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*Transcript is published by the University
of California, Berkeley, School of Law,
Communications Department.*

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2009
VOL. 41
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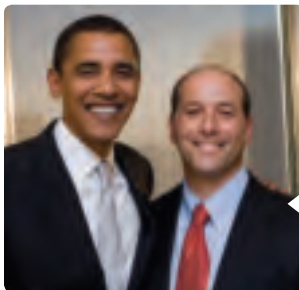
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FROM THE DEAN



“Boalt Hall is unwavering in its commitment to support graduates facing delayed hiring and alumni practitioners dealing with cutbacks.”

—Christopher Edley, Jr.
William H. Orrick, Jr.
Distinguished Chair
and Dean

I am, both by nature and necessity, a positive person, but I don’t believe in baseless optimism. Trust me: Despite California’s wretched economic circumstances, Boalt Hall is not in dire straits. We are on solid financial footing, thanks in great part both to your generosity and to prudent actions we began taking several years ago.

But it would be disingenuous to couch the present reality in the false comfort of phrases like “feeling the pinch” and “tightening our belts.” While Boalt is not, like some schools on the Berkeley campus, at the mercy of the budgetary decisions of the California legislature, we are nonetheless part of the UC system and will continue to share in the fiscal pain and difficult decision-making ahead.

Meanwhile, as the stories in this issue show, we are moving forward with confidence: We’ve hired nine new faculty members since 2008 (page 12); launched the state-of-the-art Koret Interactive Learning Center (page 6), and continue strengthening our cross-campus ties (page 9). Also, research centers continue to make important contributions in the policy realm. For example, Ann O’Leary ’05—an alumna and the executive director of the Berkeley Center for Health, Economic & Family Security—has co-edited Maria Shriver’s blockbuster report on women in the workforce (page 14).

Most important, Boalt Hall is unwavering in its commitment to support graduates facing delayed hiring as well as alumni practitioners dealing with cutbacks. That’s why—despite cutting back in most functions this year—we added two career counselors: Robert White, the school’s first Director of Alumni Career Services, and Alex Lee ’04, who is helping our Career Development Office handle public interest career programming and advising. Another key hire was David Oppenheimer, our new Director of Professional Skills and Clinical Professor of Law, whom we hired to strengthen and integrate our professional skills offerings (page 13).

I hope that this holiday season will be happy and relaxing, and that it will reinvigorate you in mind and spirit to meet the challenges we will face together in the coming year.



IN BRIEF

NEWS FROM THE BOALT COMMUNITY

OLIVER WILLIAMSON

Born: 1932 in Superior, Wisconsin

Education: S.B., Massachusetts Institute of Technology, 1955; M.B.A., Stanford, 1960; Ph.D. in Economics, 1963, Carnegie Mellon

Published Articles:	176
Published Books:	5
Edited Books:	7
Published Book Reviews:	19
Awards and Prizes:	13
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Oliver Williamson's Prized Ideas

At the celebratory press conference held after Oliver Williamson learned he'd garnered a Nobel Prize, Dean Edley confessed that he was "quite surprised" to learn that the Nobel committee had tapped his former student at Harvard Law, Barack Obama, for the peace prize. "But I wasn't surprised at all to learn that Ollie Williamson had won this long overdue recognition."

Edley hailed the "extraordinary breadth" of

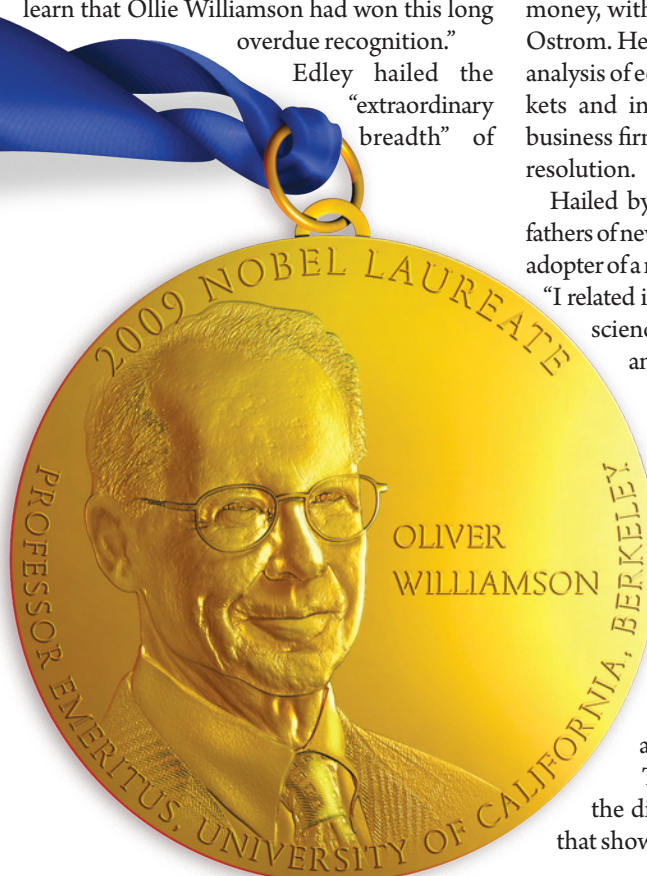
Williamson's contributions and described him as an "anchor" in Boalt's Jurisprudence and Social Policy Program. Williamson held a joint appointment at the law school from 1988 to 2004.

A professor emeritus of business, economics, and law, Williamson shared this year's Nobel in Economic Sciences, and \$1.4 million in prize money, with Indiana University professor Elinor Ostrom. He was honored for his groundbreaking analysis of economic governance in the ways markets and institutions are organized—and how business firms can serve as structures for conflict resolution.

Hailed by colleagues as one of the "founding fathers of new economics," Williamson was an early adopter of a multidisciplinary approach to research. "I related immediately to the idea that the social sciences should communicate with one another," he said, "and that there are boundaries that we ought to be prepared to cross if the phenomenon itself reaches across them."

"It really is one of the most glorious things about this campus that scholars of Professor Williamson's distinction don't live in intellectual silos but instead share their gifts widely and deeply with so many units on campus," Edley said. "Ollie really is an exemplar of that phenomenon."

Testimony to the dean's sentiment was the diverse roster of UC academic leaders that showed up to laud Williamson at the press



IN BRIEF



Debt Buster

A new upgrade to Boalt Hall's Loan Repayment Assistance Program (LRAP) will enable alumni in law-oriented public interest or government jobs to receive more funding.

By piggybacking onto a federal loan repayment plan that took effect in July, LRAP will provide up to 10 years of unlimited support for repaying the law school debt of participants earning less than \$65,000 per year. Debt support had been capped at \$100,000 for qualifying graduates who made less than \$58,000 per year. Those who earn between \$65,000 and \$100,000 will continue to receive assistance on a sliding scale.

"This latest improvement further enables our public-minded graduates to pursue their career passions unburdened by debt," says Dean Edley. Payments start flowing to 2009 graduates in January, and will also be applied to previous LRAP participants who still qualify for support.

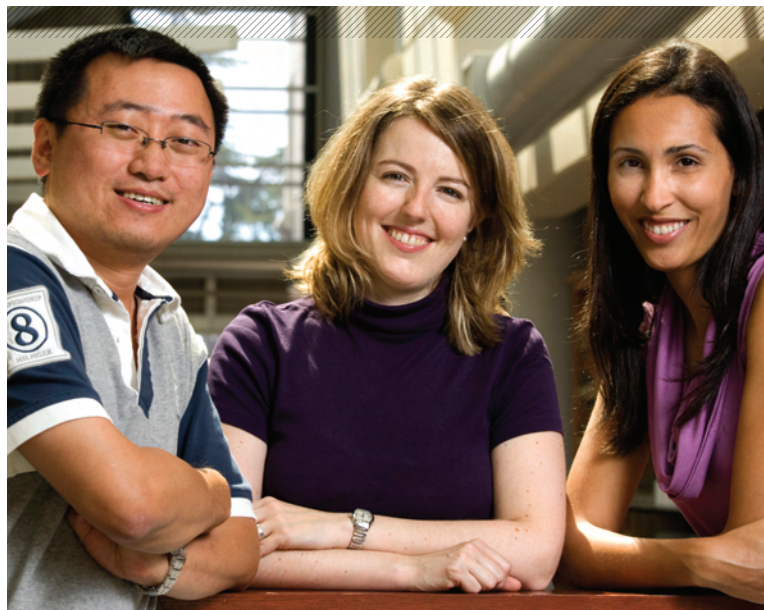
"Having graduated with more than \$130,000 in loans, this is welcome news," says Rebecca Hart '07, a legal fellow at the Center for Reproductive Rights. "It really solidifies Boalt's reputation for supporting students who want to make a difference."
—Andrew Cohen

conference: Edley, Social Sciences Dean Carla Hesse, Haas School of Business Dean Rich Lyons, and Economics Department Chair Gérard Roland all spoke glowingly of his contributions.

The Nobel committee recognized Williamson's research on how institutions are organized—and how that affects economic activity. Recent events that triggered the recession, he said during the press conference, might have been foreseen if institutions such as the Federal Reserve and the Securities and Exchange Commission had been studied as much for how they're run as for what they do. Williamson has argued that knowledge about how organizations work should be applied more

systematically to the study of government. Just as there's the Council of Economic Advisers to analyze financial developments and counsel the president on policy, he believes there would be great value in creating a council of organizational advisers.

"You need deep knowledge about the phenomena in question, and there's no silver bullet or instant answer," said Williamson. He added that policy makers often face "choices between flawed, feasible alternatives" and that by pushing forward the science of organization, those choices "will be made more intelligently in the future than they have in the past."
—Andrew Cohen



WORLD: Dali Qian of China, Tanja Gustinetti Henz of Switzerland, Beatriz Carvalho of Brazil

ated program that spans two 10-week sessions over consecutive summers.

"I plan to become a partner in my law firm one day," says Carvalho, one of 19 students from 13 countries in the first summer class. "I knew an LL.M. degree would help me deal more effectively with American law firms and foreign clients, but that being away so long could slow my career progress."

While the program is condensed and concentrated, the students

World Class: Summer LL.M.

Though their homes are oceans apart, lawyers Beatriz Carvalho of Brazil, Dali Qian of China, and Tanja Gustinetti Henz of Switzerland shared a common dilemma. They wanted to gain an American LL.M. degree without a long absence from families and interrupting the momentum of their careers.

This is a common predicament for lawyers around the world, and Boalt Hall's Advanced Law Degree Program has created an innovative solution: the Summer LL.M. Program. Launched in May, the program offers international lawyers a chance to earn their LL.M. through an acceler-

ated program that spans two 10-week sessions over consecutive summers. find it rigorous and rewarding. "The professors are great," says Qian, a Shanghai attorney who specializes in mergers and acquisitions and private equity work. "They pack a lot in, and the material we cover is extremely helpful for me to understand the U.S. legal matters I often encounter in my practice."

This past summer, the new LL.M. students took on Contracts, Civil Procedure, and either Introduction to Intellectual Property (IP) or Corporations—one at a time for a bit more than three weeks each—as well as Introduction to U.S. Law for all 10 weeks. In the second summer,

they'll tackle Legal Writing and Research, Constitutional Law, Professional Responsibility, and one of four electives: Introduction to IP, an advanced IP course, Corporations, or an advanced business law course.

"A great law school has to be flexible and adapt to students' needs," says Professor Andrew Guzman, Boalt's Associate Dean for International and Executive Education and academic director of the Advanced Law Degree Program. "There's

a large and growing demand for LL.M. programs in the United States, and this increases our capacity to deliver that."

For Gustinetti Henz, the experience has been gratifying on many levels. "I'll bring a lot of new and valuable knowledge back to my corporate practice," she says. "And it's been great to spend time with lawyers from all over the world, especially in a place like Berkeley that values diversity and a wide range of ideas." —Andrew Cohen



A Judicious Appointment

In 1983, just four years after graduating from Boalt Hall, Edward Chen '79 was part of the legal team that successfully argued to void Fred Korematsu's conviction for evading the World War II internment of Japanese Americans. A quarter-century later, President Barack Obama nominated Chen to the U.S. District Court in San Francisco, a move widely hailed as a long overdue step toward improving diversity on the federal bench.

Only eight members of the 875-person federal judiciary are Asian American or Pacific Islander. If approved by the Senate, Chen would become the first Asian American district court judge to serve in California's Northern District, which has presided over *Korematsu v. United States* and several other landmark cases affecting Asian Americans: *Lau v. Nichols* (expanding the rights of limited English-proficient students), *Yick Wo v. Hopkins* (striking down discriminatory laundry ordinances), and *Wong v. Hampton* (eradicating federal civil service rules that excluded noncitizens from employment).

California Senator Diane Feinstein's judicial screening committee recommended Chen, an American Civil Liberties Union (ACLU) lawyer in San Francisco for 16 years before becoming a U.S. Magistrate in 2001. "I am deeply honored to have been recommended by Senator Feinstein and nominated by President Obama to the District Court," Chen said in a statement.

Chen earned his bachelor's degree in economics from UC Berkeley before attending Boalt, where he served on the *California Law Review* and graduated Order of the Coif.



After clerking for two federal judges, he became a litigation associate at Coblenz, Cahen, McCabe & Breyer.

Chen has a long history of involvement in social justice litigation. With the ACLU, he worked on issues involving free speech, the death penalty, employee privacy rights, police misconduct, affirmative action, and race discrimination. Chen also co-chaired the Language Rights Project, co-sponsored by the ACLU and Employment Law Center, which provides legal assistance and public education regarding language discrimination.

In addition to Chen, confirmation of Obama's other California nominees would result in the first Vietnamese American woman and first Chinese American woman to serve as a U.S. District Court Judge.

—Andrew Cohen

DINNER TIME, JUNE 16, 1942: Contracted by the WPA, Dorothea Lange shot this and hundreds of other photos at the San Bruno, California Assembly Center.



GOOD JUDGMENT: Judge Edward Chen '79 has a long history of social justice litigation.

IN BRIEF



Supreme Compliment

A recent email from a friend stunned Carolyn Zabrycki '08: It contained a blog entry reporting that a dissent by Supreme Court Justice Anthony Kennedy relied heavily on an article she'd written while at Boalt.

"I read it five times before accepting that the name mentioned was mine," she says.

Kennedy's *Melendez-Diaz v. Massachusetts* dissent contained three cites to her 2008 *California Law Review* article "Toward the Definition of 'Testimonial': How Autopsy Reports Do Not Embody the Qualities of a Testimonial Statement."

The Court ruled that if the prosecution submits a lab report at trial, it must make available whoever prepared the report for cross-examination. "I'm glad Justice Kennedy disagreed and I'm thrilled he used my article to help explain why," says Zabrycki, who recently joined Munger, Tolles & Olson in San Francisco.

In his popular law blog, *The Volokh Conspiracy*, UCLA professor Eugene Volokh noted that Kennedy's use of her paper was "a feather in Zabrycki's cap" and "encouragement to other students writing student articles."—A.C.



ROOMS WITH A VIEW: The Koret Center gives Boalt an innovative, multipurpose room for optimal classroom teaching, video conferencing, and event recording. Events can be managed from an adjacent control room.

Koret Center: High Tech with Class

Not that long ago, lecturer in residence Stephen Maurer and assistant professor Amy Kapczynski would have found it challenging to bring in guest speakers to their shared class, *Designing Incentives for Neglected Disease Research*. "Our topic doesn't have a lot of scholars," says Maurer, "and they are scattered all over the world."

But Maurer and Kapczynski were able to invite all of their widely dispersed colleagues to Boalt. The recently launched Koret Interactive Learning Center allowed them, as Maurer says "to assemble everybody who was anybody in the field through video-conferencing. Our students could interact with them like they were in the room."

The Koret Center—funded by a \$1.5 million contribution from the Koret Foundation—sits close to Booth Auditorium and the newly renovated Moot Court Room. Loaded with audio-visual capabilities, it's used as a classroom and video-conferencing facility, with faculty hosting guest speakers and co-teaching with instructors from other law schools.

Koret Foundation director Richard Greene '63 says his board "saw many advantages" in creating this innovative facility: "We know the major role Boalt has played on so many key issues, and we proudly support projects that enhance student learning and help teach future leaders."

The new learning center was funded by a \$1.5-million contribution from the Koret Foundation.

