downturn as "a time of opportunity as well as a time of distress," and adds, "I think that's what leadership is all about. It's easy in the good times." Sonsini and his firm responded to the tough times by picking up more public companies and non-tech clients like retailer Williams-Sonoma.

A diplomatic Sonsini, who recently served on the board of the New York Stock Exchange, demurs when asked to single out a career milestone. "There isn't one inflection point. Every year there's been something dynamic," he says, pointing to several highlights: executing that first IPO for a company called Coherent Radiation, taking computer giant Apple public in 1980, handling HP's acquisition of Compaq Computer in 2002 and directing last summer's much-ballyhooed initial public offering of Google.

SILICON VALLEY'S

LEGAL GURU

BY ABBY COHN

fruit orchards that once dominated the South Bay. He immediately hit it off with the firm's founder, John Wilson. "I became the first real associate of the firm," says Sonsini, who admits that he harbored dreams of building a national law firm. "I suppose I was a bit of an entrepreneur also."

In the early days of Silicon Valley, Sonsini partnered with venture capital pioneers on a common mission of helping entrepreneurs build companies. "It was pretty exciting," he says of those heady times. "My whole career was about helping to find business solutions, working side by side with the early venture capitalists."

Sonsini remained in close contact with his law school mentor, first serving as a guest lecturer in Jennings'

company become tremendously successful and people become tremendously wealthy and it all goes back to this great ability to commercialize technology out of our great universities."

Groundbreaking discoveries emanating from Berkeley in the biosciences, engineering, law and other disciplines also contribute mightily to the public good, Sonsini says. "I think it's an honor and a privilege to help an institution grow," he says. "You're really helping advance knowledge—and what greater cause is there?"

As he winds up his fourth decade of practice, Sonsini views himself as possibly more of a business adviser than a legal adviser. "What I'm really hired for is all about business

"I know what technology growth is all about and I've seen company after company become tremendously successful and people become tremendously wealthy and it all goes back to this great ability to commercialize technology out of our great universities." —Larry Sonsini

Securities Regulation class and ultimately taking over teaching duties in 1985 after Jennings retired. Notwithstanding the 40-plus-mile commute, Sonsini relishes the weekly teaching stint at his alma mater. "I love the fact I can teach there," says Sonsini, who now shares classroom responsibilities with his son, Matt '92. "What an opportunity to go and talk to a large group of highly intelligent young people and impart upon them not only the law but the practical aspects of the law," he says, adding that the time he spends on weekends prepping for the class keeps him current with case law relating directly to his corporate practice.

His passionate loyalty toward Boalt and Berkeley emanates not only from his own experience as a student but also from a macro view of the role of a preeminent research university in forging knowledge and new technology. "I happen to see it frontline," he explains from his vantage point of an immaculate if understated conference room at the law firm's sprawling Palo Alto campus. "I know what technology growth is all about and I've seen company after

judgment," he explains, adding that "when it comes to specific legal needs, we have lots of lawyers who can do that really well."

Sonsini believes that Silicon Valley's destiny is harnessed to future technological innovation—and he is upbeat about the prospects for both: "We will go through our economic downturns and upturns; there's no doubt about it."

But the bottom line for Sonsini? "Silicon Valley has proven during the good times and during the down times that it is still the power center in the country, if not the world, when it comes to commercializing technology," he says. "There's no place in the United States that has the firepower, the creativity and the recipe to really build great technology companies."

"I think, as someone said, this is not the end, it's just the end of the beginning."

Abby Cohn is a staff writer for the magazine.

FOCUS ON INTELLECTUAL PROPERTY



At the vortex of Boalt's **top-rated** IP program is

the Berkeley Center for Law &



Technology

(**BCLT**). This



issue of the *Transcript* cele-

brates **BCLT**'s 10th anniversary and chronicles



how faculty, staff and



alumni are making a differ-

ence in the world of

intellectual property.



We profile **BCLT**'s eminent **faculty** members and

stellar **students**. And we honor Boalt **alumni**

whose outstanding



work in this **dynamic** area of law

includes protecting the **IP rights** of Bugs Bunny to



fighting for our **cyber rights**.

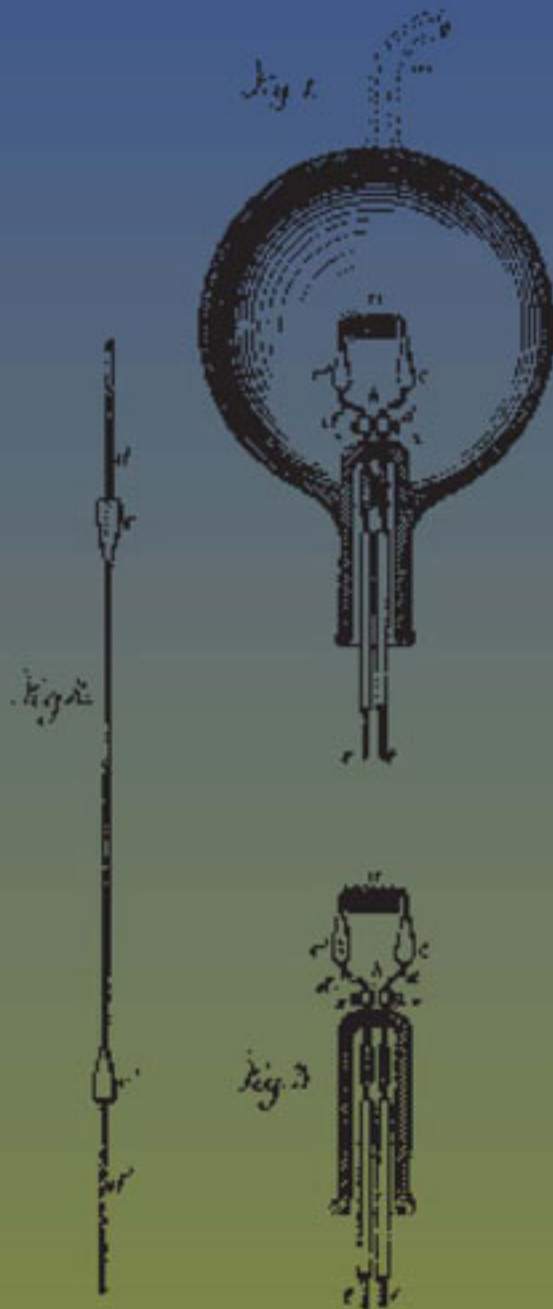
STORIES BY
JESSE FREUND
PHOTOS BY
JIM BLOCK



T. A. EDISON.
Electric-Lamp.

No. 223,898.

Patented Jan. 27, 1880



Inventor
Thomas A. Edison

By Samuel W. Carroll

Attorneys

Charles Smith
H. P. Mackay

1880.