For video-conferencing, two large retractable screens at the room's front center show content from the presenter's laptop and a view of the room. Video cameras enable remote viewers to see the presenter or the audience.

Simultaneously, a screen in the back allows the presenter to see what's being transmitted to remote viewers. Each of the Koret Center's 60 seats has a microphone—when someone activates it, the camera automatically shifts to that person so remote viewers can see and hear the questioner in real time. For classroom teaching, instructors use

a front podium—which expands to seat up to four panelists—and two additional screens can be lowered from the ceiling to the room's front corners.

The Koret Center features cork floors that absorb sound efficiently and acoustic wall panels that provide a top-rate recording environment. A technician can

manage an event from inside the room or an adjacent control room, and record it for future use.

"The technology also opens the possibility of offering a class that doesn't have a critical academic mass on any one campus," says Maurer.

The Koret Foundation—which began making philanthropic contributions in 1979—had issued just one other seven-figure grant before funding the high-tech classroom. "It's a lot of money to give one institution," says Greene, "but that's indicative of how important we think this is." —Andrew Cohen

Legal Planet in Orbit!

Legal Planet, an environmental law blog launched jointly by Boalt Hall and UCLA Law School faculty, has not only achieved a stable orbit in the blogosphere—it's succeeded well beyond its founders' pre-liftoff expectations.

"We've averaged more than 14,000 views a month since starting up in March," says Professor of Law Dan Farber, the director of Boalt's environmental law program and co-founder of the popular blog. "That's an awful lot compared to the average number of people who read a law review article." (*In late October, Legal Planet surpassed 100,000 hits.*—Ed.)

Farber—who created Legal Planet with UCLA law professor Ann Carlson to appeal to a general audience—says the informal blog-writing style provides a welcome outlet for participating legal scholars: "It's nice not to fill 50 pages about something and dress it up with 300 footnotes every time you have an idea." In fact, Farber has pared a few of his thoughts down to exactly 17 syllables, the length of a classic haiku. Recently he posted five miniature meditations on the environment. Among them:

*Early October
Copenhagen lies ahead.
Still Congress dithers.*

Boalt Hall's Legal Planet contributors include Farber and fellow faculty members Richard Frank, Holly Doremus, Steven Weissman, and Eric Biber. Collectively, they bring strong expertise to bear on the legal consequences of climate change, energy issues, and environmental law and policy.

Farber also credits Areca Sampson—Legal Planet's webmaster and the administrator of Boalt's Center for Law, Energy & the Environment—as the blog's "marketing and electronics guru" and "moving force" behind much of its success.

The contributors may be prominent academics, but they're still learning about life in the blogosphere. While certain posts are predictably popular—such as climate change's effect on polar bears—others can be surprising.

It didn't take long for Legal Planet to get attention—and links—from other sites. Established news and environmental blogs have republished Legal Planet's posts, and *Congressional Quarterly* asked Farber to opine about the cost of climate change legislation.

"We've been able to present views that are diverse,"

says Farber, "but also reflect the best thinking of legal scholars on advancing the public interest."

—Andrew Cohen

"It's nice not to fill 50 pages about something and dress it up with 300 footnotes every time you have an idea."

—Professor Dan Farber



Supreme Complement

Exhilarated just to be sitting in a clerkship interview with U.S. Supreme Court Justice Ruth Bader Ginsburg, Gerard Sinzduk '08 nearly fell over when it ended.

"She offered me the clerkship right there," he says. "It took awhile for that to sink in."

Sinzduk, who will work for Ginsburg in 2011–12, has already clerked for U.S. Ninth Circuit Judge Marsha Berzon and plans to clerk next on the district court for the Northern District of California.

"I'm drawn to clerking for many of the same reasons that I was drawn to Boalt," says Sinzduk. "It's intellectually challenging, has a significant impact, and enables you to work with and learn from the top legal minds in the country."

His own outstanding legal mind earned him the 2008 Thelen Marrin Prize for Academic Achievement—given annually to the Boalt graduating student with the best academic record.

Before law school, Sinzduk worked for the Federal Reserve Board, a strategic consulting firm, and a nonprofit that reengineers private sector technologies for public sector use.—A. C.



Fanime

The creative practices of American fans of Japanese anime may seem well outside the bailiwick of a legal scholar, but Jennifer Urban '00 says it's not a stretch: "When you're studying norms around cultural products and expression, the paradigms are limitless."

Urban, co-director of the Samuelson Law, Technology & Public Policy Clinic, is probing some aspects of UC Irvine anthropologist Mimi Ito's broad study of youth and

digital media to explore how it intersects with U.S. copyright law and fan expression. Because anime has become a ubiquitous feature of television, films, video games, and Internet content, fan

reuse of images and characters raises copyright issues.

After interviewing fans who develop their own videos from anime, Urban found that "most have strong ideas about what's appropriate or ethical, and seek to support the art form" in how they treat existing original material.

"I'm interested in whether these norms map to copyright law and traditional copyright values and what the implications of differing norms might be for copyright policy," says Urban. "Sometimes a legal regime doesn't keep up with what people are doing, in which case a better regime may be in order." —A.C.



ORDER IN THE SKILLS CLASS: David Oppenheimer and 2L's Ricardo Rodriguez, Laura Beckerman, and Brian Lahti demonstrate a skills class in Moot Court room 140.

Skill Builder Comes Home

“P ractical skills training during law school is no longer a plus; it's an essential,” says Boalt Hall alumnus Raymond Cardozo '94, a partner at Reed Smith's San Francisco office. Boalt's continued expansion of its practical training effort is welcome news to Reed Smith and other firms eager for new hires who can hit the ground running.

“Cost-conscious clients are unwilling to pay for lawyers to learn on the job,” says Cardozo, who is also head of Reed Smith's appellate group.

“Private firms are trying

to get leaner, and public agencies are under tremendous pressure to get more mileage out of dwindling budgets.”

Boalt recently sealed its commitment to ramping up its professional skills program by bringing on David Oppenheimer to be its first full-time director. For Oppenheimer, who has worked for 27 years in legal education, the appointment feels like a homecoming. He spent a year at Boalt as an exchange student in 1977–78, directed its Employment Discrimination Clinic

from 1982–86, and taught there as a lecturer from 1982–87 and as a visiting professor in 1998, 2000, and 2008. His wife earned her undergrad degree from Cal, his stepson Alex DiGiorgio will graduate from Boalt in May, and Alex's twin Joel

DiGiorgio earned his undergraduate degree from Cal and is engaged to a fellow classmate.

“My blood runs blue and gold,” says Oppenheimer, a staff lawyer at the California Department of Fair Employment and Housing before he entered full-time teaching in 1982. “If I'd been asked two years ago to design any job I wanted, it would've been to help revitalize Boalt's skills program. This is truly the culmination of everything I've done in legal education.”

Oppenheimer notes that Boalt already has a robust skills program in place. Core offerings include negotiation, mediation, and dispute resolution; pretrial civil and criminal practice; civil and criminal trial advocacy; transactional and business practices; evidence advocacy; appellate advocacy; and specialized practice courses.

“If I'd been asked two years ago to design any job I wanted, it would've been to help revitalize Boalt's skills program.” —David Oppenheimer

“My role is to strengthen an already formidable program and further integrate it within the curriculum,” says Oppenheimer. “The Boalt community has shown terrific openness and enthusiasm for this effort.” —Andrew Cohen





FOREFRONT

AT THE
LEADING
EDGE OF
RESEARCH
AND SERVICE

Good Neighbor Policy

**Boalt and Haas School of
Business scholars
are expanding and
formalizing their ties**



BUSINESS CONNECTION: Nancy Wallace, a professor in real estate at the Haas School of Business, has joined the Berkeley Center for Law, Business and the Economy as a faculty co-director.

Boalt Hall and the Haas School of Business occupy the same beautiful and bustling corner of the UC Berkeley campus, separated by only a few hundred feet. Until recently, though, it might as well have been a few hundred miles. Historically, collaboration between the two schools was infrequent. Now, the forward-looking researchers at the Berkeley Center for Law, Business and the Economy (BCLBE) and their Haas colleagues are making partnership the norm.

The relatively new era of interdisciplinary collaboration is striking—and refreshing—to a UC Berkeley veteran like Haas professor Nancy Wallace, recently named a BCLBE faculty co-director. “We’re virtually on top of each other,” says Wallace, “and yet there really had not been a significant flow of ideas or training in the 20 years I’ve been here.”

Wallace’s new post is emblematic of BCLBE and Boalt’s commitment to campus-wide mind melding: She is the first non-Boalt co-director of BCLBE. An important milestone to be sure, but not extraordinary, notes BCLBE Executive Director Ken Taymor. “It’s a natural extension of the relationship between the two schools,” he says. “BCLBE’s mission inherently involves business expertise.”

Economic opportunities

The pace of collaboration accelerated when the economy tanked, and teachers and researchers from Boalt and Haas began—at first independently of each other—attempting to untangle and analyze the financial and legal implications of mortgage-backed securities. Both groups soon hit snags: Boalt researchers needed to enhance their understanding of risk-sharing and the valuation

methods businesspeople applied to complicated financial instruments, and Haas faculty needed to get a better handle on the legal concepts and history behind the financial contracts. BCLBE provided a useful venue for the two groups to build on each other's knowledge.

"The best example is John Hunt's work on subprime mortgages and credit ratings agencies," Taymor says. Hunt is an attorney who earned a master's degree in Financial Engineering at Haas in 2007; he became BCLBE's research director with recommendations from Wallace and fellow Haas professor and BCLBE board member Dwight Jaffee. Hunt, who recently took a teaching post at UC Davis School of Law, consulted

experts from both schools to guide his highly regarded work.

Class collaborators

Students from Boalt and Haas are getting together, too, in crossover classes designed to address the intersections of the two disciplines. Wallace recalls one exception to her recollection: the real

estate certificate program she launched at Haas a decade ago in which she required students to take Transactions at Boalt as well as classes in architecture and planning. "The Haas students have been welcomed because they actually understand the business proposition in a lot of the

cases being discussed—which is actually lost on some of the law students," Wallace says. (*Another exception is the legendary Oliver Williamson, see page 3—Ed.*)

Cross-teaching is expanding: Haas adjunct professor Mario M. Rosati '71 now reserves seats in his Haas New Venture Finance class for Boalt students. Entrepreneur and venture capitalist Robert J. Majteles adapted his Haas courses on business planning and early-stage financing to fit law student needs. At Boalt, Professor Eric Talley teaches Corporate Finance to students from both schools.

Though misaligned academic calendars, different course numbering schemes, and other administrative hurdles have sometimes stood in the way, the crossover classes are successfully teaching future lawyers to think like businesspeople, and vice-versa. "There are a lot of businesspeople who think lawyers just say no; our students are learning to analyze business issues to propose alternatives to make their clients successful," Taymor says. "There are things businesspeople can learn to achieve good outcomes from thinking like a lawyer."

And things lawyers can, and should, learn from businesspeople. Wallace points out an unfortunate truth: There is going to be plenty of work for attorneys who understand securitization, mortgage restructuring, and other business and financial constructs as the economy retrenches and government regulation expands. "It is a real opportunity," she says, "so this is the kind of training they need to be effective at this kind of work."—*Fred Sandmark & Jared Simpson*

"There are a lot of business people who think lawyers just say no; our students are learning to analyze business issues and propose alternatives to make their clients successful."

— Ken Taymor

Setting Things Right

Boalt students help Iraqi refugees rebuild their lives



Clinical Professor of Law
Jeffrey Selbin

For too many distracted Americans, the war in Iraq is old news. For Boalt student Mohammad Tajsar '11, it remains urgent and immediate: His parents, both Shia Muslims from Karbala, were persecuted by Saddam Hussein and left the country in the early 1980s. Tajsar was born in Iran and came to the United States at age eight, but his extended family live largely in Iraq and Iran.

Tajsar protested the war in 2003, even though the conflict sought to remove the man who persecuted his parents. Today, he's distressed by the chaos of the war's aftermath. "Iraq had a highly

educated society and an infrastructure that was second to none in the region," he says. "Now the lives of these educated, middle-class people have been completely shattered." The United States has an obligation to set things right, he believes.

Tajsar's reaction to the war may be personal and intense, but it's not unique at Boalt. He and 25 students have formed the Iraqi Refugee Assistance Project (IRAP) to help Iraqi war refugees rebuild their lives, often in the United States.

Iraqi diaspora

The overall challenge is immense: Some two

million Iraqis have fled the country and live in Syria, Jordan, or Egypt; another three million are internally displaced. In light of those numbers, Anna Sanders, a 3L and co-founder of IRAP, sets a modest goal. “If we help 25 people—which is totally within our scope—that would be great,” she says.

So far, IRAP students have delivered recruitment presentations to Boalt students and asked local law firms for assistance. They’ve established a website—www.irap-berkeley.org—and opened links with a sister organization at Yale Law School and involved NGOs. Sanders spent Fall 2009 on an externship in Cairo, providing legal assistance to refugees—mostly Iraqis—through one of those NGOs, St. Andrew’s Refugee Services.

Fifteen students in IRAP have each elected to shepherd one Iraqi through the Special Immigrant Visa, or SIV, program for people who worked with the U.S. government, often as translators. The SIV process can take six to 18 months—an eternity for people whose lives are threatened, often because of their involvement with the U.S.

Sanders’s client, for example, is a 21-year-old former military translator living near Mosul who wants to attend college in the U.S. For now, their relationship is electronic; once, when Sanders was speaking with him on his mobile phone, his voice grew hushed. “I realized that, if he was heard talking in English on a cellphone where he lives, he could be killed,” Sanders says.

Alumni step up

IRAP is associated with the university’s Human Rights Center and the Boalt Hall Committee for Human Rights. Dean Edley paid for a December 2008 fact-finding trip to Jordan for Sanders and IRAP co-founder Sarah Rich, and for specialized training for students. Practical support has come from attorneys at Pillsbury Winthrop Shaw Pittman—who connected with IRAP through Boalt alumni Hamada Zahawi ’08 and Martín Sul ’08—and other individual attorneys and firms.

But IRAP remains a student-run enterprise. Indeed, at one law firm presentation, an attorney voiced concerns that the students were too independent of the university, to which Clinical Professor of



A FAMILY MATTER: IRAP co-founder 2L Mohammad Tajsar has relatives in

Law Jeffrey Selbin—an informal faculty adviser to the group—responded with reassuring words. “Our students have incredible talent, passion, and energy, and they can do almost anything when they devote themselves to addressing important problems,” Selbin recalls telling them. “The law school can support and even catalyze independent student efforts, but the students themselves are often more nimble and effective in responding to acute and urgent needs.”

“This project started with a bunch of students who worked for a few months to get it off the ground,” Tajsar agrees. Still, IRAP welcomes more alumni involvement. “Imagine what people with means and resources and time can do,” he says.

“We’re the only people west of the Mississippi working on Iraqi refugee issues and resettlement, which is pretty shocking because California is the biggest resettlement state for Iraqi refugees,” Sanders says. “We’d like to see Boalt students and alumni step up to the challenge.”—Fred Sandsmark

“We’d like to see Boalt students and alumni step up to the challenge.”

— IRAP co-founder Anna Sanders ’10

A CAMPAIGN PRIORITY: FACULTY

Welcome Aboard!

Meet Boalt's Newest Faculty Members

This fall, Boalt has brought on nine new tenure and tenure-track faculty members, bringing to 31 the number of core faculty the school has hired over the past five years.

When Dean Edley arrived in 2004, he set out to restore Boalt to the ranks of the nation's Top 10 law schools. One key component of his strategy was to enlarge the faculty by 40 percent while holding admissions steady.

Within four years, Boalt surged from No. 13 to No. 6 in the *U.S. News & World Report* rankings, its highest standing in the rankings' 21-year history. Key to that rapid rise was the school's ability to attract top faculty and, in turn, revitalize course offerings, fortify research programs, and expand options for custom-tailored degrees. Today, new hires number 31—for a net gain of 23 percent—and the faculty/student ratio is about to pass 1:11 on its way down from 1:18.