It's no secret. For the seventh year in a row, *U.S. News & World Report* has rated the Berkeley Center for Law & Technology as the top intellectual property law program nationwide. Celebrating its 10th anniversary this year, the center is enjoying its unrivaled reign over the IP landscape. But accolades aside, it's no exaggeration to say that the center is on the cutting edge of IP curriculums, and its alumni command high demand in the IP practice marketplace.

The reasons for the center's success are many but its faculty deserve the lion's share of credit. Intellectual property expert Professor Peter Menell and patent scholar Professor Robert Merges co-founded the program in 1995 with the vision

of a law program that focused on the role of technology and innovation in society and the economy. Since then copyright law pioneer Professor Pamela Samuelson and telecommunications law specialist Professor Howard Shelanski '92 have contributed their scholarship and helped to broaden the scope of the course curriculum. In 2000 policy expert Professor Deirdre Mulligan was tapped to head the Samuelson Law, Technology & Public Policy Clinic—the nation's first law school clinic to focus on the intersection of law and technology.

"As a student, I found that the faculty delivered an incredible level of analysis," says Lee Van Pelt '93, a founding partner at the patent law firm Van Pelt & Yi. "They really drive changes in intellectual property law. They foreshadow developments before they happened. And they provide great preparation for practicing patent law."

Largely it was the yeoman's work of the faculty that transformed a labor of love into a model for legal scholarship. At its inception, the center offered half-a-dozen classes, which, at the time, represented a bold experiment. Today the center serves up a menu of more than 20 courses—including those in antitrust, cyberlaw, patent law, trademark, telecommunications law, securities litigation, copyright and entertainment law. The courses provide an extensive classroom experience for IP law students; over 90 percent of Boalt students elect to take at least one IP class.

"No other IP law program can claim as many course offerings," says University of Michigan Assistant Law Professor Molly Van Houweling, who is visiting Boalt for the academic year. "It's unusual to have so many world-class IP law scholars in one place. The combination of the incredible research faculty and the out-

side experts brought in to teach makes the Berkeley Center for Law & Technology unique," says Van Houweling, a former research fellow at the Berkman Center for Internet & Society at Harvard Law School and the Center for Internet and Society at Stanford Law School.

The success of BCLT, however, wasn't always assured. When Menell first hatched the idea for a law and technology program that broadened the traditional purview of patents, copyright and trademarks, the concept was deemed unnecessary and impractical. The vision ended up being revolutionary.

Best in Class

BY JESSE FREUND

"There were no IP courses when I went to Boalt," recalls patent lawyer Harold Hohbach '52, a founding partner in the groundbreaking San Francisco patent law firm of Flehr, Hohbach, Test, Albritton & Herbert. "There was one course on antitrust law. That was it. People either went to work at a patent law firm or the [United States] Patent Office to gain experience. Today's program is outstanding by comparison."

In addition to its dynamic faculty, the center's location near so many technology innovators is also a key to its success. Indeed Boalt's proximity to the world's finest computer, biotech, multimedia, and digital entertainment companies helps to attract students and create opportunities for them once they graduate. But geography aside, a driving force of the center's rise to eminence has been its efforts to create something new and unique.

From the start, the center's faculty members were resolute in their desire for a program that encouraged leading-edge student

scholarship. This was no accident. There was already a long tradition of student interest in law and technology at Boalt. The student-run *Berkeley Technology Law Journal* is celebrating its 20th year in publication and together with the *Annual Review of Law and Technology* has defined the center as a leader in student authorship.

Hands-on activities at Boalt also go far beyond publishing. For the past four years, the Samuelson Law, Technology & Public Policy Clinic has provided an innovative experience for students interested in pursuing law and technology policy. Founded with a \$2 million endowment from Samuelson and her husband, Robert J. Glushko, and headed by Mulligan, the clinic acts as an autonomous law firm within Boalt. Students file *amicus* briefs in legal cases of national importance, help governmental bodies sort through the privacy implication of digital surveillance, and aid non-governmental organizations seeking to provide HIV medication in the Third World. The clinic offers a glimpse of tomorrow's technologies—and the hot-button legal topics surrounding them—as well as the future of law school education.

Aside from its student activities, the center owes much of its success to concerted faculty outreach. Conferences on emerging technology and law topics—legal protection for software, biotech and the law, digital rights management, and e-commerce—have established the center as a national think tank for the legal implications of new technology. Working on a global level, the center co-organized the international digital rights conference that took place this past January in Berlin. In early April, Berkeley will host its ninth international conference and this year it will focus on the regulatory challenges presented by spyware.

No doubt the center's powerful presence can be attributed to a variety of factors. But what really distinguishes the Berkeley Center for Law & Technology is the quality of its alumni. They command exceptional attention in the marketplace for IP lawyers. And while the Boalt education helps alumni on the job market it also helps employers to have the nation's brightest students.

"In my patent law class alone, there are 10 students with Ph.D.'s in computer science," says Ranganath Sudarshan '06. "I'm surrounded by extraordinary people at Boalt. It's an incredibly vibrant community." It's hard to predict the center's next 10 years. But if the previous decade is any indication, more great accomplishments are forthcoming.

Jesse Freund (jesse@thinkcorps.com) is a freelance writer based in Oakland, California.



If there is one reason that the Berkeley Center for Law & Technology exists today, it's Professor Peter Menell. Like the visionary CEO of a technology start-up, Menell combines dogged determination, uncanny marketing savvy and uncompromising vision. Today the center is the nation's top-rated intellectual property law program and has been for seven years running. But while the center serves as a testament to Menell's keen stewardship, its path to success hasn't always been so clear.

Menell's Silicon Valley-esque ethos can be traced back to his first days as a Boalt faculty member in 1990. At the time, the school was attempting to reorganize curricula around new strategic areas. Menell, an acknowledged copyright and environmental law expert, suggested that one of the new themes could be the intersection of law and technology. Some faculty, however, appeared nonplussed by the idea of a law and technology program that exceeded the traditional purview of intellectual property law.

"I said to myself, 'This law and technology concept has legs,'" recalls Menell. "I knew we needed to think more broadly. So I created a blueprint for the program, and the first thing I realized we needed to do was expand the faculty."

In 1994 Menell persuaded the faculty to invite Professor Robert Merges, a patent law expert, to visit Boalt. While Merges lived at Menell's house, the two cooked up a strategy for an ambitious program that would build scholarship, teaching and policy research around the technological revolution taking shape in Boalt's backyard. As with any start-up, however, the challenges were daunting.

"This was a time when resources at the university were very tight," says Menell.

"You couldn't just go ask for money. We were told, 'If you want to create this center, you have to fund it.' Suffice it to say, venture capital was not something we had planned to do in our careers."

Menell and Merges persisted with their start-up mindset and were rewarded with a fortuitous event. Ray Ocampo '76—a former Boalt student and then senior vice president, general counsel and secretary at Oracle Corporation—offered to host a meet-and-greet with the area's top IP law firms. A reception followed, at which Menell and Merges made their pitch to 20 top IP lawyers. The idea excit-

ed the lawyers, and the two professors soon had their seed money.

Funding proved to be only one-half of the start-up story. For the next few years, Menell embarked on a marketing mission that would be the envy of any tech company. In 1997 Menell and his Boalt colleagues authored the first casebook surveying copyright, patent, trademark, trade secret and antitrust law as a unified course emphasizing new technology. *Intellectual Property in the New Technological Age* not only became the best-selling law school text on IP—it also helped put the center on the map.

Subsequent publications also proved to be overwhelming successes. But Menell realized that the center could generate a buzz in other ways. In 1996 he and Merges co-organized the first of nine (and counting) national conferences on law and technology subjects; since then, confabs on topics like legal protection for

software, patent reform, digital content, IP and antitrust, and digital rights management have exposed the center to an international audience of scholars. The next year, Menell began the *Annual Review of Law and Technology*, a special issue of the *Berkeley Technology Law Journal*, featuring comments by Boalt students. Nearly 200 Boalt students have been published during the eight years he has guided the *Annual Review*.

In 1998 Menell devised a course to train federal judges on IP law through a program organized by the Federal Judicial Center (FJC). Since that time, he has

organized nearly two dozen programs for the FJC that have reached almost all federal judges from the appellate level down. Through conferences, publications and the growing legions of well-trained students, Menell and his colleagues have established the center as a virtual mecca for tech law research, training and public policy.

In recognition of his hard work, Menell was named executive director of the center in 2000. And he hasn't looked back. "As we approach our 10-year anniversary, we've proven that the center isn't a flash in the pan," he says. "We've followed through in terms of research, education, conferences and student writing. We've built a bridge between the classroom and the practice and policy worlds."

Like the projects of great visionaries, BCLT's success has exceeded even its founder's dreams.

—JESSE FREUND

The Steward



How many lawyers can say that they worked for Intel back in the 1970s? Or that they helped create the software that put the Apple II on the map? Not many. Then again, **Professor Robert Merges** isn't most lawyers.

"After college I didn't have the money to go to law school, so I deferred for a year and went to work for a company that was building software for Apple," says Merges, who now serves as director for the Berkeley Center for Law & Technology. "As I was preparing to leave for Yale, my co-worker said I was crazy to leave three-quarters of my options on the table. But by the time I was done with law school, the company had gone broke and the options were worthless. That's how you

After graduating Merges returned to the Silicon Valley and for the next year worked at the renowned law firm Fenwick & West (back then it was Fenwick, Stone, Davis & West). There he became an expert in start-up law. He helped tech startups file articles of incorporation, organize board meetings and resolve the legal issues that plague new companies. But when his soon-to-be wife was accepted to graduate school at New York University, Merges was on the move once again.

The transition would prove a defining moment in his career. He accepted the Julius Silver Fellowship in Law, Science and Technology at Columbia Law School. Aside from giving him his first taste of

some on trademark, but it seemed like the law school world hadn't discovered patents. The contrarian in me came out. And like a lot of things in life, it was just a matter of good timing."

And Merges kept experiencing good timing. In 1982 the government had created the Federal Circuit Court of Appeals for patent law. Combined with the increasing importance of the tech industry in the economy, the unified court of appeals propelled patent law into the spotlight. Merges' contrariness began to pay off.

He has published many books on patents, including *Patent Law and Policy: Cases and Materials*, *Intellectual Property in the New Technological Age* and *Legal Protection for Computer Technology*. His articles, such as "As Many as Six Impossible Patents Before Breakfast: Property Rights for Business Concepts and Patent System Reform," have helped shape the discourse on patent law during a time when the tech and biotech industries have brought this aspect of intellectual property law to the forefront. His expertise has led him to serve as a special consultant to the U.S. Department of Justice (DOJ) in the Antitrust Division and as a member of the DOJ's Task Force on Intellectual Property.

Merges' scholarship on patent law might tell a compelling and complete story for most academics, but he seems equally proud of co-founding the Berkeley Center for Law & Technology with Professor Peter Menell nearly 10 years ago. "I don't know that it has exceeded our wildest dreams, but it is certainly on the far side of our expectations," says Merges. "We did it as a labor of love."

—JESSE FREUND

The Patented Contrarian

know you've been in the Bay Area too long—you've seen the booms and busts many times."

It wouldn't be the last time Merges would show prescient judgment. While at Yale, he decided to study the types of intellectual property issues that he encountered while working in Silicon Valley. It wasn't easy. "In the 1980s, Yale wasn't exactly a hotbed of intellectual property scholarship," explains Merges. "I learned how to go to the library and teach myself the things I needed to know. I'm a big believer in self-directed study."

academia, Columbia provided Merges with the opportunity to meet economist Richard Nelson. Through their collaboration, Merges would discover the subject matter that would define his scholarship. He would soon become one of the nation's foremost experts on the economics of the patent system.

"When I was in practice, I didn't pay much attention to patents," says Merges, the Wilson Sonsini Goodrich & Rosati Professor of Law and Technology. "When I got to Columbia, I realized that there was a lot of writing on copyright and

The



Lawyer-Machine

Interface

Although Professor Pamela Samuelson claims not to be a technologist, she might be the legal community's closest kin. A director at the Berkeley Center for Law & Technology, she seems to possess the innate ability to understand the legal consequences of technological developments before they even happen. For the past 20 years, in a constant stream of law review articles, as well as in the "Legally Speaking" column she pens for the journal *Communications of the Association of Computer Machinery*, Samuelson has foretold the history of copyright law as it has undergone its most explosive transformation.

To understand Samuelson's impact, one has to realize that before the 1980s, the idea of extending copyright protection to computer programs seemed almost heretical. In the early part of that decade, the courts began to view computer languages as text, which is copyrightable, and then immediately started granting broad copyright protection to computer programs. Samuelson was among the first to realize that overly broad protections threatened to stifle innovation in the burgeoning software industry.

In 1986 the 3rd U.S. Circuit Court of Appeals issued a landmark ruling, *Whelan v. Jaslow*, that granted copyright protection to every facet of a computer program—from the organizational structure of the user experience, to the look and feel, to the code itself. Through a series of law review articles and *amicus curiae* briefs, Samuelson argued that copyright shouldn't encompass the functional design elements of a program, such as the interfaces or algorithms.