Meet this year's additions to Boalt Hall's distinguished faculty:

Robert P. Bartlett, III

- Assistant Professor of Law; Faculty Board Member, Center on Law, Business and the Economy
- J.D., Harvard Law School; B.S., Harvard University
- Interests: Securities regulation, corporate finance, contracts
- Most recently from the University of Georgia School of Law



Holly Doremus

- Professor of Law; Co-Faculty Director, Center for Law, Energy & the Environment
- J.D., UC Berkeley School of Law; Ph.D.,



- Cornell University; B.S. Trinity College
- Interests: Environmental law, natural resources law, law and science
- Most recently from the University of California, Davis

Taeku Lee

- Professor of Law and Political Science; Director, Center on the Politics of Immigration, Race, and Ethnicity, UC Berkeley Institute of Government Studies; Senior Faculty Fellow, Chief Justice Earl Warren Institute for Race, Ethnicity, and Diversity
- Ph.D., University of Chicago; M.P.P., Harvard University; A.B., University of Michigan
- Interests: Racial and ethnic politics, public opinion and survey research methods, social movements and political behavior
- Most recently from the UC Berkeley Department of Political Science



Calvin Morrill

- Professor of Law and Sociology; Director, Center for the Study of Law and Society
- Ph.D., Harvard University; M.A., Harvard University; B.A., UC Santa Cruz
- Interests: Sociology of law and organizations, qualitative field methods, sociology of youth and culture, social movements and rights mobilization
- Most recently from the University of California, Irvine



David Oppenheimer

- Clinical Professor of Law; Director of Professional Skills
- J.D., Harvard Law School; B.A. University Without Walls
- Interests: Discrimination, comparative human rights law, civil litigation
- Most recently from Golden Gate University School of Law and UC Berkeley Institute for the Study of Social Change



Kevin Quinn

- Professor of Law
- Ph.D., Washington University, M.A., Washington University
- Interests: Judicial decision making, statistical methodology
- Most recently from Harvard University



Jason Schultz

- Assistant Clinical Professor of Law; Director Samuelson Law, Technology & Public Policy Clinic
- Interests: Cyberlaw, copyright law, patent law, privacy
- J.D., UC Berkeley School of Law; B.A., Duke University
- Most recently from the Electronic Frontier Foundation



Talha Syed

- Assistant Professor of Law
- LLB, University of Victoria Law School; LL.M., Harvard Law School
- Interests: Pharmaceutical patents, intellectual property, regulatory law and policy, normative legal theory
- Most recently from Harvard Law School



Jennifer Urban

- Assistant Clinical Professor of Law; Director, Samuelson Law, Technology & Public Policy Clinic
- J.D., UC Berkeley School of Law; B.S., Cornell
- Interests: Copyright, intellectual property, privacy, licensing, emerging artists, biotech
- Most recently from the University of Southern California Gould School of Law



PHILANTHROPY IS ESSENTIAL FOR ATTRACTING TOP FACULTY

Central to Boalt's strengthening reputation is its ability to attract star faculty. And central to that success is the Campaign for Boalt Hall, a \$125 million fundraising effort that cites faculty support as one of five priorities. Faculty-related gifts to date total \$6.7 million, but much more is needed to consistently recruit and retain top-tier scholars. This is truer now than ever, as state support plunges and competition from better-funded peers escalates.

To vie effectively for talent, Boalt needs to provide substantial incentives, including endowed chairs. And to continue its upward trajectory, Boalt needs to maintain its momentum across the board. For information on how to contribute toward these goals, call 1.510.642.2590 or email bhf@law.berkeley.edu.

The logo for the Campaign for Boalt Hall. It features a stylized 'H' and 'B' on the left, followed by the text 'CAMPAIGN FOR BOALT HALL' in a bold, sans-serif font. 'CAMPAIGN' and 'FOR' are in grey, while 'BOALT HALL' is in yellow.

A Woman's Nation

A Boalt research center helps bring to light a stunning transformation of American society

By Andrew Cohen

The U.S. Department of Labor projects that by the end of 2009—for the first time ever—women will constitute more than half the nation's workforce. Mothers are already the primary breadwinners or co-breadwinners in two-thirds of American families.

Compare that to the late 1960s, when women made up one-third of workers and 27 percent were family breadwinners. In 1975, 45 percent of families with children consisted of a male breadwinner and a female homemaker compared to just 21 percent today, while single parents made up 9 percent of American families compared to 22 percent today.

"Those are amazing developments," says Ann O'Leary '05, executive director of Boalt Hall's Berkeley Center on Health, Economic & Family Security (Berkeley CHEFS). She thinks it's equally amazing that nearly 50 years had passed since the first expansive national study on women's lives. On October 19, Maria Shriver released the most comprehensive, multifaceted report to be produced since then, reflecting the turbulent status of women in America.

O'Leary and Berkeley CHEFS played a prominent role in the creation of what could be a game-changing document. *The Shriver Report: A Woman's Nation Changes Everything* has found that the nation's leading institutions—government, business, education, media, and faith—have not kept pace with the changing nature of the American worker and family.

A call to action

In January, O'Leary got a phone call from Heather Boushey, senior economist at the Center for American Progress (CAP), a

progressive think tank in Washington, D.C. O'Leary, a senior fellow at the center, knew John Podesta—its president and CEO, and former White House Chief of Staff to President Clinton—from her own days in the Clinton Administration, when she served as special assistant to the President in the Domestic Policy Council and senior policy adviser to the Deputy Secretary of Education.

She listened intently as Boushey explained that CAP had been neck-deep in examining women's rising presence in the U.S. workforce. Shriver wanted to join forces with CAP to take an in-depth look at the implications of this rise, and CAP wanted O'Leary to help make it happen, though her role was yet to be determined.

"I jumped at the chance," O'Leary recalls. "It was a perfect undertaking for CHEFS, because it aligns seamlessly with our mission to help develop policy solutions to the growing insecurity that American workers and families are facing."

Even though O'Leary participated by phone during the first big brainstorming meeting between CAP and Shriver, she says that she and Shriver really hit it off. Eventually, O'Leary and Boushey were named co-editors of what ended up being a massive 439-page report—a rich collection of contributions from scholars, experts, and women's leaders. (O'Leary says her original estimate that the project would take 50 percent of her time for six months was "comically inaccurate.") The report includes extensive research data from a large-scale national poll, topical essays by renowned scholars, and interviews with

women's movement icons, prominent leaders, and public figures. Billie Jean King and Suze Orman each wrote an entry—Oprah Winfrey penned the epilogue.

Enter Maria Shriver

The first major national study on women was conducted in 1961—when Shriver's uncle, President John F. Kennedy, appointed Eleanor Roosevelt chair of the first commission to report on women in America. That kind of fact is Kennedy family lore—and Shriver was aware that nothing quite as comprehensive had been attempted since.

A feminist, veteran national television news reporter, and—of course—the wife of California Governor Arnold Schwarzenegger, Shriver has hosted the annual California Women's Conference since 2004. Its surging popularity prompted Shriver to engage her advisors after the October 2008 conference about a large-scale effort to address the dizzying list of concerns affecting women. (See Q&A, p. 17). She contacted CAP, spoke with Podesta, and a partnership was born.

Being Maria Shriver does make certain doors easier to open, such as the one into the Oval Office. Shriver talked to the Obama Administration, which created the White House Council on Women and Girls to look at government's role in addressing their needs. She says she saw her project as a complement to the White House Council, and that it would reveal important facts and guide legislators on key women's issues.

This past summer, Shriver and her team traveled to Atlanta, Detroit, Los Angeles, Seattle, and Silicon Valley to engage with everyday women and men about how this ongoing cultural upheaval has affected their lives. Some of those conversations also appear in the report, which aims to spark a national conversation about women's emerging economic power and what it means to American life.

In conjunction with the report's release in late October, Shriver spent a week discussing it on various NBC shows including *Meet the Press*. She also appeared with O'Leary on the *Today Show*, and the report was featured prominently in the October 26 issue of *Time*.

"Maria has been extraordinarily effective at publicizing the importance of these issues," says O'Leary. "Running the California Women's Conference and her background in journalism enables her both to connect with people and to get media attention. She's a lovely person, very sharp, and has the ability to get these issues to a new level."

Breaking down walls—and myths

Shriver and O'Leary lament the widely held notion that women have now achieved workplace parity with men—a misperception that is largely a media creation, bolstered by certain jump-off-the-page facts—such as women running more than 10 million small businesses with combined annual sales of \$1.1 trillion.

"We've come a long way," says O'Leary, "but not far enough." *The Shriver Report* asserts that America's labor standards are woefully outdated by virtue of being based on supporting "traditional" families—in which the husband works and the wife stays at home to care for the children. It calls for new policies that target flexible work hours, social insurance, equitable pay, paid family leave, child care, and elder care.

The Shriver Report supports its assertions with copious hard data and a comprehensive poll of nearly 3,500 Americans that reveals deep and permanent changes in the workforce,



EYE TO EYE: Ann O'Leary, Executive Director of the Berkeley Center on Health, Economic & Family Security (Berkeley CHEFS), speaks with Maria Shriver at an October conference in D.C. co-sponsored by Berkeley CHEFS.

entrenched inequities, and outmoded business and cultural practices. A few examples:

- Although women earn half of all graduate degrees and are more likely than men to graduate from college, they earn 77 cents on the dollar compared with male wages.
- Men have sustained 70 percent of the jobs lost during the recent recession.
- 40 percent of children born in 2007 had mothers who were unmarried.
- More than 80 percent of men and women believe businesses that fail to adapt to the needs of modern families risk

losing good workers.

- 85 percent of women in families in which both partners had jobs believe that women are expected to assume more responsibility than males for taking care of the family and home.

The Boalt connections

Shriver's right-hand woman is Boalt alumna Karen Skelton '92. She has been the executive co-producer and program director of the California Women's Conference since 2004 and served as the senior executive producer of *The Shriver Report*.

women learning more but earning less



Mary Ann Mason

More and more American women are looking to education as a bridge to greater opportunity and a heftier paycheck. But in her *Shriver Report* chapter, "Better Educating Our New Breadwinners," professor and faculty co-director of Berkeley CHEFS Mary Ann Mason outlines why women's increased participation in postsecondary education has yet to yield equal pay and benefits from the

same array of professions as men. An excerpt follows:

Consider the impact of women's education degree choices on their jobs and their wages. Women with degrees remain segregated in lower-paying occupations. Nearly all registered nurses (91.7 percent), elementary and middle school teachers (81.6 percent), and preschool and kindergarten teachers (97.8 percent) are women, but women comprise smaller percentages of the highest-paying occupations, such as lawyers and judges (36.5 percent), physicians and surgeons (31.8 percent), dentists (25.4 percent), civil engineers (11.8 percent), electrical and electronics engineers (7.8 percent), aircraft pilots and flight engineers (3.4 percent). What's more, women with the same degrees still lag behind men's pay and almost never catch up. Education raises women's pay, but the gender gap remains at all educational levels.

In 2008, the ratio of women's to men's median hourly wages was about 77 cents on the dollar for those with college degrees as well as those with only high school degrees. Women who make significant investments in college educations earn more than they would otherwise, but they don't earn as much as men, often because they remain in lower-paying female-dominated occupations....

It is not news that women do not receive equal pay for equal work, but what is depressing is that education, the much-touted engine

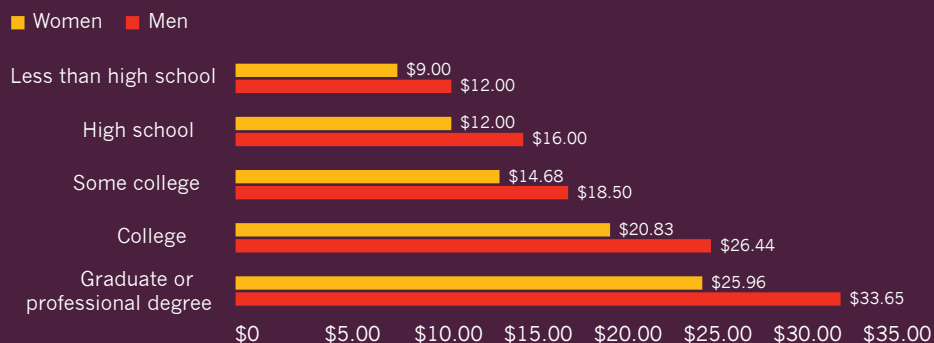
for economic opportunity, fails to provide gender equality. Even with the increased numbers of women in higher education and in the workforce, the wage and power gaps remain large and stagnant at all educational levels. Women who are breadwinners simply cannot bring home a family income equal to a man with the same educational background.

One reason that women may be encouraged or even choose not to enter male-dominated educational fields and occupations is that once female graduates enter the workforce, they find inflexible workplace policies that can exacerbate gender inequalities (policies that are often inflexible across the board, but may be exacerbated in male-dominated fields). Knowing this, students choose jobs they perceive to be more family friendly.

Most workplaces still maintain the structure established in the

Equal education, unequal pay

Median hourly wages by gender and educational attainment, 2008



late 19th century, when husbands worked full time to support their families and never needed to consider taking time off to care for their a family member because most had a wife at home to attend to such matters. In this environment, workers are penalized for working less than full time, or for taking a break from their jobs to care for their family. In short, simply opening the door to higher education does not necessarily allow women to achieve true equality in the workforce.

“It makes perfect sense that Boalt would become deeply involved in a project like this,” says Skelton—who also worked in the Clinton White House and founded the California office of the Dewey Square Group, one of the nation’s top public affairs firms. “Boalt has made a serious hands-on push in recent years to produce positive changes in public policy.”

Among the renowned academics chosen to write chapters in the report were Boalt faculty members Maria Echaveste on immigrant women (see p. 21), and Mary Ann Mason on education’s failure to achieve equitable pay for women (see p. 16).

“A huge priority for the law school’s research centers is to have the access and ability to reach a national audience on important issues,” says Mason. “The Shriver Report is the ultimate example of that and CHEFS was well-positioned to help.”

Boalt students Eleanor Blume ’10, Tracy Petznick ’11, and Zoe Savitsky ’11 also worked on the project, researching academic literature to aid authors in analyzing how our societal institutions have responded over time to the massive changes in the American workplace and the American family.

In addition to co-editing the report, O’Leary co-authored a chapter with Karen Kornbluh, a work-family expert and former senior adviser to then-Senator Barack Obama, which breaks down government’s failure to support women who are both workers and caretakers. O’Leary notes that taxation schemes and social programs such as Social Security favor “traditional families” with a male breadwinner and a wife who stays home to care for children, which she says makes them “antiquated and inequitable.”

Lowballed on the fast track

Mason, Berkeley CHEFS’ faculty co-director and author of the 2007 book *Mothers on the Fast Track: How a New Generation Can Balance Family and Careers*, had spent years researching why well-educated women weren’t earning the same money or power as their similarly positioned men. She relished an opportunity to dig beneath the numbers—and to present that analysis to a national audience.

The problem, as Mason sees it, is one of perception. Women today receive 62 percent of college associate’s degrees, 57 percent of bachelor’s degrees, 60 percent of master’s degrees, half of professional degrees, and just under half of Ph.D.’s.

While the figures appear promising, Mason describes how women are institutionally diverted into less technical fields that don’t pay as well as those traditionally identified with men. In college, for example, women dominate education and health departments but are a small minority in engineering or hard sciences. “And when they finish grad school,” says Mason, “they’re often grappling with the decision of when to have kids.”

What’s more, in male-dominated fields such as law, medicine, and science, Mason notes how professionals must do their important work in the first 10 years. “That’s when women are most likely to have care-giving responsibilities for young children,” she says. “So if they stop working for awhile, which many do, it’s hard to rise up again in a few years because they’re in a front-ended system that allows little room to re-enter.”

Calling all policy makers

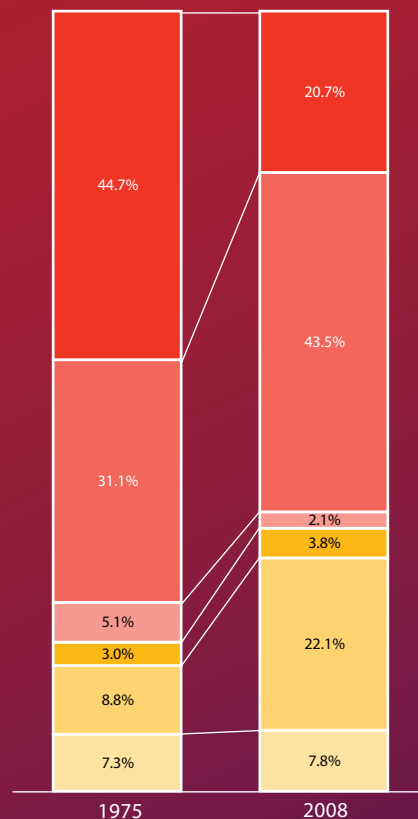
Women now represent half of America’s workers—a number expected to surge even higher with robust job growth predicted in female-dominated industries such as education and health. Because women have always had the responsibility of maintaining the home and caring for children—the issue of work-life balance is gaining more attention.