During other critical cases, such as *Lotus v. Borland* and *Computer Associates v. Altai*, Samuelson continued to file *amicus*

briefs and write articles that encouraged courts to narrow the scope of copyright protection for computer programs. Eventually the courts began to agree that too broad an interpretation of copyright law posed a serious risk to innovation. "Today these are major boring issues," says Samuelson, "but at the time, they were issues of major importance."

With the ascendancy of computer networks in the mid '90s, the technology landscape changed dramatically—as did the nature of copyright law. It became possible, for instance, to manipulate and share data in a way that was never intended by the creators of that information. As the courts and lawmakers struggled to come to terms with the implications of new communications technologies, Samuelson remained an advocate for legal rulings that supported innovation and free speech. In 1997 she was named a "Genius" Fellow of the John D. and Catherine T. MacArthur Foundation in recognition of her efforts to help the courts develop a balanced interpretation of copyright law in the new technological age.

In 1998 her activism hit an even higher gear when Congress passed the Digital Millennium Copyright Act (DMCA). The DMCA made it illegal to circumvent the technical measures used to protect copyrighted works or to traffic in tools that enabled such circumvention. Samuelson believed that such protection would have dire consequences for free speech and technical innovation.

In opposition to the law, she has supported the scholarship of Princeton computer science professor Edward W. Felten

in his suit against the Recording Industry Association of America (RIAA). In 2000 she joined a brief on behalf of file-sharing pioneer Napster in its battle with the RIAA. And most recently, she has submitted an *amicus* brief on behalf of 40 IP professors in support of certain legal positions taken by Grokster—the Internet-based peer-to-peer file-sharing company—in the MGM case. The Supreme Court will hear arguments in the case later this year.

"I like to joke that I couldn't program my way out of a paper bag," says Samuelson. "But I've been a bridge between technology developers and the legal community."

The legal activist has also put her own money where her mouth is. In 2001 Samuelson and her husband, Robert J. Glushko (a computer engineer who co-founded a successful Silicon Valley startup, and an adjunct professor at the School of Information Management and Systems at UC Berkeley), contributed \$2 million to bankroll the creation of the Samuelson Law, Technology & Public Policy Clinic. The clinic allows law students to participate directly in legal cases by filing *amicus* briefs, drafting model legislation, and providing legal assistance to individuals and consumer unions.

"When we first started to talk about the clinic, people said, 'Public interest and high technology, there's no such thing,'" she recalls. "And we said, 'The fact that you think that is part of the problem.'"

As usual, Samuelson was ahead of her time.

—JESSE FREUND



Entering the office of Professor Howard Shelanski '92 is a bit like traveling back in time. There's an old school phonograph belting out bebop classics. Two telephones from the 1940s sit prominently on a golden oak bookshelf. Vintage trappings aside, this is the nerve center of one of the nation's foremost theorists on the future of telecommunications law and antitrust.

In many ways, Shelanski is a study in contrasts. He's equally at home in the hallowed halls of Washington, D.C., and Boalt's labyrinth of passageways. He's a proven policymaker as well as a leading academic. And while a renowned legal scholar, Shelanski is perhaps a more talented economist.

A Study in Contrasts

One thing about Shelanski is certain: his Berkeley roots run deep. In 1992 he received his J.D. from Boalt. One year later he was awarded a doctorate in economics from UC Berkeley. While Berkeley offered him the foundation for a career in public policy, it also left an indelible impression. And he would soon be back to leave his mark on the university.

Shelanski left Berkeley to clerk at the U.S. Court of Appeals for the D.C. Circuit. His aim was to learn about the practical side of regulatory matters. The clerkship would prove a defining moment, albeit with somewhat surprising consequences.

"I always assumed that antitrust was going to be my main area," he says, "but while I was clerking, we had a lot of interesting cases involving telecommunica-

tions regulations. It was not an area that I thought much about before but after working on the Turner Broadcast cases, which went to the Supreme Court twice, it became an area of interest."

After the clerkship ended, Shelanski pursued his newfound interest in telecommunications law. Congress had passed the Telecommunications Act of 1996 and Shelanski became a key player in the new statute's interpretation. While in private practice, he worked on several cases and authored a number of influential articles that challenged the Federal Communications Commission's interpretation of the act.

Boalt took notice of the young lawyer's leading scholarship. In 1997 the school

offered him a faculty position. But while Berkeley wanted Shelanski, Washington, D.C., wasn't quite done with him.

In 1998 the Clinton administration asked Shelanski to serve at the Council of Economic Advisers. The one-year leave he took from Boalt turned into two when Federal Communications Commission (FCC) Chairman William Kennard hired him as chief economist at the FCC. At the commission, Shelanski helped the chairman decide policy on a number of substantial issues, including the regulation of radio spectrum, the efficacy of major telecommunications mergers, and the best way to encourage competitiveness in the telephone marketplace. After the 2000 presidential election, Bush appointee Michael Powell became head of the FCC. He asked Shelanski to come

back. But Shelanski had other ideas. "The FCC was great," he explains. "I got to work on real policy. But my two years were up and I wanted to be back in academia. My heart was in Berkeley."

Since returning to Boalt in 2000, Shelanski has led a distinguished career in academia. He has argued that the FCC and other regulatory agencies should take a more market-based approach with regard to the Telecommunications Act of 1996. He has recommended the deregulation of the phone industry in ways that might benefit the consumer. And in opposition to those who argue that antitrust enforcement is at odds with new technology, Shelanski has made the case that weakening antitrust enforcement will

not improve innovation. He has been a vocal proponent of the idea that instead of retreating from antitrust enforcement, regulators should seek to improve it.

Shelanski brings a unique perspective and expertise to the Berkeley Center for Law & Technology, where he is a director. "Although I'm interested in intellectual property, I probably have the least to do with IP of any professor at the center," he says. "I fit in the substantial areas in which the relationship between law and technology is a regulatory one. I'm less on the property rights side, and more on the regulation and competition policy side." When you're as talented as Shelanski, and you cover an area as complex as telecommunications law and antitrust, simple answers simply don't always suffice.

—JESSE FREUND



Professor Deirdre Mulligan runs one of the most unusual law firms around. None of her associates is a lawyer—at least not yet. And when she and her colleagues sit down to discuss the workload, the conversations veer pretty far out. They talk about the privacy implications of ubiquitous computing. Spyware research. Wiretapping. Digital surveillance. And the intellectual property implications of providing HIV medication to Sri Lanka. Not your everyday water cooler chitchat.

Mulligan heads the Samuelson Law, Technology & Public Policy Clinic, which operates as if it were an autonomous law firm within Boalt. It is the first law school clinic designed specifically to focus on the intersection of law, technology and public policy. "Its goal is to advance forward-looking, innovation-supporting and consumer-protecting intellectual property policy," says Mulligan, a director for the

Electronic Frontier Foundation (EFF). And after the EFF, Mulligan co-founded the Center for Democracy and Technology (CDT). CDT was instrumental in organizing the challenge to the Communications Decency Act, which was eventually ruled unconstitutional by the Supreme Court in 1997. In fact her résumé reads like a what's what of technology law: from digital surveillance to data protection to cryptography policy, Mulligan has worked on nearly every hot-button technology issue confronting the legal community.

As it approaches its five-year anniversary, the clinic's work is having a profound effect worldwide. On be-

the Supreme Court later this year, Mulligan's students will have played an important role in informing the top court's decision, as well as determining the legal standing of file-sharing technologies.

The clinic also has sought to protect consumer rights and encourage competition. Through *amicus* briefs in a series of after-market parts cases, Mulligan's budding lawyers helped the courts narrow the scope of the 1998 Digital Millennium Copyright Act (DMCA). The students argued for an interpretation of the DMCA that would encourage competition and benefit the consumer. In a series of rulings, the courts acknowledged being persuaded by the student arguments.

Post-9/11, Mulligan's group has proven an indispensable resource for sorting through the privacy implications of digital wiretapping and surveillance technologies. The clinic represented the CDT on the legal issues surrounding location tracking policies before the Federal Communications Commission and provided research to the CDT on the proper interpretation of the Communications Assistance for Law Enforcement Act.

Locally the clinic has worked to assess the privacy implications of emerging technologies. It helped the Berkeley Public Library select vendors and think about best practices with regard to radio frequency identification (RFID) of books. It participated in the Federal Trade Commission's workshop on RFID. And it has led discussions on the risks to privacy inherent in tagging information products.

Through it all, Mulligan has steadfastly guided her dedicated students. "I've been there to make sure what the students are doing is accurate, safe and legal," she says. "It has been hard work, but it's extremely rewarding."

—JESSE FREUND

Advocate

The Students'

Berkeley Center for Law & Technology. "Law school is a trade school, but the majority of law schools teach students how to think not how to do." At any given time, 10 to 14 students participate in the clinic's work. They represent real people at proceedings. They testify and make oral arguments. They file *amicus* briefs. They write complaints and replies. They're the first line of "lawyers" that clients deal with.

Mulligan was hired in 2000 to helm the clinic because of her extensive public policy background. While a Georgetown law student, she worked for the American Civil Liberties Union's Privacy & Technology Project. After graduating she joined the cyber rights pioneers at the

half of global humanitarian efforts, it recently worked with non-governmental organizations in Sri Lanka that are attempting to provide anti-retroviral HIV medications to that nation's poor and disenfranchised. The clinic offered invaluable advice to the organizations on the best way to provide the medication without violating international intellectual property law.

Here in the United States, the clinic's work has affected legal cases of national importance. Students filed an *amicus* brief with the 9th Circuit Court of Appeals in *MGM v. Grokster*. The brief helped the court frame the discussion of file-sharing technologies that have substantial non-infringing uses. When the case goes before

In the Trenches and on Alums Excel in

The names are luminous and the list is long. While it wasn't easy, we've narrowed it down to the top 11 alumni who have made a difference in the world of intellectual property and law and technology.



BUGS' GUARDIAN

As general counsel and executive vice president for Warner Bros. Entertainment, **John Schulman '72** helps protect the IP rights of Bugs Bunny, Superman and *The Jazz Singer*—not to mention the other 6,600 feature films, 40,000 television titles and 14,000 animated pieces at the television and movie studio. Prior to joining

Warner Bros. in 1984, Schulman worked for the entertainment law firm Kaplan, Livingston, Goodwin, Berkowitz & Selvin, which was an outside counsel for the studio. Since becoming general counsel at Warner Bros., Schulman has helped the company triumph over potentially crippling lawsuits, including *Estate of Garrison v. Warner Bros.* and *Byers v. Warner Bros.*, a copycat liability case that claimed the 1994 Oliver Stone film *Natural Born Killers* inspired a young couple's deadly crime spree. In his public statements, Schulman framed *Byers* as a First Amendment case over the freedom of artists to create. He is busy defending the company's intellectual property, and he remains an outspoken critic of overseas IP incursions and online piracy, as well as an advocate for legal reform in those arenas.

HE'S IN THE GAME

Joel Linzner's list of past clients reads like a who's who of Silicon Valley: Electronic Arts, Sega Enterprises, Sony Computer Entertainment, Yahoo!, Apple Computer, Creative Labs and Wells Fargo Bank. While Linzner '77 has represented some of the biggest names in computers and video games, he cites his efforts defending the little guys as his shining moments. In 1989 he successfully defended the young entrepreneurs at



Distinctive Software against their parent company's attempt to shut them down and take over their business. At the time the case represented one of the first to apply copyright issues surrounding computer program modules. Today Linzner plies his wares as senior vice president of business and legal affairs at Electronic Arts. The Redwood City, California-based company acquired Distinctive Software in 1991. Electronic Arts is widely recognized as the world's leading independent developer and publisher of interactive entertainment software. If someone wants to challenge the company's intellectual property, they will have to get through Linzner first.

APPLE OF APPLE'S EYE

Giving new meaning to the phrase Mac attack, **Nancy Heinen '82** joined Apple as senior vice president and general counsel in 1997. One of 70 women holding general counsel positions at Fortune 500 companies in 2003, Heinen is responsible for overseeing legal matters for the Cupertino, California, computing giant. She was previously vice president and general counsel and secretary at NeXT Software, where she was responsible for preparing the company for its initial public offering and was counsel for NeXT in its acquisition by Apple. Before her work at NeXT, Heinen served as group counsel at Tandem Computers, where she managed legal affairs for various operating divisions, advised the board of directors, and prepared SEC disclosure documents.



SAFEGUARDING FOX'S IP

Rita Tuzon '76 is the only lawyer who can truly claim that she represented Bart Simpson. Well, more accurately, she successfully defended Twentieth Century Fox against actress Tracy Ullman's claim of rights to the merchandising profits from the hit television series *The Simpsons*. Ullman had argued that the Simpson characters originated on "her" television show. After a three-week trial, the jury took two hours to reject Ullman's claims. Last March Fox Cable Networks named Tuzon as executive vice president, business and legal affairs, and general counsel. As such

the Frontiers, Intellectual Property

Tuzon supervises all legal and business matters for the slate of Fox cable channels. Her biggest challenge is defending the company's intellectual property as in her recent defense of the Fox series



Arrested Development from trademark claims by the band of the same name. "Fox is a media company; its commodity is the ownership, licensing and distribution of intellectual property," says Tuzon. "Throughout nearly everything we do, including many contractual matters, safeguarding our owned and licensed rights and our ability to distribute that content is our primary concern." In other words, don't try to outfox Fox's legal guardian.