But will legislators and business owners take note of the report’s findings and implement some of its recommendations? “They have to,” says Skelton. “Our report outlines how companies that retain women have a healthier bottom line, so companies that don’t respond to these findings do so at their own peril.”

the new normal

CHANGES IN FAMILY STRUCTURE AND WORK, FAMILIES WITH CHILDREN UNDER AGE 18, 1975 AND 2008

- Married, traditional (only husband employed)
- Married, dual earner
- Married, both parents unemployed
- Married, non-traditional (only wife employed)
- Single parent, employed
- Single parent, unemployed



SOURCE: Bureau of Labor Statistics, Economic News Release: Table 4. Families with own children: Employment status of parents by age of youngest child and family type, 2007-08 annual averages; Bureau of Labor Statistics, Indicator 18: Parent’s Employment, Employment status of parents with own children under 18 years old, by type of family: 1975 to 1993.

Skelton sees powerful incentives for businesses to adopt policies that accommodate the needs of child care and elder care. “If they don’t, they’ll lose good workers,” she says. “Women are no longer going to put the golden handcuffs on for 20 years and just allow the rules of their corporation to determine their choices in life.”

Shriver, CAP, Berkeley CHEFS, and other partners in the project now want to spread the word as quickly and effectively as possible.

They’re targeting congressional and business leaders through lobbying, meetings, and roundtable discussions across the country.

On November 13, O’Leary testified before the House Education and Labor Department Subcommittee on Workforce Protections. She highlighted the fact that mothers are now breadwinners making as much or more than their spouses—or doing it all on their own—in nearly 40 percent of American families.

In her testimony, O’Leary said that “the authors of the report find that our institutions have not adequately kept up with these changes. Our government still relies on social policies built around the traditional family. So too does our health system with access to insurance often tied to good jobs, which are more likely to be held by men than women.”

“This is an accurate and detailed portrait of American women and families at a transformational moment in our history.”

—Maria Shriver

Social insecurity

The Shriver Report cites the Family and Medical Leave Act (FMLA) as a prime example of governmental failure to keep pace with women’s labor force advancements. Passed in 1993, the law guarantees up to 12 weeks of job-protected unpaid leave for qualified employees for the birth or care of the employee’s child, care of an immediate family member with a serious health condition, or an employee’s own serious health condition.

The problem? Half of American workers aren’t covered by this law. What’s more, any leave granted under FMLA is unpaid, meaning many workers can’t take advantage of it because they can’t afford the loss of family income.

In practice, notes O’Leary, the law favors families with one parent who makes less money—most often the woman—providing care while the higher-paid parent continues to support the family by working. The U.S. is also the only industrialized country without government-sponsored or employer-required paid maternity leave, and one of only a handful with no paid parental leave for fathers.

During her recent testimony before Congress, O’Leary also took aim at the failure of our employment discrimination laws to fully cover the needs of pregnant women and caregivers. O’Leary

bringing home the bacon

WORKING WIVES BRINGING HOME HALF OR MORE OF FAMILY EARNINGS

Percentage share of working wives earning as much as or more than their husbands

	1967	2008
All wives	18.7	38.1
With child under age 18	11.5	31.4
With child under age 6	9.3	31.0
Mother with high school diploma	7.5	27.8
Mother with some college	9.2	26.8
Mother with college degree	17.9	35.4
Mother under age 30	8.4	27.7
Mother aged 30 to 44	10.0	31.9
Women under age 30	14.8	30.3
Women 30 to 44	11.9	32.7
Women 45 to 60	24.1	40.0
Less than high school	20.3	35.3
High school	14.5	36.6
Some college	19.3	36.2
College	30.8	41.1

Source: Author and Jeff Chapman’s analysis of Miriam King, Steven Ruggles, Trent Alexander, Donna Leicach, and Matthew Sobek. Integrated Public Use Microdata Series, Current Population Survey: Version 2.0. [Machine-readable database]. Minneapolis, MN: Minnesota Population Center [producer and distributor], 2009.

Note: Data include married couples with a wife over age 18. Data do not include gay or lesbian couples, regardless of marital status.

testified that while most Americans believe it is illegal to fire a pregnant worker, the gaps in our laws means there are many lawful reasons to fire a pregnant worker—and that these reasons often disproportionately harm lower-wage workers. For example, a number of federal courts have interpreted the Pregnancy Discrimination Act of 1978 to mean employers that do not allow leave to recover from an illness or disability aren't obligated to provide leave to pregnant workers.

O'Leary says the courts have also been clear that if a pregnant worker is told by her doctor that she shouldn't lift heavy objects or should stay off her feet, "the Pregnancy Discrimination Act does not require her employer to accommodate these restrictions. Instead, the employer can legally fire the pregnant worker."

The Shriver Report also urges government action to support predictable and flexible workplace schedules. Most American workers have no ability to control the time they start and end their work days, to work from a different location, or to reduce their work hours. Low-wage workers, often in retail, routinely find that their schedules are changed from week to week or even day to day. "That makes it almost impossible," says O'Leary, "to organize consistent, quality child care or elder care."

O'Leary also points to the quandary posed by social insurance, which was developed around the notion that couples

are married for life, the husband earns the family income, and the wife tends to children or aging relatives. But many of today's women, O'Leary warns, won't have enough Social Security retirement money to live on because of years taken away from the workforce to raise children or care for ailing parents. This is particularly true of women who don't qualify for spousal benefits either because they were never married or got divorced within their first 10 years of marriage.

"All of this means individuals and families have to face these problems as their own personal struggles," O'Leary says. "That's how we're conditioned to think, rather than 'How does your employer work with you?'" Her concern is that these struggles "have a negative impact on the health and well-being of our families and often cause economic detriment from lost income to lost jobs."

Despite the myriad problems women face amid their perilous tightrope act in balancing work and family considerations, Shriver and O'Leary hope this new report provides the impetus for new solutions and lasting change.

"This is an accurate and detailed portrait of American women and families at a transformational moment in our history," says Shriver. "Our hope is that policy makers, armed with our surveys and analysis, can develop updated policies and practices that address and support the needs of today's American women, men, and families."

Q&A

MARIA SHRIVER DISCUSSES

a woman's nation

Maria Shriver took on the creation of *The Shriver Report* with the same drive and enthusiasm that has made her an award-winning journalist and producer, and best-selling author. As California's First Lady—and mother of four children—she has been a zealous advocate for women's empowerment—while also promoting service and activism through programs on behalf of the working poor, the intellectually disabled, and families coping with Alzheimer's disease. Shriver hopes that *A Woman's Nation* will be a powerful catalyst in an ongoing process of bringing public policy and workplace practices into alignment with the new realities facing women, men, and their families. She recently discussed the report with senior communications writer Andrew Cohen.

“With leadership from Ann O’Leary and Berkeley CHEFS, we were able to attract top-notch experts.”



Andrew Cohen: What prompted you to initiate this project?

Maria Shriver: For the past several years I've hosted the Women's Conference, an annual conference for and about women held in California. Every year it has grown. When the 2008 conference sold out in just a couple hours, it hit me that something profound was going on with women. We'd program a workshop on caring for aging parents, and it was standing-room-only. We'd bring in speakers to talk about how to start up a business, and the room was packed. We couldn't book enough sessions on empowerment, activism, and spirituality. All of them were filled. I knew we needed to learn some new, hard facts about today's American woman. Who is she? How does she live? What does she think? What does she earn? What are her politics? How does she define power?

How does she define success? What does she think of marriage? What does she really think of men? How does she want to live her life moving forward? I went to the Center for American Progress, which was in the midst of studying the impact of the changing economy on women as women were about to break through and account for half of all U.S. workers. I knew we needed to understand how this change is affecting our major societal institutions—government, business, media, faith-based organizations—and to understand how men and women were responding.

Why was Berkeley CHEFS chosen as one of the project's main partners?

Ann O'Leary participated in our initial brainstorming with the Center for American Progress. With leadership from Ann and Berkeley CHEFS, we were able to attract top-notch academic and policy experts from UC Berkeley and around the country to contribute to this project.

Women now constitute the majority of American workers, and most families have two wage earners. Why have our institutions failed to adapt to this reality?

I think that for many years, our society was slow to understand that women's entry into the workforce was a permanent shift. Women are now half of the workforce, and two-thirds of mothers are primary breadwinners or co-breadwinners. That's where we are now, and that change affects all of our major institutions. Fewer than 30 percent of kids have a stay-at-home parent today. What impact does that have on the government, on business, on men, on women, on faith-based institutions? Our report concludes that all of these institutions have failed to adapt to this change and that in order for them to survive they must adapt and change.

How do you think the report will help influence policy?

I think anyone who reads this report will conclude that it's smart government policy to help and support American

workers who are stretched, men and women, on both ends of the spectrum. I believe the report is already influencing and shaping policy by starting a national conversation about these issues. When I went on NBC's *Meet the Press* with White House Senior Advisor Valerie Jarrett and Center for American Progress CEO John Podesta to launch this report, it was the first time in years that the issue of work-family challenges had been covered on a major Sunday morning news program—a program geared toward policy makers. Already we know the Obama Administration and Congress are paying attention. Vice President Biden covered them at a hearing for his Middle Class Middle Class Task Force, and legislators of both parties are examining the report to better understand the issues that workers and families face today.

Recently, a controversial and widely reported study, *The Paradox of Declining Female Happiness*, purported to show that women have

become steadily unhappier since 1972. What's your take on that study's findings?

I don't think the findings of that study are terribly surprising. People are stretched thin with the responsibilities of work and home, and these responsibilities often impact women more acutely than men. As part of *The Shriver Report*, we conducted a poll along with *Time* and the Rockefeller Foundation that showed that our have not kept up with the change in American life. They feel government isn't modern, isn't smart about the way it deals with the American family. People also overwhelmingly think it's been good that women have gone to work but that they need to be accommodated so they can be there for their children. Then people I would think get the best of both worlds. Men and women alike agreed that government and business need to provide supports to make it easier to both work and provide care.

“Our society was slow to understand that women's entry into the workforce was a permanent shift.”



MINORITY REPRESENTATIVE: Jacob Hacker, a professor of political science and a faculty affiliate of Berkeley CHEFS talks to Maria Shriver at the October Conference in D.C.

The Invisible Woman



Maria Echaveste

The U.S. economy has lost millions of manufacturing jobs overseas, many of which are unlikely to return. In her *Shriver Report* chapter, “Invisible Yet Essential,” Boalt lecturer in residence Maria Echaveste writes that with our economy increasingly based on a growing service sector, “we need to challenge ourselves to value the work of women, and especially the work of immigrant women.” An excerpt follows:

Immigrant women are seen in communities across the country pushing strollers, feeding children, and playing in city playgrounds. An Asian face, a Caribbean accent, or the echo of Spanish reveals that millions of Americans entrust their most precious treasures—their children—to immigrants who are often undocumented. Many Americans entrust these same women, who sometimes have limited training and difficult-to-understand accents, with the care of their aging parents. They entrust their homes as well—thousands of housekeepers take public transportation across the country to dust, clean, and sweep for working individuals and families who are too exhausted to handle the burden of cleaning their own homes.

Immigrants also make up a substantial part of the countless workers who harvest fruits and vegetables across the country, who ensure a steady

supply of milk and dairy products, and who slaughter chickens and cows for nightly dinner tables.

A significant number of those workers are immigrant women, who often risk sexual harassment from male supervisors and endure arduous physical labor in an effort to provide for their own families. Many are indigenous people, able to communicate more easily in Mixtec than in Spanish. And then there are the countless office cleaners who descend upon downtown buildings in cities across the country, ensuring that all the crumbs from a lunch eaten over the keyboard are vacuumed up and the trash can is empty when office workers return in the morning.

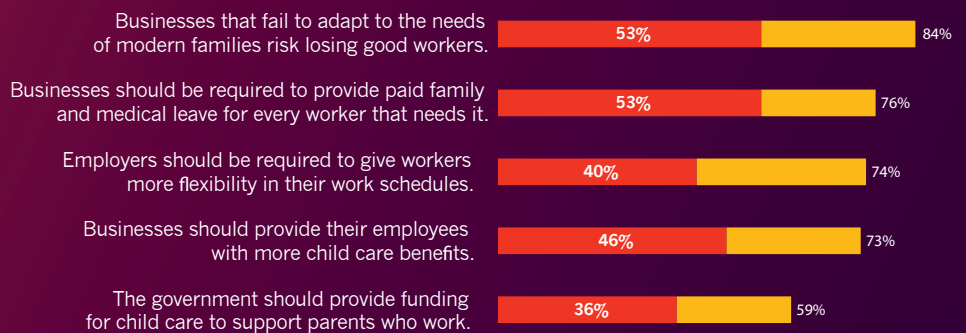
What is it about this work—child and parental care, home maintenance, food production, cleaning—that allows society to treat the workers in these occupations as invisible, or at least less

important than the software developer, insurance adjuster, or any of the countless other occupations that have greater status in our society? If we measure status, or the lack thereof, by income, working conditions, benefits, and simple respect, then the above-described occupations clearly have very little. Is it that nurturing children and maintaining homes has been undervalued for decades, if not centuries?

In a society where knowledge workers are the most highly compensated, it is not surprising that those who work with their hands or engage in physical labor are undervalued. Or was the work once valued, but now easier to under-appreciate or ignore since it is increasingly performed by immigrants, legal and otherwise? Such an attitude ignores their significant role in the American labor force—the increase in the American workforce over that past decade is due to the levels of immigration, legal and otherwise.

public strongly supports policy change to support work-life balance

Strongly agree Total agree





ALL THE PRESIDENT'S BOALTIES

A dozen Boalt Hall alumni have been tapped to join the Obama administration, bringing expertise on such crucial issues as patent law reform, environmental protection, human rights, international relations, and business policy.





G'day, Excellency On Nov. 10, **Jeff Bleich** '89 was unanimously confirmed as U.S. Ambassador to Australia. A partner and prominent litigator with Munger Tolles & Olson, Bleich co-chaired Obama's California campaign. The two have known each other since shortly after law school: While clerking on the D.C. Circuit Court, Bleich tried to recruit Obama as a fellow clerk, but failed—"unfortunately for me," Bleich jokes, "but fortunately for the country."

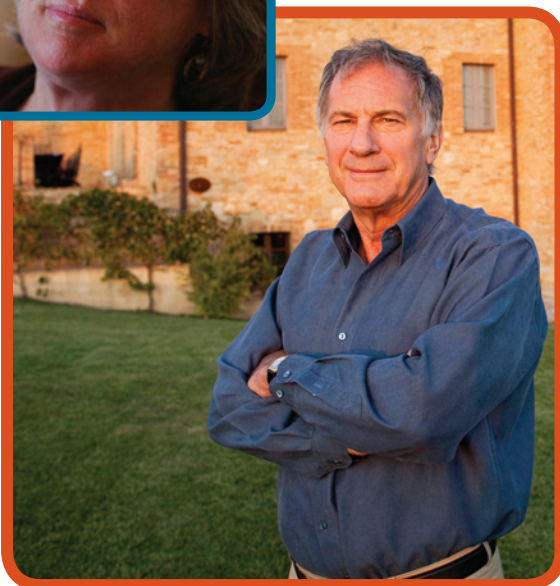


TOP TO BOTTOM:
President Obama
with Jeff Bleich
'89, David Kappos
'90, Cynthia Giles
'78, John Phillips

Patent Medicine As the new director of the U.S. Patent and Trademark Office, **David Kappos** '90 hopes that reforming the patent system can help cure the country's economic ills by discouraging frivolous patent applications, strengthening worthy ones, and promoting innovation and high-tech jobs. Kappos knows from patents: Before joining the Obama administration, he was vice president and assistant general counsel for IP law at IBM, the nation's most prolific source of patent applications.