OPEN SOURCE EXPERT

Heather Meeker '94 helped to open Greenberg Traurig's Silicon Valley office in 2004. She has advised many of today's leading-edge companies, including VA Software, CitySearch, Philips, and Autobyte.com. Her scholarly writing often concentrates on open source software licensing, and she is co-chair of the American Bar Association's Science and Technology Section's new Committee on Open Source Software. At the firm she specializes in drafting and negotiating intellectual property transactions for software and other technology industries. She's authored the textbook *Intellectual Property Licensing: A Primer* as well as numerous law review articles on technology and law subjects. Prior to attending Boalt, Meeker worked as a computer engineer and a professional musician, playing the drums and percussion. Today she's more apt to beat the war drums on her clients' behalf.



SECURING SECURITY

Art Courville '87 is senior vice president and general counsel for Symantec Corporation. In his role, Courville manages mergers, acquisitions, intellectual property licensing, OEM sales support, litigation management, patent supervision and other corporate matters. Before moving to his current position at Symantec, Courville served at various junctures as director and senior direc-

tor of its legal department. He was also the director of product management for all Java programming and HTML editing products. Prior to joining Symantec, he practiced with Gibson, Dunn & Crutcher. Courville also holds an M.B.A. from the Haas School of Business at UC Berkeley. He is a member of the board of directors for the Business Software Alliance and is a designated trustee of the Software Patent Institute.



PIRATES' WORST NIGHTMARE

As senior vice president, general counsel and corporate secretary for Adobe Systems Incorporated, **Karen Cottle '76** helps the company manage its legal interests. She is responsible for the digital imaging giant's public policy, anti-piracy and litigation efforts. Cottle's key challenge at Adobe is combating piracy, which, she says, costs the company nearly \$500,000 in annual revenues. Cottle is proud that the Adobe legal team is a business asset for the company. Prior to joining Adobe, she served as general counsel for Vitria Technology and before that she was general counsel at Raychem Corporation. Cottle cut her teeth as a litigator at Farella Braun + Martel. Although she didn't study IP at Boalt, she found her expertise and passion through her private and corporate experiences. "Intellectual property law in the software industry moves quickly," says Cottle. "That's what makes working for a company like Adobe fun. It's not static. It's an innovative field." As the newly elected chairman of the Business Software Alliance's board of directors, Cottle will lead the board in establishing policy initiatives, anti-piracy efforts and global education programs.



THE IP LITIGATOR

Janet Cullum '82 is chair of the Cooley Godward litigation group and works out of the firm's Palo Alto office. Cullum practices in the area of IP litigation, with a focus on trademark and copyright issues, as well as advertising and licensing disputes. She has been



an active litigator in some of the most important cases involving emerging technology and the law, including *A&L Technology v. Resound Corporation*, *Sun Microsystems Inc. v. Microsoft Corporation*, *eBay Inc. v. Bidder's Edge Inc.*, and *Creative Labs Inc. v. Edek Technologies Inc.* In addition to litigating, Cullum advises clients on the selection of trademarks and the legal aspects of copyright enforcement. She previously served as head of the firm's trademark, advertising and copyright

practice group and the intellectual property litigation practice group. Before joining Cooley Godward, Cullum was a deputy district attorney for the County of Santa Clara, where she handled numerous jury cases and bench trials. Cullum is a member of the International Trademark Association and has served on its Education Subcommittee, focusing on federal agency regulations. In 2004 *San Jose Magazine* recognized Cullum as one of Silicon Valley's Top Legal Eagles for her work in patent, copyright and intellectual property law.

THE INTERNATIONALIST

Evan Cox '87 is an expert in anti-counterfeiting, anti-piracy and digital rights management strategies and enforcement. As a partner with Covington & Burling, he contributes his intellectual property and antitrust expertise to the firm's San Francisco office. He represents technology companies that need help structuring and negotiating licenses, distribution and joint ventures. He advises clients on U.S. antitrust law and European Union competition law. He represents clients before the Antitrust Division of the Department of Justice, the Federal Trade Commission, and the European Union's Directorate General for Competition. Cox possesses extensive knowledge of the anti-circumvention issues surrounding the Digital Millennium Copyright Act of 1998. And his in-house team of Internet investigators offers clients worldwide forensic and takedown capabilities. Before coming to San Francisco, Cox served in the firm's London office, where he provided outside legal counsel to the Business Software Alliance (BSA) for Europe, Africa and the Middle East. On behalf of the BSA, Cox led the software industry's public policy efforts in the European Union and Eastern Europe and helped to design and supervise civil and criminal copyright and trademark enforcement campaigns in more than 40 countries.



START-UP MAKER

A partner with Kecker & Van Nest, **Michael Page '91** specializes in IP litigation and possesses extensive experience in copyright, trade secret and patent law. He was instrumental in obtaining a favorable decision for his client Grokster in *MGM v. Grokster*, the landmark ruling that established the legality and legitimacy of peer-to-peer file sharing. Recently he

received the *California Lawyer* Attorney of the Year Award for his work on behalf of Grokster. Page also has represented Hummer Winblad Venture Partners in the Napster litigation. He has defended 321 studios against major motion picture leviathans. He helped InterTrust Technologies with its patent litigation against Microsoft. And he advised Google in a trademark and cybersquatting dispute. The rest of his client roster is equally impressive: America Online, Nintendo, Electronic Arts, Sega Enterprises, Palm Computing, 3Com and many more. Prior to joining Kecker, Page was an associate with Howard, Rice, Nemerovski, Canady, Falk & Rabkin.

PATENT BUSTER

As a staff attorney with the Electronic Frontier Foundation (EFF), **Jason Schultz '00** spends his time fighting for your cyber rights. He specializes in intellectual property and reverse engineering, and he assisted in the founding of the foundation's Patent Busting Project. Schultz helped to defend Web animation studio JibJab Media against music publisher Ludlow Music (*JibJab Media Inc. v. Ludlow Music Inc.*) over the right to use the song "This Land Is Your Land" in a Web parody of the Bush-Kerry presidential race. EFF alleged that JibJab's animated work was a protected "fair use" and did not infringe Ludlow's copyrights. In the course of investigating the case, Schultz and EFF learned that the classic Woody Guthrie song had been part of the public domain for decades. Before joining the foundation, Schultz worked for Fish & Richardson, where he "spent most of his time invalidating software patents and defending open source developers in lawsuits," according to his EFF biography. This spring Schultz is teaching cyberlaw at the Berkeley Center for Law & Technology.