EPA Part II Cynthia Giles '78 is the Environmental Agency's Assistant Administrator for Compliance and Enforcement Assurance. Giles's three decades of experience in environmental law include stints as a federal prosecutor, as an enforcement policy staffer during the Clinton administration, and as a global climate-change activist at the Rhode Island Advocacy Center. Giles left EPA during the Bush years, but Obama's commitment to transparency and scientific integrity won her back.



Good Fellow John Phillips '69 is chairing the President's Commission on White House Fellowships, a program created in 1964 by President Lyndon B. Johnson to offer high-level government

PHOTOS FROM BOTTOM UP: DAVE YODER; THE PROVIDENCE JOURNAL; JIM BLOCK; TOP: COURTESY JEFF BLEICH

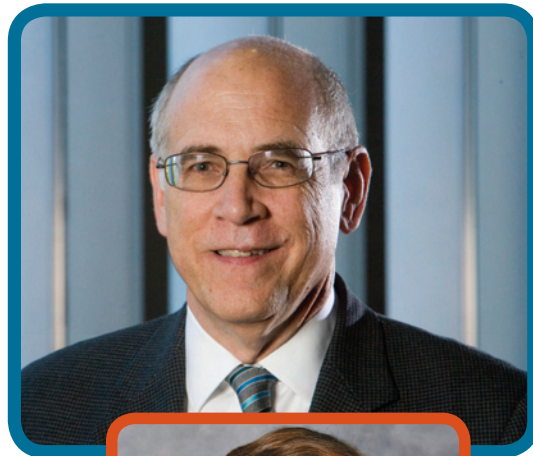
experience and connections to stellar young and mid-career individuals. Phillips—a founding partner of Phillips & Cohen—is a leading authority on *qui tam* law; suits filed by Phillips & Cohen have recovered more than \$5.3 billion for the U.S. Treasury. Phillips’s wife, former ABC reporter Linda Douglass, is communications director for the White House Office on Health Reform.

Wheel of Justice **Christopher Schroeder** ’74 is Assistant Attorney General for the Office of Legal Policy at the Department of Justice, where he serves as chief policy adviser to Attorney General Eric Holder. Schroeder comes to Washington from Duke University, where he directed the Program in Public Law. He’s no stranger to D.C. politics and law, having served prior stints in Justice and as chief counsel to the Senate Judiciary Committee, as well as serving as Sen. Joe Biden’s impeachment counsel during Bill Clinton’s impeachment hearings in 1998–99.

The Rights Stuff **Michael Posner** ’75 is Assistant Secretary of State for Democracy, Human Rights, and Labor in the U.S. State Department. A human-rights activist for 30 years, Posner first earned his stripes by exposing the human-rights abuses of Ugandan dictator Idi Amin. The founding executive director of Human Rights First, Posner helped win congressional passage of the Refugee Act of 1980 and the Torture Victim Protection Act of 1992.

Energy at Interior **Steve Black** ’89 is Counselor to the Secretary of the Interior, Ken Salazar. He moved to Interior from Salazar’s Senate staff, where he served as legislative counsel for energy, environment, and natural resources issues. Previously, Black was Deputy Attorney General for Natural Resources and the Environment in the Colorado attorney general’s office.

Tropical Storm Watcher Politics is notorious for creating tempests in teapots, but the storms that **Andy Winer** ’85 tracks on radar screens are truly cataclysmic in scale: Winer, former director



TOP TO BOTTOM:
Christopher Schroeder '74,
Michael Posner '75,
Steve Black '89,
Andy Winer '85.



of Hawaii for Obama, is now Director of External Affairs for the National Oceanic and Atmospheric Administration (NOAA). Says Winer, “I hope we’re finally on the verge of doing something meaningful in terms of national policy on climate change.”

Executive Branching Out **Margaret Richardson** ’03, now counselor to Attorney General Eric Holder’s office for executive branch relations, was the director of Women for Obama in several states—including California—during the 2008 primaries. Before joining the campaign, Richardson directed the Clean Slate Practice at Boalt’s East Bay Community Law Center.

TOP TO BOTTOM:
Margaret Richardson ’03,
Katherine Oyama ’06,
Ginger Lew ’74,
Jared Blumenfeld ’92.

Veep Street **Katherine Oyama** ’06 has been tapped as Associate Counsel by the office of Vice-President Joe Biden. Before joining

Biden’s staff, Oyama was a litigation associate in the D.C. office of Wilmer Cutler Pickering Hale and Dorr; in 2004, she clerked at the Electronic Privacy Information Center.

All Business **Ginger Lew** ’74 no doubt hit the ground running when she took on her role as senior advisor to White House National Economic Council, where she will help guide policy on small business issues. She was previously deputy administrator and COO of the Small Business Administration and served in various positions with the Carter presidency.

Working from Home When he was appointed EPA Region 9 Administrator, **Jared Blumenfeld** ’92 didn’t start collecting cardboard boxes. Both he and the regional office are based in San Francisco. When he assumes the office in January 2010, Blumenfeld will oversee the EPA’s operations in California, Arizona, Nevada, Hawaii, the Pacific Islands, and among more than 140 tribal nations. For the past eight years he’s been the director of the San Francisco Department of Environment, and headed up such initiatives as the city-wide ban on plastic grocery bags, the expansion of solar programs, and the planting of 25,000 trees since 2004.



DELTA DAWN?

How veteran California legislator Joe Simitian '77 waded in to play a leadership role in California's water reform battle.

INTRODUCTION AND INTERVIEW BY JON JEFFERSON

A few miles downstream from the confluence of California's Sacramento and San Joaquin rivers, their combined waters—the bounteous runoff from the western slopes of the Sierra Nevada—funnel through the Strait of Carquinez, a gap in the low hills of the Coast Range. This geological chokepoint creates a rare hydrological marvel: a vast, inverted river delta—one of only a few inverted deltas in the world. It's an immense, wildlife-rich estuary once known as the “inland sea.”

Over the past 150 years, though, the Delta's abundant and flood-prone waters have been corralled by levees and tapped by giant aqueducts. Now the linchpin of California's water supply, the Sacramento-San Joaquin River Delta provides water to 25 million California residents and irrigates 5 million acres of cropland. But even as demand for the Delta's water has grown, the supply has shrunk: The Delta has been plagued by four consecutive years of drought.

The combined effects of drought and diversion have devastated the estuary's wildlife, especially fish populations. The Pacific smelt is on the verge of extinction, and wild salmon runs have dropped by 98 percent: from 3 million per year to just

50,000 per year. “There is, indeed, a salmon crisis in California,” Professor Holly Doremus, a Boalt Hall expert on state environmental laws, told California legislators in March 2009. “This is very obvious to anyone paying attention.” Doremus added, “This is not new. It's as if we've

waited until we've had a heart attack to seek medical attention rather than take preventive action.”

But it isn't just wildlife that is at risk: Experts warn that the Delta's 1,600-mile maze of flood-control levees, some dating back 150 years—is extremely vulnerable to collapse, and some estimates of flood damage from a Katrina-like catastrophe put the potential cost at \$25 billion or more.

In April 2009, water shortages, ecological damage, and vulnerable levees prompted the environmental group American Rivers to declare the Delta America's most endangered waterway. Environmentalists have long sought a solution to the situation. But just as the Delta is a geologic and hydrologic chokepoint, it's

proven to be a political chokepoint, too, defying a quarter-century of legislative attempts at water reform. Finally, in November 2009, the California legislature passed an omnibus package of water-reform bills. Designed to protect the Delta's fragile ecosystem and improve water-supply reliability, the package included four bills to address the issues of water supply, environmental protections, groundwater monitoring, and oversight and enforcement, as well as a bond issue to fund future water projects.

Fiscally, the most contentious piece of the water-reform bill signed into law by Governor Schwarzenegger on Nov. 9 is likely to be the \$11-billion bond issue that would fund future water projects. But philosophically, the linchpin of the package is SBX7 1, authored by State Senator Joe Simitian, '77. Simitian's bill creates two "co-equal goals," water-supply reliability and an improved ecosystem in the crucial and fragile Sacramento-San Joaquin Delta. SB-1 also abolishes the troubled Cal-Fed program and the Bay Delta Authority, creating a new seven-member governing council to oversee future water projects and the Delta's environmental protection. Simitian—chairman of the Senate's Environmental Quality Committee—spoke at length with *Transcript* about his labyrinthine four-year journey through California's water world.—J.J.

TRANSCRIPT: Has water reform—particularly in the Sacramento-San Joaquin Delta—always been a high-priority issue for you?

SIMITIAN: Actually, water wasn't an issue I'd spent much time or energy on. It's not one I hear a lot about from my constituents.

When I talk to people in my district and ask how many know where the Sacramento-San Joaquin Delta is, very few of them put up their hands. We walk down the hall, turn on the tap, and expect that water will be there. We take it for granted, and while we've been taking it for granted, it's come perilously close to being at great risk. It's not that it's a new issue, but the water world is a place where a small group of people had been tossing hand grenades at one another for 25 years. My initial inclination was not to join the fray. But about four years ago, I was persuaded to wade in.

What persuaded you?

A new staff member, Alan Gordon, came to me in 2005 and wanted to make me a believer. He asked me to sit through a series of briefings from experts on the issues. The fish populations are crashing—that's undeniable—and environmentally, the Delta is going to hell in a handbasket. The levees and dams were built 150 years ago, to the standards of 150 years ago, and there's a two-in-three chance they'll collapse within the next 50 years. The Delta is California's Katrina waiting to happen. By the end of the briefings, I was convinced that the system was irretrievably broken, particularly the system of conveyance, and that there might be a role for me as an honest broker in finding a new solution.

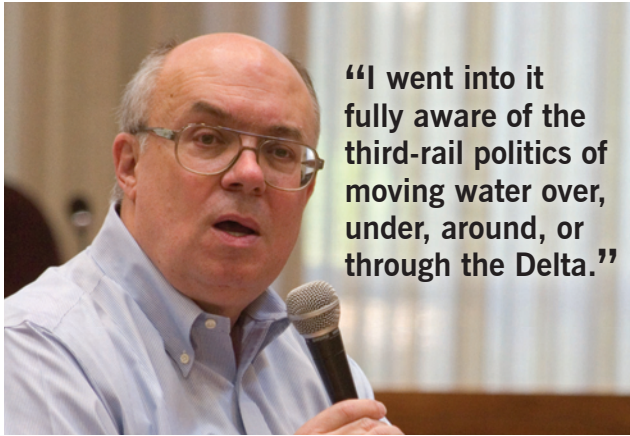
What were your principal goals for your water reform bill, and how optimistic were you about the chances for significant progress?

There are two main problems with the Delta's water: the system of governance is horribly broken, and the method of



TOWN HALL MEETINGS:

State Senator Simitian keeps a close finger on the pulse of his Northern California district with local meetings like this one in Palo Alto.



“I went into it fully aware of the third-rail politics of moving water over, under, around, or through the Delta.”

conveyance—what’s been called an effort to turn an east-west estuary into a north-south plumbing system—is also horribly broken. My bill, SB-1, focused on those two issues. Right now, over 200 state, federal, and local agencies have oversight over the Delta’s water, but nobody’s got any real authority. SB-1 creates a new governance structure, the Delta Stewardship Council, which will have both oversight and authority. And it makes water supply and environmental protection co-equal goals. I said at the time I waded in, “I may be foolish, but I’m not naïve”; I went into it fully aware of the third-rail politics of moving water over, under, around, or through the Delta. But I realized it might be possible to come up with not just a win-win, but a win-win-win.

How do you get win-win-win out of just two issues?

Two-thirds of the population of California depends on the Delta for the water supply, so reliability is crucial. Cleanliness is a big issue, too, because the water runs through some nasty areas, in terms of agricultural runoff and urban runoff. But I had to assure myself that this legislation would not be the means by which other parts of the state would put a big drinking straw into the Delta. Eventually, I concluded that if we could build a facility to run water through reliably and cleanly, and if we could use the funds generated by that facility to fund environmental restoration in the Delta, that would be the triple win.

Were there any serious sticking points in your negotiations with the office of Governor Schwarzenegger?

I did have some professional tension with the governor’s office. They knew I was sympathetic to the idea of a new conveyance, but they knew I wasn’t sympathetic to the idea of a new conveyance unless the starting point was “how much water does the Delta itself need?” My bill makes that starting point a matter of law. That’s the highest level of environmental protection in law, and that plan is also a precondition to moving forward with a new conveyance. The third point is that the people who are going to benefit from any new conveyance have to pay the construction costs and also the mitigation costs, including environmental restoration costs and any costs resulting from loss of land use.

You keep using the word “conveyance.” Is that code for “peripheral canal”?

In four years of working on this issue, those two words have never come out of my mouth. I will never say them; instead, in my office we call that “the bagel.” I think the Governor has been a bit over-exuberant in using those words. When you talk about how water makes its way from one point to another, there’s a range of possibilities. The conveyance could be an isolated facility that moves water around the delta; a dual system that continues to move water through the delta, with an additional method for distribution; it could be a system of pipes under the delta. There’s too much readiness to start with an assumption about what the conveyance should be.

I’ve said from the beginning that we ought to let the science, not politics, drive the debate and the decisions. It’s too soon to say how water will move through, around, or under the Delta in years to come, but it’s long past time to acknowledge that neither the Delta nor the state has been well served by the status quo.

By the numbers: Delta Facts and Figures

1: the relative size of the Sacramento-San Joaquin River Delta among Pacific Coast estuaries

1: the number of inverted river deltas in the U.S.

1,000: size of the Delta in square miles

1,600: total length, in miles, of levees in the Delta

5,000,000: number of acres of farmland irrigated by Delta water

2,000,000: number of Delta residents dependent on levees for protection from floods

100+: number of large dams on rivers in the Delta’s watershed

3,000,000: number of wild salmon that once spawned each year in the Delta’s rivers

50,000: average number of wild salmon now spawning each year

25,000,000: number of California residents dependent on the Delta for water supply

25,000,000,000: potential damage, in dollars, that would result from catastrophic levee breaches

A beauty and a beast:

Besides being a major source of water, the Delta provides rustic beauty and recreational opportunities. But breaches in the antiquated levees have caused major flooding as recently as April 2006; a sizable earthquake could bring statewide catastrophe.





ON THE MOVE

BOALT
STUDENT
ACTION
FIGURES

On Top of the World

Relatively few people are aware that global warming may soon mean ice-free summers for the Arctic as early as 2030, but Jennifer Jeffers '10 is on it. She recently won Boalt's Ellis J. Harmon Prize for best student research paper in environmental law and policy. Her winning entry is a scholarly analysis of what a navigable North Pole means for the already precarious state of Arctic fisheries.

Currently inaccessible areas of the Arctic Ocean will soon be subject to human exploitation, and Jeffers warns that "these ecological transformations

will have monumental effects" on the region's fish stocks.

Her coursework and research at the Boalt-based Law of the Sea Institute led her to focus on climate change's impact on fisheries management. Jeffers' paper calls for a more dynamic—and tougher—regulatory framework, and she says current fishery governance regimes are "soft on enforcement power" and "not structured to encompass the serious issues that climate change presents."

Boalt professor and Law of the Sea Institute Co-director Harry Scheiber says Jeffers "made herself indispensable

as a researcher and represented Boalt at important ocean law conferences." He predicts that she is "on her way to a career as a brilliant legal researcher and a leadership role internationally in ocean law and policy."

Jeffers was interested in the intersection of marine conservation and business even before law school. Soon after college, she won the Our World Underwater Scholarship—given annually to just one North American under 25.