—JESSE FREUND

While it's tempting to think that undergraduates come to Berkeley fresh-faced and eager to learn, it's important to bear in mind that Boalt students arrive already adept at impressive scholarship—and capable of much more. Consider our four top intellectual property (IP) students who are preparing to shape today's legal foundations for tomorrow's technologies.

Yen P. "Titi" Nguyen '05 might just create a novel vision for social justice in the new technological age. With a joint undergraduate degree in law and society and computer science, Nguyen arrived at Boalt with an ambitious agenda. "People think of technology as different [from] the rest of society, and I'm out to change that," she says. As editor in chief of the *Berkeley Technology Law Journal* (BTLJ), she's certainly well positioned to do so. Nguyen dreams of one day joining the U.S. Department of Justice high-tech unit as a federal prosecutor. In the meantime, she plans to cut her teeth as a patent attorney at Weil, Gotshal & Manges.

Felix Wu '05 could build the technologies of tomorrow, but he'd just as soon determine their legal standing. He plans to complete his J.D. in May and his Ph.D. in computer science soon after. "I worked building cryptography theory for digital rights management," he says, "but I found it impossible to just look at the technology. I needed to bring [in] a social and legal perspective." Wu, the BTLJ's associate editor, published his article "*The United States v. The American Library Association: The Children's Internet Protection Act, Library Filtering, and Institutional Roles*" in the publication last year. Wu aspires to a career in legal academia, but he plans to gain real-world experience first as a litigator at Covington & Burling.

Azra Medjedovic '05 brings a rich personal history to her work at Boalt. A refugee

from Bosnia-Herzegovina, Medjedovic has worked at the student-run California Asylum Representation Clinic at Boalt. "I'm an asylee so that was very rewarding," she says. Through her involvement with

Rising Stars

the Samuelson Law, Technology & Public Policy Clinic, Medjedovic has advised the University of California on surveillance best practices and worked on challenges to the Digital Millennium Copyright Act with regard to academic research. With a background as a chemist, Medjedovic hopes to pursue patent litigation at Weil, Gotshal & Manges.

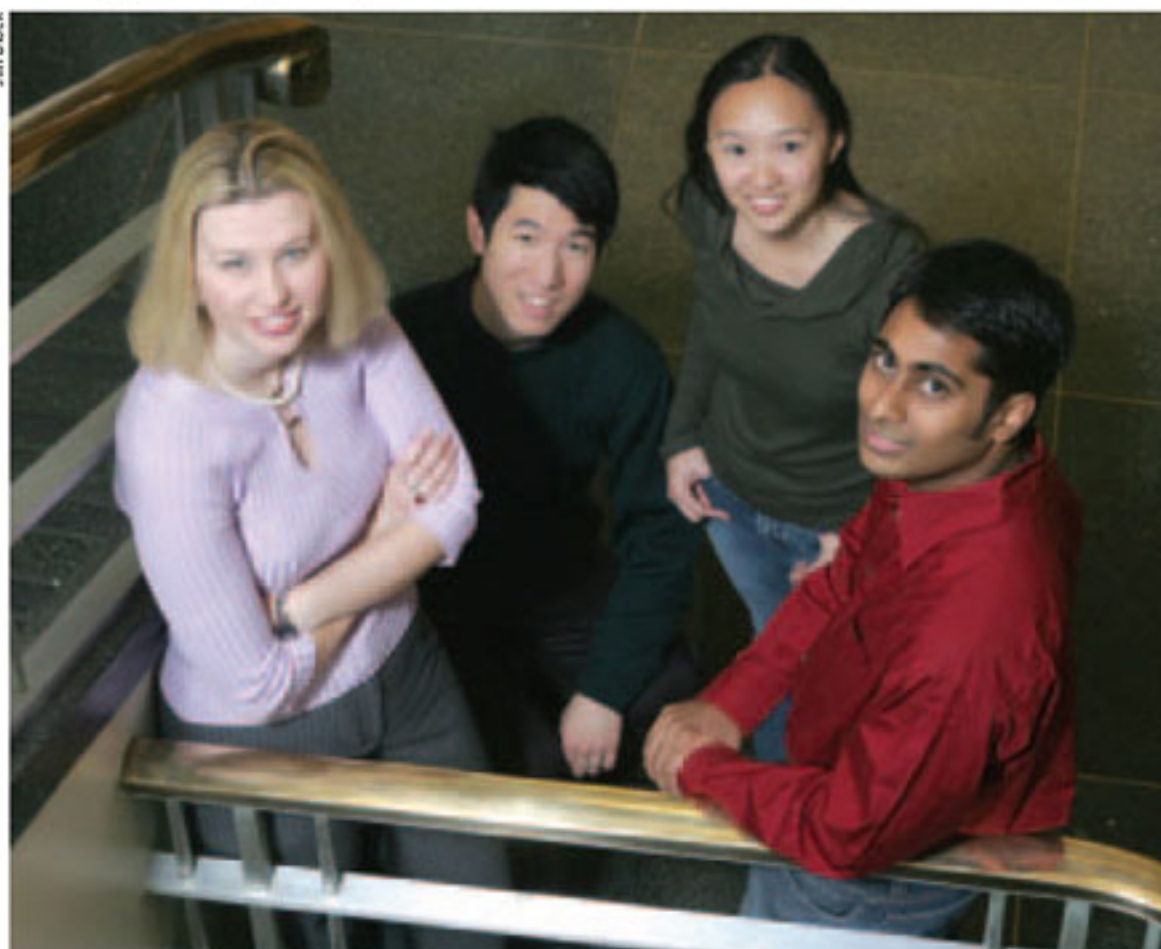
Ranganath Sudarshan '06 gave up a rocketing career in engineering in order to

attend Boalt. "I was a hard-core engineer," he says. "I worked at start-ups and big companies like Intel. But I couldn't see doing it in five or 10 years. IP law was simply more exciting because I get to work with people." Since coming to Boalt, Sudarshan has become an active partici-

pant in the *Berkeley Technology Law Journal*. After working with the publication his first year, he ran for and won a seat on its executive board this year. Sudarshan plans to pursue his interest in patent law at the Silicon Valley office of Skadden, Arps, Slate, Meagher & Flom after graduating in 2006.

—JESSE FREUND

Jim Bock



Stellar IP students (left to right) Azra Medjedovic '05, Felix Wu '05, Yen P. "Titi" Nguyen '05 and Ranganath Sudarshan '06 bring a diverse portfolio of expertise and experience to their work.

Alums Return for Celebration and



1> David Blicher '64 and an old friend; **2**> Therese Stewart '81;
3> Miriam Rokeach '73, Ellen Widess '74, Bernida Reagan, a playful guest and Mary Lee '79;
4> Henry Shields '74, John Burriss '73 and Thomas Williamson '74;
5> 1994 classmates, including Jennifer Sanders, Ingrid Mittermaier, Gregory Cavallo, Caroline Zouloumian, Mark Scadina, Lara (Saunders) Callas and Jessica Rossman Martin, gather with guests and friends;





6> Alec Cory '39; 7> David Stanton '99, Adam Pliska '99 and Niloofar Nejat-Bina '99; 8> Steve Bochner '81; 9> Jane Zerbi '93, Earl Willens '59, Nancy Doig '03, Warren Widener '67 and other alumni enjoy their return to Boalt.

PHOTOS BY JIM BLOCK



Conversation



THEN: The late Nicholas Dubsick '38 (in sweater vest) pitches pennies with classmates.



Photo courtesy of J. Richard Johnston '39

academic grind? Or did infatuation with All Things New make pitching pennies seem as quaint as stickball and high-top shoes?

Today's Boalt students (some wearing retro high-top shoes) have over 50 organizations from which to select when deciding how to spend that precious time away from casebooks and nutshells. A typical issue of the *Boalt Bulletin Board* includes announcements about student gatherings based on ethnicity, faith, politics, academic concentration, future employment, gender, sexual orientation, literary bent and many, many more. Perhaps the most playful yet engaging (and therefore the most *echt-Boalt*) is the organization devoted to the Fox Television Network's program, *The O.C.* A self-proclaimed "totally awesome" group, called "*The O.C. at Boalt*," follows the chronicle of characters with names like Ryan and Seth and Summer, who wrestle with teenage angst on the golden beaches of Orange County, California. The Boalt group pulled fantasy into reality last year when it invited one of the show's stars, actor Peter Gallagher, to visit the law school. In honor of the fictional character Gallagher plays on TV (public defender Sandy Cohen), the law students established the Sandy Cohen Fellowship, a real summer grant for students seeking real work in a real public defender's office. This decision to turn mere amusement into direct social action is typical, for today's Boalt students seem ill-at-ease with the notion of idle play. The assumption that even silliness should have a proactive edge is now somehow quintessentially Boalt Hall.

Do the ghosts of law students past linger in the shadows of Old Boalt, pitching spectral pennies at a fading wall? If they do, it is nice to imagine that a few of them might pause in their game, glance over at today's Boalt students, and murmur softly, "Totally awesome!" 🐾

Visit *The O.C. at Boalt*: oc.boalt.org

Peg Skarzynski



NOW: *The O.C.* at Boalt members flank actor Peter Gallagher.

Pastimes Past and Present

J. Richard Johnston '39 has photographs to prove that they did it. Joseph Woods '49 remembers that it always happened against the south wall of the building. Aldo Guidotti '44, who first came to Cal as an undergraduate, remembers it as a "ritual" he had observed for years among the older students attending the School of Jurisprudence.

Boalt grads of a certain age remember a favorite law school pastime: pitching pennies against the exterior wall of the old Boalt Memorial Hall of Law (now known as Durant Hall). But what is not clear is the object of the game. It seems that there are as many ways of pitching pennies as there are of briefing a Supreme Court case. For some, the object was to land the penny closer to the wall than any of your opponents, without actually striking the wall. For others, the goal was a skillful ricochet off the wall into a circle inscribed in the dirt. The "pitcher" got to keep all the pennies landing within the circle, while his opponent grabbed those falling outside. (Like the law school of the period, pitching

pennies seems to have been a mostly male pursuit.) Still others turned the activity into a simple game of chance with predictable odds: we pitch two pennies and if one turns up heads and one tails, I win; if both turn up heads or both tails, you win.

But where are the throws of yesteryear? With the move to the new Boalt Hall in 1951, typical law school fun seems to have passed through a mid-century time warp. The catalogue of classes for the academic year 1950-51 for the first time proudly displayed an architectural rendering of the new building, and also for the first time included a section titled "Law Student Organizations." Prospective students were promised a wide array of more structured extracurricular amusements: "The activities of the [Boalt Hall Students'] Association are directed to matters of general law school interest including ... athletic and social events. In addition to the Association, each law school class has its own organization to promote class activities." Was it the spaciousness of the new building which triggered this efflorescence of distractions from the

You're Invited!

Register
for alumni events and obtain
additional information at
[www.law.berkeley.edu/alumni/
events/calendar.html](http://www.law.berkeley.edu/alumni/events/calendar.html) or call
510-642-2591 or email
rsvp@law.berkeley.edu.

April 9

6th Annual *Berkeley Technology Law
Journal* Banquet

Berkeley

Contact Berkeley Center for Law & Technology

www.law.berkeley.edu/institutes/bclt

510-643-6960

April 13

Kadish Lecture

"The Divergence of Promise and Contract"

Speaker: Professor Seanna Shiffrin,

University of California, Los Angeles

Boalt Hall

Contact Kadish Center for Morality,
Law, and Public Affairs

www.law.berkeley.edu/kenpro/kadish

510-642-3627

Alumni Reception for New Admits

New York

April 18

Alumni Reception for New Admits

Boston

April 20

Alumni Reception for New Admits

Washington, D.C.

April 22

Golden Circle Luncheon

Boalt Hall

April 27

Los Angeles Alumni Chapter Event

"A View from the Bench: A Boalt Perspective"

Featuring Judges Richard Paez '72, Ann Jones '84,

Diana Wheatley '74 and John Wiley '80

April 28

Alumni Reception for New Admits

San Diego

May 4

New York Alumni Chapter Reception

"Global Issues in Competition Policy"

Speaker: Professor Daniel Rubinfeld

May 6

Citation Award Dinner

Honoring: David Andrews '71

and Professor Jesse Choper

San Francisco

May 11

Alumni Reception for New Admits

San Francisco

May 17

Silicon Valley Alumni Chapter Event

"The Corporate Governance of
Venture-Backed Start-ups"

Speaker: Professor Jesse Fried

May 19

Sacramento Alumni Chapter Reception

Special Guests: Director of Admissions

Edward Tom and Director of the Center

for Social Justice Mary Louise Frampton

May 20-22

Class of 1965 Reunion

Ojai, California

May 23

Alumni Reception for New Admits

Los Angeles

May 25

San Francisco Alumni Chapter Reception

New York Alumni Chapter Reception

for Young Alumni (1994-04)

June 10-12

International Association of Boalt

Alumni Meeting

Bologna, Italy

June 14

Los Angeles Alumni Chapter Event

"Indirect Copyright Liability:
From Betamax to Grokster"

Speaker: Professor Peter Menell
Santa Monica

September 9-11

Class of 1955 Reunion

Geyserville, California

September 23

Dean's Society Reception

(For annual donors of \$10,000+)

Berkeley

September 24

All-Alumni Reunion

All graduates welcome! Special dinners
for classes ending in '0s and '5s.

Boalt Hall