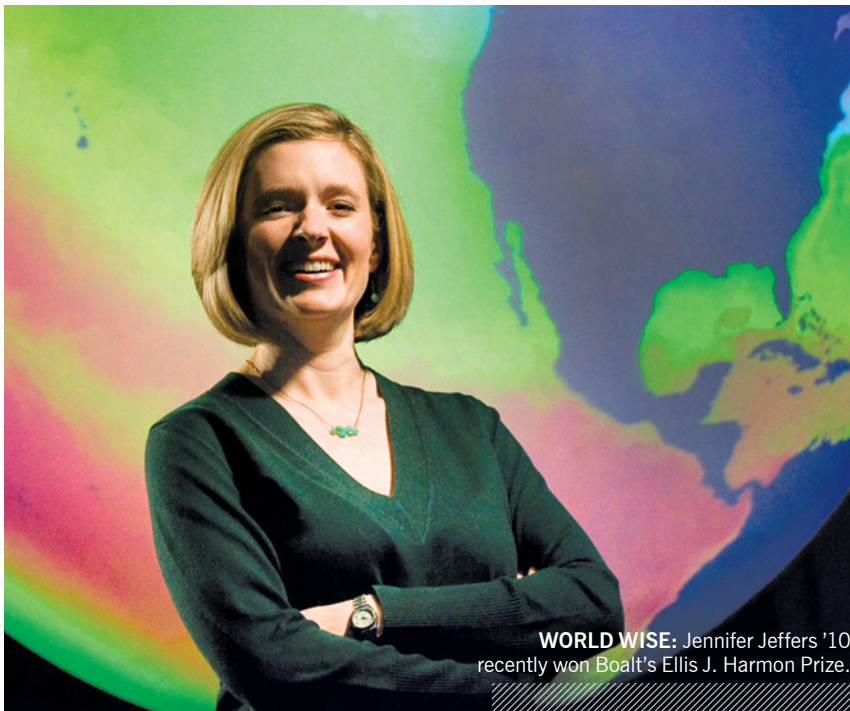
The scholarship enabled Jeffers to spend a year working with research organizations and NGOs around the globe.

"Most groups were happy to hear from someone who was funded and could help for free," Jeffers laughs. "It was an amazing experience, from boat expeditions researching sharks to working with policy makers."

After four years in Washington at Conservation International, Jeffers came to Boalt, "one of just a few institutions doing work in ocean law." She became executive editor of *Ecology Law Quarterly*, helped teach an international environmental politics class, and will soon earn her J.D./Environmental Science, Policy and Management Master's dual degree before joining Morrison & Foerster this fall in San Francisco.

In the meantime, Jeffers—who won \$2,000 for the Harmon Prize—is updating her paper to submit to various journals. "The legal strategies used to address climate change will be critical," she says. "Arctic fisheries represent just one example, but a compelling one."

—Andrew Cohen



WORLD WISE: Jennifer Jeffers '10 recently won Boalt's Ellis J. Harmon Prize.



WINNER'S CIRCLE: San Diego Defense Lawyer's Annual Mock Trial Competition winners Chase Ensign '10, Maeve Granzin '10, Jerome Price '11, and Jonah Lalas '12

On the Case

This year—for the first time in the 19-year history of the event—a Boalt Hall team won first place at the San Diego Defense Lawyer's Annual Mock Trial Competition. They secured their victory with a final-round argument before former San Diego County Superior Court Judge Vincent P. DiFigli.

The four-student team included Chase Ensign '10, Maeve Granzin '10, Jerome Price '11, and Jonah Lalas '12. All are members of Boalt Hall's Board of Advocates, a student organization that sponsors intramural trial advocacy competitions and sends teams to outside competitions.

The winning team spent little more than a month preparing for the San Diego competition, meeting for four hours each week to assemble their case and practice their arguments. Each student served as an attorney for one side and a witness for the other in a medical negligence trial with a complex set of facts. They reviewed a 150-page record and had to learn the meaning of medical terminology like *epidermal-dermal junction* and *histiocytes*. "One thing I

learned is that presenting a case to a jury involves breaking down complex material into simple terms," Lalas says.

The team benefited greatly from the time and expertise of their coach, Melinda Derish '03, who is an attorney at San Francisco's Walkup, Melodia, Kelly & Schoenberger. Herself a

"When you put that much time into a project, 'good luck' is bound to happen!"

—Bill Fernholz

winner of the Moot Court Advocacy Award while at Boalt, Derish is an M.D., J.D. who has experience litigating medical malpractice cases.

Spencer Pahlke '07, Boalt's volunteer director of trial advocacy teams (and an associate at Walkup, Melodia), cites the win as "an incredible example of the growth of our trial advocacy program." Since Pahlke became involved five years ago as a student, Boalt's trial

advocacy program has gone from three teams and one coach to today's level of five teams and four coaches.

Pahlke says the robust trial advocacy program was a key factor in Boalt's success in San Diego. In addition to Derish's coaching, he cites mentoring and assistance from veteran Board of Advocates members Jennifer Goldman '11, Jennifer Middleton '11, and Valerie Rose '10; a trial advocacy lecture series Pahlke held in the fall semester; and highly competitive team tryouts.

Lalas, the only 1L on the team, says that his experience "solidified my goal of becoming a litigator." Participating in the Board of Advocates, he says, is a vital component of his legal training. "There are certain legal skills that you cannot get

from the classroom, like how to properly cross-examine an expert witness."

Derish, the team's coach, says: "I was impressed with the intense amount of work these students had to pack into a short time frame.... They varied greatly in terms of background—from 1L to 3L, some hadn't taken Evidence yet whereas others were on the Moot Court board. But what they had in common was talent, flexibility, composure under pressure, and a major boost from their classmate mentors."

Derish's coaching paid off for the team and gave her an unexpected perk: "My heart was warmed to hear that they won their final points with Jerome Price making an impassioned plaintiff's rebuttal argument," she says. "After all, I am a plaintiff's attorney and this was a tournament put on by the defense bar."

Bill Fernholz, Boalt Hall's Director of Appellate Programs, agrees that hard work was the key to the team's success. While giving credit to the team's talent and to Derish and Pahlke's dedication, Fernholz observes that "This team worked very, very hard. When you put that much time into a project, 'good luck' is bound to happen!" —Emily Bruce



ON THE SHELVES

NEW AND NOTABLE WORKS FROM THE BOALT COMMUNITY

BOOK: KATHRYN MA '82

Enough Said

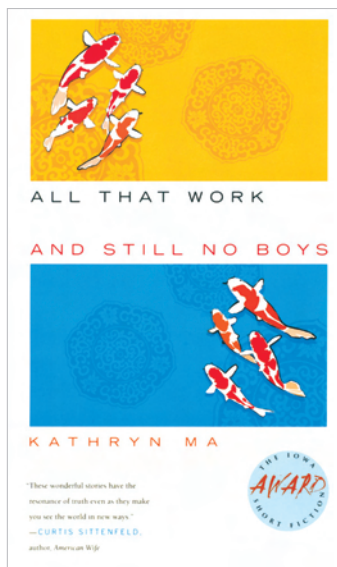
Creative writing teachers who exhort their students to “trust their readers” and to “show, not tell” couldn’t find a better example than the one on the splash page of Kathryn Ma’s Web site, an excerpt from the title story of *All That Work and Still No Boys*, a collection of short stories that recently won the Iowa Short Fiction Award.

Barbara’s mother needs a new kidney, and Lawrence is the best match. “No, no,” says her mother. “One of the girls will be fine.”

“It’s okay, Ma,” says Lawrence. Barbara sees him reach for something small at the top of Ma’s shelf, so she knows it’s costing him to sound enthusiastic. It’s an old family habit, lying while turning away. “I’ve got two, way more than I need. You take one. I want you to have it.”

Ma nods but doesn’t answer, another deft deception, the yes that’s really a no. Ma has no intention of letting him give her a kidney. She’s already made that perfectly clear to Barbara. She’s got four daughters but only one Lawrence. She wants the girls to draw straws from the second-best broom in the house.

That’s only 136 words, but it’s a story in itself. Kathryn Ma trusts us to unpack that tight assemblage of painstakingly picked words and to find laid out before us decades of familial



ALL THAT WORK: Kathryn Ma recently won the Iowa Short Fiction award for her collection of carefully crafted stories.

love and pain and centuries of sometimes crushing cultural imperatives. The story obviously grapples with the Chinese tradition of favoring male offspring, but there is not a whiff of polemic; it depicts bottomless depths of devotion among parents and siblings, but without a drop of sentimentality.

And it’s all just great turn-those-pages storytelling. Check out the first two paragraphs from another selection, *The Long Way Home*, http://kathrynma.com/pages/about_book.html. The protagonist begins by divulging a secret: *No one in my family knows it was me who set the fire*. She lets us in on when she plans to tell them: *Five o’clock*. Enough said.
—Jared Simpson

All That Work and Still No Boys

By Kathryn Ma

Published by the University of Iowa Press, 2009

PHOTO COURTESY KATHRYN MA

Ghost Writer

Bay Area readers of Doug Dorst's debut novel *Alive in Necropolis*, will immediately appreciate the ghoulish humor of the title—the action unfolds in the peninsular town of Colma, California—famous, if that's the right word, as a local “designated place of burial” where 1,200 residents live among two million graves.

The spooky thriller—about a rookie cop who, maybe, finds himself walking an eerie beat connecting the living and the dead—was San Francisco's latest choice for its annual “One City One

Book” initiative.

Described in one review as part police story and part ghost story with a “splash of teen angst and a hefty dose of black humor,” *Alive in Necropolis* got a glowing full-page review in the Sunday *New York Times*—heady stuff for a first book.

“I guess it's hard to go wrong with dead people walking around and foul-mouthed cops,” Dorst says. “To be honest, I'm pleasantly stunned at how the book has been received.”

Each year, San Francisco picks a single work for the “One City One Book” program. Libraries and bookstores host gatherings to discuss the book, which is also stocked in the city's public school libraries. The honor is particularly meaningful to Dorst, who serves on the board of a non-profit writing center for kids. “Any youth program that sparks an interest in reading is a worthy endeavor,” he says, “even if it means subjecting them to my book.”

A graduate of the prestigious Iowa Writers' Workshop, Dorst received writing fellowships from Stanford, the National Endowment for the Arts, the James Michener/Copernicus Society, and the MacDowell Colony. He now lives in Austin and teaches creative writing at St. Edward's University.

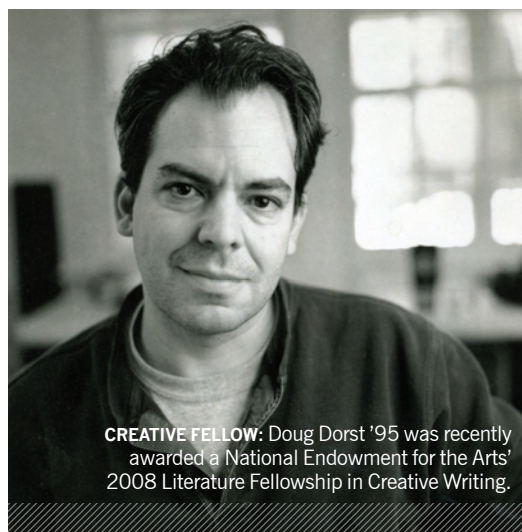
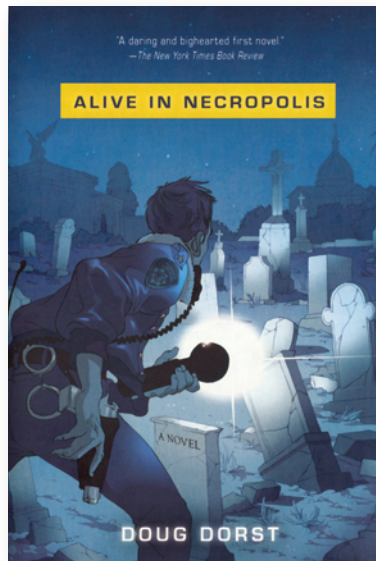
Riverhead Books will publish Dorst's short-story collection entitled *The Surf*

Guru. And Monster in the Dark—his first play that local reviews called “masterful” and “fascinating throughout”—enjoyed recent successful runs in San Francisco and Berkeley. “It's been a rewarding year but I'm still learning how to do this,” Dorst says. “Writing is something you can always improve, but never master.” —Andrew Cohen/Jared Simpson

Alive in Necropolis

By Doug Dorst

Published by Riverhead Books, 2008



CREATIVE FELLOW: Doug Dorst '95 was recently awarded a National Endowment for the Arts' 2008 Literature Fellowship in Creative Writing.

PHOTO: JOANNA MORRISSEY

BOOK: LAUREL FLETCHER AND ERIC STOVER

The Guantánamo Effect: Exposing the Consequences of U.S. Detention and Interrogation Practices

Two prominent UC Berkeley human rights scholars, Laurel Fletcher and Eric Stover, have produced a new work based on a two-year study of former prisoners of the U.S. government's detention facility at Guantanamo Bay, Cuba. Fletcher, director of Boalt Hall's International Human Rights Law Clinic (IHRLC), and Stover, faculty director of the Human Rights Center, reveal in vivid detail the cumulative effect of the Bush administration's war on terror. Thoroughly researched and rhetoric-free, *The Guantánamo Effect* deepens the story of post-9/11 America and its descent into prisoner abuse.

Researchers interviewed more than 60 former Guantanamo detainees in nine countries, as well as key government officials, military experts, former interrogators, guards, lawyers for detainees, and other camp personnel. Readers hear former detainees describe the events surrounding their capture, their years of incarceration, and the many obstacles preventing most from resuming a normal life after returning home. Prepared jointly by researchers with IHRLC and the Human Rights Center, in partnership with the Center for Constitutional Rights, *The Guantánamo Effect* enriches the debate surrounding America's commitment to international law during wartime.—A.C.



The Guantánamo Effect: Exposing the Consequences of U.S. Detention and Interrogation Practices

By Laurel Fletcher and Eric Stover

Published by University of California Press, 2009



CENTERPOINT

NEWS AND
NOTES
FROM THE
ALUMNI
CENTER



Anders Yang

Dear Alumni and Friends,

“By making a gift to Boalt, our alumni, friends, and students play an important role in keeping Boalt at the forefront of academic, professional, and research excellence.”

—Anders Yang

It is my pleasure to introduce you to Center-Point, the new section of your alumni magazine. We’ve added the extra pages to keep you up to date on important events at the law school and progress on the Campaign for Boalt Hall.

Since the launch of our ambitious \$125-million campaign in January 2005, more than 8,536 members of the Boalt Hall community have demonstrated their strong commitment to the law school by giving more than \$72 million! This amount is already more than five times the total raised during Boalt’s previous campaign, which concluded in 1996. It is worth noting that an impressive 81 percent of our donors are Boalt Hall alumni. It is just as impressive that nearly 20 percent of our donors are friends of the school.

Boalt Hall graduated 290 students this May, adding to our growing and powerful base of alumni. I am delighted to report that the JD class of 2009 achieved a 96-percent giving rate—even before receiving their diplomas. By making a gift to Boalt, our alumni, friends, and students play an important role in keeping Boalt at the forefront of academic, professional, and research excellence. Donors can designate their gifts to any initiative, though the campaign focuses on providing financial aid, expanding faculty growth, funding research

endeavors, and renovating our campus.

All gifts to Boalt Hall—monthly recurring gifts, bequests, pledges payable over five years, endowed professorships, and naming opportunities—help make the Campaign for Boalt Hall a success. Whether making gifts annually to the Boalt Hall Fund or earmarking a gift to a specific research center, donations from alumni and friends make a powerful and lasting impact at the law school. Together, our donors are securing Boalt’s long-term preeminence.

Many thanks to all our alumni and friends and a very special thanks to some of our most generous supporters. Campaign for Boalt Hall Co-Chairs Elizabeth Cabraser ’78, and Professor Pam Samuelson along with her husband Professor Robert Glushko have made an extraordinary commitment to the law school—read what inspired their support on page 38 and 39, with profiles of other leadership donors.

To learn more about how you can be a part of Boalt’s future, please visit us online at www.law.berkeley.edu or call 510.642.7574.

Best wishes for the holidays and the new year,

Anders Yang

Dean for Development and Alumni Relations

*PS: We have moved.
Update you address books!*

Boalt Hall Alumni Center
UC Berkeley, School of Law
2850 Telegraph Avenue, Suite 500
Berkeley, CA 94705-7220
510.643.6673
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PHOTO: JIM BLOK

Jim McManis '67: Longtime Alumni Leader

Jim McManis '67 has a long history of distinguished service to Boalt Hall, its alumni, and students. He is currently the president of the Boalt Hall Alumni Association for 2009–2010. He previously served as leader of the 2007 Boalt Hall Class Reunion Campaign and as the inaugural chair of the Boalt Hall Fund for 2005–06, as well as chair of the Dean's Society. "It's been an honor and a pleasure serving as the president of the Alumni Association," he says. "It allows me the opportunity to give back to the school that has given me so much."

Earlier this year, Jim was awarded the Trustees' Citation for his involvement in Boalt's fundraising success. While chair of the 2007 Class Reunion Campaign, he helped raise a record-setting \$6.7 million in gifts and pledges.

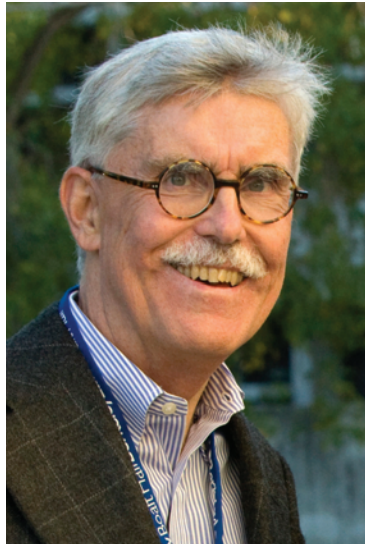
Jim is a founding partner at McManis Faulkner and represents Silicon Valley companies in commercial, trade secret, and intellectual property issues. He has been recognized as a Northern California Super

Lawyer and listed in The Best Lawyers in America for ten consecutive years, in both business litigation and criminal defense.

Jim is also a Fellow of the American College of Trial Lawyers, the International Academy of Trial Lawyers, and the American Bar Foundation. American membership in the International Academy is limited to the top 500 trial lawyers in the United States. Members of both the Academy and the College are regarded as the premier trial lawyers in the United States. Admission to the American Bar Foundation is by invitation only.

Jim definitely loves his work: He has been a member of the trial bar for over 40 years, and he continues to try cases. His goal, he says, is "never to retire."

But he still finds time to actively support Boalt. "I enjoy working with the board of directors and continuing the Association's goals, including my personal favorite: fostering strong relationships among the alumni and the students, the lawyers of the future."



"Serving as the president of the Alumni Association allows me the opportunity to give back to the school that has given me so much."

—Jim McManis

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Boalt Hall 2009 All-Alumni Reunion Weekend

Reunite. Renew. Rebuild. Recap.



experiencing a reconnection with the Boalt of their school days and honoring its bright future,” he said. “Thank you to all attendees, volunteers, and staff who made this weekend a success.”

Notable alumni in attendance this year included Diane Yu '77, Jami Floyd '89, Michael Halloran '65, Bill Kissinger '87, Steve Black '89, Chris Schroeder '74, and John Doar '49. Also back at Boalt was Jeff Bleich '89, recently confirmed as Ambassador to Australia. His anecdotes, reflections, and insights during Saturday's gala dinner were a highlight.

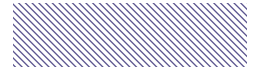
Another highlight for guests were the tours of

Above: Caroline Avery '89, Becky Bleich, Berit Ashla, U.S. Ambassador Jeff Bleich '89, Judge Jon Tigar '89, Aron Cramer '89. Right: Former UC Regent Gerald Parsky, California Senator Joe Simitian '77, Boalt Hall Alumni Association James McManis '67, Dean Christopher Edley, Jr., and Professor David Gamage address the fiscal and governance crisis in California

More than 300 alumni from as far away as Alaska and Europe returned to Boalt in October for the annual All-Alumni Reunion. Alumni enjoyed gala receptions and dinners at the Palace Hotel in San Francisco, fascinating CLE panel discussions at Boalt, and previews of the law school's remarkable new facilities.

Taking part in his 40th reunion was 2009 Reunion Chair Terry O'Reilly '69. He said the great turnout during the weekend—with its special programming and venues—was particularly gratifying, and signifies that the event is meeting a growing demand. “The alumni community is





Left: John Burris '73, Henry Shields '74, and Judge Lise Pearlman '74. Below: Diane Yu '77 and Jami Floyd '89

the new Student Center and the Koret Interactive Learning Center, which provided an up-close look at the most recent additions to Boalt's evolving presence on campus.

Special celebrations during the long weekend commemorated the classes of 1959, 1964, 1969, 1974, 1979, 1984, 1989 (the class with the most attendees), 1994, 1999 and 2004.

Once again, Boalt alumni displayed their generosity. In honor of their reunion, over 570 alumni have participated in their class campaign and have raised over \$1.1 million in support of Boalt Hall. The Class of '69 had the distinct honor of raising the largest class gift (\$232,175), and the Class of '59 had an exceptional showing with Boalt's highest percentage of donors in a reunion year (34%). The classes of '84 and '04 also had substantial participation.

This All-Alumni Reunion weekend provided a unique opportunity to reflect upon times past at Boalt, hear about current endeavors and achievements, and learn about exciting developments on the horizon. The country's top public law school certainly has a lot to celebrate.

If you graduated in a year ending in 0 or 5, or you'd like to learn more about how to get involved with your class campaign, please contact Summer Staino at 510.642.9045 or ssaino@law.berkeley.edu.



PHOTOS: JIM BLOCK



“Boalt’s spirit of public service taught me that the law is a way to serve society as well as a way to make a living.”

—Elizabeth Cabraser, Campaign for Boalt Hall Co-Chair

Profiles in Leadership

Gifts that keep on giving



“Giving to Boalt to strengthen its program is the most rewarding thing I can think of to do with my resources. It helps the school today and enables the school in the future. It is a gift that keeps on giving.”

—Pamela Samuelson, Campaign for Boalt Hall Co-Chair

“Boalt turns ideas into action. I’m amazed at how quickly we were able to create an entrepreneurial, collaborative clinic that instills students with important skills and values.”

—Robert Glushko



“I got a tremendous education at Boalt for virtually no tuition. I express my gratitude by helping the school live up to its great potential and public mission.”

—Werner Wolfen

Elizabeth Cabraser '78

In 2008, Elizabeth Cabraser '78 pledged \$3.78 million to the Boalt Hall Fund—the law school's largest single alumni donation—bringing her lifetime giving to \$5 million. A founding partner at Lief Cabraser Heimann & Bernstein, a renowned plaintiff rights firm, she has taken part in nearly 300 class action lawsuits and has been repeatedly honored for her work on humanitarian issues. Boalt's 2003 Citation Award winner, she also serves the law school as an adjunct professor and campaign cabinet member, and most recently as co-chair for the Campaign for Boalt Hall.

Pamela Samuelson and Robert Glushko

UC Berkeley Professors and Boalt Hall campaign cabinet members Pamela Samuelson and Robert Glushko established Boalt's groundbreaking Samuelson Law, Technology & Public Policy Clinic in 2001 with a \$2 million gift, and have continued to support its work. The nation's first clinic of its kind,

which provides students hands-on training while representing the public interest in the fast-changing field of technology law, has spawned similar clinics at roughly 30 other law schools. Samuelson holds joint appointments at Boalt and the School of Information.

Werner Wolfen '53

Werner Wolfen '53 and his wife, Mimi, have contributed generously to faculty endowments and law school programs and both serve on the cabinet for the Campaign for Boalt Hall. Their contributions to the International Human Rights Law Clinic reflect a lifelong commitment to social justice, and in 2005 they established a \$1-million endowment to create the Wolfen Research Professorship, which enables a distinguished Boalt faculty member to devote a semester exclusively to research.

Steven Bochner '81

A longtime generous supporter of Boalt Hall, Steven Bochner '81 has also enriched the school in many other ways. He's been a lecturer on corporate and securities law for several years at Boalt, where he designed and taught the Venture Capital and IPO Law course, and he currently serves on the campaign cabinet and chairs the advisory board of the Berkeley Center for Law, Business and the Economy. The chief executive officer at Wilson Sonsini Goodrich & Rosati, Bochner has served as lead counsel for some of Silicon Valley's most prominent companies.



“To see the phenomenal range and breadth of everything the school is doing is to recognize that the Campaign for Boalt Hall is critical if we want to sustain this exciting momentum.” —Steven Bochner



CLASS NOTES

ALL
IN
THE
BOALT
FAMILY

1960

James Slack has been practicing law part-time out of his home office in Bigfork, Montana. He has been doing a lot of hiking, fishing, and visiting Glacier National Park.



1966

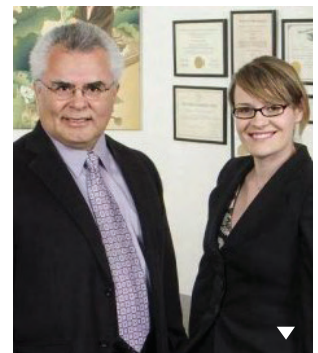
Jerome Cohen is featured in a new book, *The Union of Their Dreams — Power, Hope and Struggle in Cesar Chavez’s Farm Worker Movement*. Cohen was the first chief counsel to the United Farm Workers and worked for Chavez from 1967–1981. He is one of eight major characters through whom the rise and fall of the farm workers’ union is told. The highly personal and gripping narrative illustrates the ways the law became a key organizing tool during the heyday of the UFW. More photos and documents about

Cohen are on display on the book’s Web site. (www.union-of-theirdreams.com)

1967

James McManis, president of the Boalt Hall Alumni Association, recently joined XDL Group, a nationwide network of veteran trial lawyers and intellectual property (IP) professionals. Previously, McManis was a founding partner of the leading Northern California trial firm McManis Faulkner. He is the first California affiliate for XDL Group, which pools the talents, resources and experiences of its affiliated attorneys to provide clients with the resources of a large, national firm, but with the cost-effectiveness, flexibility and access characteristic of high-caliber, smaller firms.

ing a trip to the DMZ and the tunnels under the DMZ. The highlight of his travels was a railroad trip across Siberia to European Russia through a Cal Discoveries trip. Russell believes that this specific trip “Is the best way to see Siberia and get an introduction to Mongolia.” Russell’s trip ended in Moscow where he was lucky enough to hear President Barack Obama deliver a speech.



1968

Russell Inungerich is partner at the law corporation Inungerich & Spackman. He recently took six weeks off in May and experienced the trip of a lifetime. From the U.K. where he visited friends from Oxford to Paris where he watched the French Open Russ even flew to Seoul, Korea, touring there for two days, includ-

1972

After graduating from Boalt Hall, **Salomon Quintero** returned to his hometown of Redwood City, California, where he has been involved in private practice that is now exclusively focused on family law. He was certified as a specialist in 1980 and has been recognized by *Northern*

Your classmates want to hear from you!

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School of Law
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Pro Bono Pro

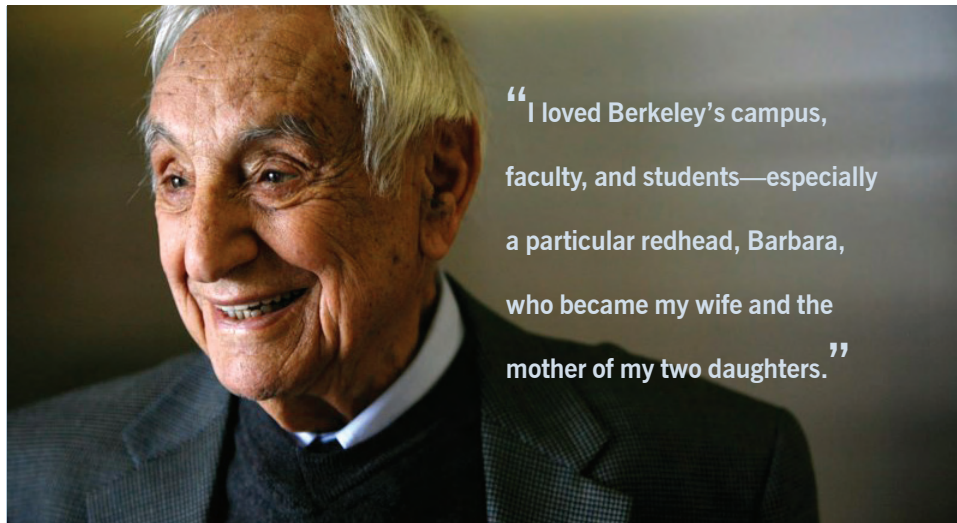
California Superlawyers Magazine for the past two years. One of the most unique aspects of Quintero's three-lawyer firm is that it is completely multilingual. Quintero is fluent in Spanish and Associate Attorney Amy Yimei Gu is from Shanghai, China, and speaks Shanghainese, Mandarin, and Cantonese. Associate Julie Zhalkovsky is a native Russian speaker. Their partnership has proven perfect for the diverse Bay Area community.

1975

Norman Pine was recently honored by the *Los Angeles Daily Journal* as one of the "Top 25 Labor and Employment Lawyers in California." He is the only certified appellate specialist in that category.

1976

Robin Quon writes that after being the general counsel for two companies which were acquired, and being laid off each time by the acquirer, she finally learned her lesson and now operates as an independent hearing representative for employers in unemployment insurance appeal hearings. Working for herself from home has proven an unexpected delight, and it allows her time to volunteer. The Make A Wish Foundation and the local community theatre, at which her husband performs, are her two main causes. Her two children are grown; Jarrod, age 27, is an aspir-



"I loved Berkeley's campus, faculty, and students—especially a particular redhead, Barbara, who became my wife and the mother of my two daughters."

In a remarkable career that spanned more than six decades, Alec Cory '39 never wavered from his approach to practicing law. "People come first," says Robert Russell, a partner at Procopio, Cory, Hargreaves & Savitch, the San Diego law firm Cory founded in 1946. "That mindset has always guided Alec's decisions and the advice he's given others."

Taking Cory's advice has always been an easy sell for San Diego-area lawyers. Now 94, Cory was instrumental in the financing and development of many areas throughout San Diego County, built one of its top firms, and founded the city's Legal Aid Society.

After serving in the Navy during World War II, Cory and a fellow lawyer named Edward Schwartz each looked for a place to hang out his shingle. Coincidentally, they showed up at the same time to look at a small office in a local bank building. They hadn't planned to become partners, but with money and San Diego office space scarce at the time they decided to pool their limited resources and share the humble digs—which consisted of 300 square feet, two cubicles separated by a partition, a few books, and sparse furniture.

"The letterhead, and not much else, attested to the fact that we were a law firm," Cory recalls. Over time, however, it became an area leader in real estate law and today—with more than 110 attorneys—it serves clients from almost every industry.

But it's Cory's insatiable desire to help others that has made him a legal icon in southern California. Russell says he "always reminded us that the law is a profession, not a business, and that we're obligated to give back."

Cory has a long history of giving back to Boalt Hall, where he says he spent some of the "happiest days" of his life. "I loved Berkeley's campus, faculty, and students—especially a particular redhead, Barbara, who after much pleading on my part became my wife and the mother of my two daughters."

The Barbara and Alec Cory Fund provides major support for Boalt's Summer Fellowship Program, which funds students to perform public interest or public service legal work. The number of fellowships has soared from 41 in 2004 to 183 this year. "My hope," says Cory, "is that the fund encourages students to follow a path of service."

It's a path he knows well. Early in his career, Cory provided free legal services to the disadvantaged as a "public attorney" for \$100 per month. After launching San Diego's Legal Aid chapter—Barbara served as its first director—he spearheaded a volunteer lawyer program that became the city's main pro bono vehicle.

Not that Cory confined his philanthropic efforts to the legal arena. When he heard about a bartender whose son needed financial help to achieve his considerable music potential, Cory stepped in. Gustavo Romero went on to play the New York Philharmonic at age 13, graduated from Juilliard, and is now a renowned concert pianist.

Cory was equally generous within the firm. At a 1980s partner meeting, he announced his decision to receive less individual compensation—and funnel the difference to junior partners. "Alec has been my role model from the day I joined this firm," says Russell, "and I know many other people feel the same way." —*Andrew Cohen*

ing actor/actual restaurant manager; Whitney, age 25, is a publicist for a small press. Robin says, "I would love to hear from old classmates!"

1980

Nancy Lemon is proud to announce that she has just received the Lifetime Achievement Award from the California Partnership to End Domestic Violence, the state domestic violence coalition. This accolade comes after 30 years of work in the domestic violence field, which began when Lemon was a student at Boalt Hall. Lemon, a leading authority on domestic violence for more than 25 years, pioneered its study in law schools and is the author of *Domestic Violence Law*, the premier textbook on the subject (West Group, 3d. Ed. 2009). Lemon has been teaching the Domestic Violence Seminar at Boalt—the first law school class of its kind—since 1988, and also directs the Domestic Violence Practicum.

Albert Harutunian III recently joined the San Diego County Public Law Library's Board of Trustees. He is currently a San Diego Superior Court Judge.

1982

Glenn Terrones has left his beloved Los Angeles to become vice-president in the Advanced Planning Department of New York Life in Dallas. It took an offer Glenn could not refuse to relocate, but he will be doing familiar work that involves educating and supporting financial planners in

complex income and estate tax planning cases.



Kathryn Ma has officially turned to writing after practicing law for a number of years at the San Francisco firm of Kecker & Brockett. Her new collection of short stories *All That Work and Still No Boys* won the the Iowa Writers' Workshop Short Fiction Award. (See page 32) Ma is the first Asian-American to be so honored in the forty-year history of this distinguished award. Kathryn would love to see Boalt friends at any of her upcoming readings, which are listed on her Web site at www.kathrynma.com.



1983

Molly Tami serves as the associate dean for Student Affairs and Admissions at Northern Kentucky University's Chase College

of Law. In addition, she continues to direct the law school's pro bono service program. Molly resides in Cincinnati, but travels a few short miles across the river to work at NKU.

1985

Lee Bogdanoff and co-founder and partner **Michael L. Tuchin** '90 celebrated the 10-year anniversary of their Los Angeles restructuring and reorganization boutique firm, Klee Tuchin Bogdanoff & Stern.

Andy Winer has lived in Hawaii for the last 25 years, but recently accepted an appointment from the Obama administration to serve as the Director of External Affairs for the National Oceanic & Atmospheric Administration (NOAA). (See page 24)



1987

Dan Engel recently formed the Non-Profit Purchasing Group (www.nonprofitpurchasinggroup.org) to help lower the recurring of non-profit organizations by providing its members with discounted rates on their most commonly purchased

goods and services. Dan is also president of the Miracle League of San Diego and chairman of the board of the California Oncology Research Institute.

1989

Emily Doskow along with **Janelle Orsi** '07, are proud to announce the publication of their book, *The Sharing Solution: How to Save Money, Simplify Your Life, and Build Community* (Nolo, June 2009). *The Sharing Solution* is a practical legal guide to sharing resources of all kinds—from housing and cars to gardens and child care—to create a more sustainable world.

1990

Juliet Davison recently opened her own law practice in Boston, Davison Law, specializing in employment law (primarily employee side), trusts, and estates litigation and civil litigation. Her Web site is at www.davisonlaw.llc.com. Juliet would be happy to hear from any Boalt graduates in the Boston area.



Stephen Venable has recently become the President of the Midwest Minority Supplier Development Council—an

PAT HERRON '64

Wine Judge

As a child, Pat Herron '64 heard her father tell stories of his visits with Judge Learned Hand, the uncle of his school roommate. Judge Hand—who had no sons—would take the boys to “boxing matches or horse races or whatever.” Herron grew up knowing that her father “thought Judge Hand was marvelous.”

She's not certain if her father's admiration for Hand influenced her to enter the law and eventually become a judge, but her journey to the bar and bench was an indirect one. The early stages of Herron's professional life were spent primarily in higher education, as an administrator and a graduate student.

A turning point came when Herron moved to California to become an instructor at Contra Costa College. Herron recalls loving classroom teaching, but her credential required her to take courses in education. She declined to do so, having already begun coursework for a Ph.D. in American history at Syracuse University.

“A person should be a good judge. If you happen to be female, fine.” —Pat Herron

Herron considered returning to Syracuse, but she had fallen in love with California and her adopted hometown of Point Richmond, a small community where her rambling, windswept home sits on a cliff above San Francisco Bay. She can't say what exactly prompted her to study law—and she doesn't rule out her father's deep respect for Judge Hand as one factor—but in 1962, she enrolled at Boalt Hall.

Following graduation, Herron became the founding managing partner of Knox, Herron and Pierce in Point Richmond. “I knew I would get much more experience quickly with a small firm,” she says. Herron maintained that affiliation until 1977, when then-Governor Jerry Brown appointed her to be the first woman on the Superior Court in Contra Costa County. Two years later she became its first female presiding judge.

Despite her acute awareness of how few women were on the bench at that time, Herron prefers to be viewed as simply a judge. “A person should be a good judge,” she says. “If you happen to be female, fine.”

After a distinguished ten-year career on the Superior Court, Herron spent nineteen years as a private judge with Judicial Arbitration and Mediation Services. In her second year on the bench Herron and a partner bought The Barricia Vineyards in Sonoma County. (“I refer to it as a ranch,” Herron says. “A vineyard is so chic.”) The property had 30 acres planted, including several acres of prized pre-1892 Zinfandel. Herron pursued her avocation profitably for 29 years, selling the property in 2007.

Herron is retired from both law and farming now, but don't expect her to slow down. She is on the board of the California Continuing Care Residents Association, and is working for legislation to improve protections for seniors in communities like the one in Santa Rosa where she lives part-time.

Herron modestly attributes her many and varied successes to old-fashioned hard work. Herron recalls a former associate telling her, “Pat, I don't think I'll ever in my life work as hard as you do.”

Herron says that the remark resonated with her. “I don't think I thought of myself as working hard. I think I simply look at things, and if I have to do something, I do it.”

And so the educator, attorney, judge, and farmer keeps working wherever she sees a need. “It's been a great ride,” she says. “I'm trying to decide what to do next.”—Emily Bruce



independent nonprofit affiliate of the National Minority Supplier Development Council, which facilitates the development of symbiotic business relationships between the corporate community and minority suppliers. Also, Venable was elected to the Board of Directors of The People's Center Medical Clinic at Cedar Riverside—a Minneapolis-based nonprofit community health center that offers high-quality, affordable health care to all (including countless members of local under-

served, lower socioeconomic communities).

1991

Steven Gonzalez was recently the recipient of the Hispanic National Bar Association's (HNBA) Latino Judge of the Year award. The award will be presented at the HNBA's Annual Convention on September 4, 2009, in Albuquerque, New Mexico. Gonzalez has previously received the 2009 King County Washington Women Lawyers Vanguard Award. Presently, he is the

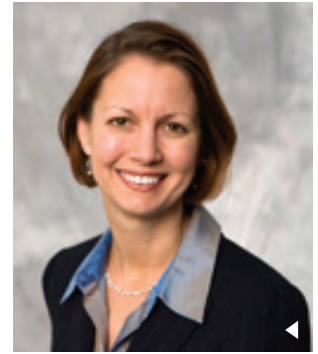
superior court judge of King County.

1993

Melonie J. McCall became the fourth woman and first African American to serve as president of the U.S. Court of Federal Claims Bar Association. As a trial attorney at the U.S. Department of Justice, Ms. McCall began her term in January 2009.

Kelly McCown is excited to announce that she was recently nominated to the board of the National

Center for Lesbian Rights (NCLR) in San Francisco, a national advocacy, litigation, and direct services organization working for LGBT civil rights. NCLR was lead counsel in the "In Re: Marriage



STEVE WALTHER '68

Electing to Serve

At a time when many of his former Boalt classmates have permanently exchanged their briefcases for golf bags, Steve Walther '68 took on the toughest challenge of his career: serving as chairman of the Federal Election Commission (FEC).

"It was tough leaving the firm I started in Reno 35 years earlier," says Walther, a fourth-generation Nevadan who moved to Washington in 2006. "But I saw a chance to serve in a greater capacity, and I'm working harder than ever."

Led by six commissioners, each of whom serves a six-year term with one year as chairman, the FEC is an independent regulatory agency that oversees the financing of federal elections. No more than three commissioners can belong to the same political party, and in order to encourage nonpartisan decisions—official actions require at least four votes.

"I'm actually the only independent commissioner the FEC has ever had," says Walther. "But (Boalt professor) Jesse Choper told me I was the first non-Californian to be president of the Boalt Hall Alumni Association, so maybe there's a pattern."

Walther's pattern of public service dates back to the 1960s, when he helped coordinate American Bar Association (ABA) democracy-building programs in 22 countries that promoted independent judiciaries and the rule of law. "It was like an ABA Peace Corps providing

legal assistance and helping countries develop their election system," says Walther, now co-chair of the ABA Center for Human Rights.

Today, he works to ensure the legality of U.S. elections and the transparency of campaign donations. With roughly 9,000 reporting entities and \$8 billion in recorded contributions from the last election cycle, the FEC posts online the name of anyone who contributed more than \$200 to a presidential or congressional campaign.

The FEC's tasks also include overseeing the adoption of regulations, ruling on filed complaints, working with the Department of Justice on major criminal violations, and issuing advisory opinions.

"It's intricate work," says Walther. "But the commissioners take it very seriously, and it's been really wonderful serving with such dedicated people."

—Andrew Cohen



CLASS NOTES

Cases” before the California Supreme Court, which resulted in the Court’s decision last May that laws directed at gays and lesbians are subject to strict judicial scrutiny and that marriage is a fundamental right under Article 1, Section 7 of the California Constitution. As an immigration attorney, McCown has long admired the work of NCLR in the immigration area, particularly its long history of helping LGBT immigrants who are fleeing persecution in their home countries secure asylum in the U.S. She has also been a long-time volunteer at NCLR’s monthly free legal clinics in San Francisco that give foreign nationals the opportunity to meet with attorneys familiar with the specific circumstances of immigrants in the LGBT community. Kelly still practices corporate immigration law at McCown & Evans LLP in San Francisco, and lives in the Oakland Hills with her partner Barbara Fitterer, a Physician Assistant with Kaiser Permanente.

1994

Rachel Nosowsky has been senior counsel in the law firm of Miller Canfield and was recently elected vice president of the board of directors of the Jewish Community Center of Greater Ann Arbor. At Miller Canfield, where Nosowsky has practiced since 2008, she works primarily in the areas of health care and life sciences. During her career she has represented academic medi-



cal centers and other health care providers and payers in a broad range of health law and regulatory compliance matters, in particular in the areas of corporate governance, ethics and compliance; medical staff bylaws, credentialing and peer review; physician-hospital relations; health privacy; and human research protection, biospecimen banking, and clinical trials and FDA regulation. She also has written and spoken extensively on health privacy and human research issues.

1995

Ricardo Garcia has returned to the field of criminal defense after a brief stint as the criminal justice director for the ACLU of Southern California. Garcia now works with the Multiple Conflicts Office of the County of San Diego. The office consists of a defense team of five lawyers specializing in high-profile homicides and special circumstances cases. When not fighting the good fight, Garcia is home with his wife, Dawn, and his two-year-old son, Diego.

1997

Jess Bravin has been elected

to the Reporters Committee for Freedom of the Press, officially ending his role as the Supreme Court correspondent for the *Wall Street Journal*. Founded in 1970, the Reporters Committee is a nonprofit organization dedicated to providing free legal assistance to journalists.



1999

Kristina R. Haymes was recently named an associate at Brown Law Group; a leading San Diego business litigation boutique law firm. Haymes will focus on employment law and commercial litigation. She will provide employment counseling and litigation representation to employers in all types of employment-related litigation involving claims of discrimination, sexual harassment, retaliation, and wage and hour class actions. In addition to employment litigation expertise, Haymes has extensive commercial litigation experience that includes preparing and contributing to a defense victory in a state court trade-secret theft trial, grand jury investigations, and managing class action complex securities and product lia-

bilities litigation. Haymes remains actively involved in her community as an advisory board member for the Boys & Girls Club Montessori School, a member of the San Diego County Bar Association, and as a barrister with the Wallace Inn of Court.



Kimberly Sayers-Fay reports that she has joined the U.S. Attorney’s Office in Anchorage, Alaska. Though Kimberly and her husband lived in California for a long time, the transition has turned out to be both personally and professionally rewarding. In October 2008, Kimberly won the John Marshall Award for Trial of Litigation, which is the Department of Justice’s highest honor for trial attorneys. The award was recognition for the successful prosecution of a violent sex trafficker who had victimized over a dozen women and girls in Anchorage over a several years. Since then, Kimberly and a colleague of hers obtained the largest restitution award ever entered against a sex trafficker: more than \$3 million. “Needless to say,” she says, “I am having a ball trying criminal cases in the last frontier.”

2001



Jeffrey Schrepfer has been at Morrison & Foerster since graduating law school. In 2004, Jeffrey moved to the Tokyo office where he and his wife have had three daughters, including twin girls. From the left: Emi, Jeff, Miyu, Ikuko and Yuna.



Marvin Dunson III is happy to announce the formation of Valdez Dunson & Doyle, a San Francisco Bay Area employment law firm dedicated to providing exceptional employment litigation and counseling services. Founded by three former big firm attorneys, Valdez Dunson & Doyle (<http://www.vddl.com>) provides sophisticated employment counsel from experienced attorneys committed to delivering prompt

personal service at competitive rates. Prior to founding his own firm, Marvin practiced with the Employment Law Group at Wilson Sonsini Goodrich & Rosati in Palo Alto. Marvin presently lives in Mountain View with his partner, José Manuel Muñoz, a Hastings grad who specializes in labor and employee relations for the San Francisco Superior Court.

2002

Andrew Grotto left the Center for American Progress in September where he served as a Senior National Security Analyst. Grotto had worked there since 2003, but has now joined the professional staff of the Senate Select Committee on Intelligence as Senator Sheldon Whitehouse's (D-RI) designee. He currently serves as the Senator's senior adviser on national security and intelligence matters.



(Photo taken in North Korea)
John Derrick reports that he has been certified as a specialist in appellate law by the State Bar of California Board of Legal Specialization—he is now one of about 240 lawyers in the state with that certification. For the past four years he has had a state-

wide solo practice specializing in appeals. He mostly handles civil cases, but does some criminal ones, too. His Web site is www.californiaappeals.com. His wife, Lisa, now flies Citation jets for an aircraft management company. His daughter Emily, 14, is starting in high school and his five-year-old son, Michael, is starting in kindergarten.

2003

Jonathan Petrus reports that he founded Arca Capital Partners, a private investment and advisory firm focused exclusively on litigation risk transfer opportunities for business organizations, law firms and claim-holders engaged in commercial litigation. Their mission is to raise and deploy capital to provide parity for lower and middle market business organizations that hold meritorious claims against larger, well-funded adversaries, while achieving superior market-neutral returns for their investors.



Zheng Liu had a baby boy early this year named Rimu, who is now 7 months old. Zheng is back at work at Orrick Herrington &

In Memoriam

- Bruce F. Allen '49
- Stanley V. Anderson '53
- William M. Baldwin '68
- Harold I. Boucher '30
- Alvin J. Bradley '59
- Alan N. Fenton '65
- Peter G. Fetros '61
- Thomas P. Gill '51
- Franklin P. Jones '64
- Kenneth I. Kahn '65
- Frank J. Kanne '40
- Janet N. Lee '02
- Ann M. Lucas '91
- Thomas G. Lumsdon '59
- George W. McClure '49
- Ernest H. McCoy '62
- Emil J. Relat '41
- Maria Rodriguez '79
- Roselyn B. Rosenfeld '59
- Kenneth W. Rosenthal '54
- Donald G. Ross '63
- Robert J. Self '60
- Robert W. Tallman '53
- William M. Tellegen '55
- Naomi A. Vargas Banker '80
- Doris B. Walker '42
- Richard Weinstock '64

CLASS NOTES

Sutcliffe's Menlo Park office, still focusing on IP litigation. (Photo: Rimu at 5 months)

2004

Jennie Sexton recently joined the United States Attorney's Office in Los Angeles as an assistant United States attorney. Prior to this transition, Jennie worked as an associate in both the San Francisco and Los Angeles offices of Quinn Emanuel Urquhart Oliver & Hedges. Presently, she lives in Manhattan Beach with her husband, Adam.

Michelle Watts is a placement director/recruiter with Special Counsel, Inc. in San Francisco. She is working with law firms and in-house legal departments in the Bay Area to fill job openings with legal talent, both on a direct hire and contract basis.



2005

Kate Ladd Pearson has been appointed Vice President, Business Development for Legal Ease Solutions, LLC; a legal process outsourcing firm using a combination of onshore attorneys

based in the U.S. and offshore attorneys in India. With rates starting as low as \$30 per hour, the savings for law firms and corporate law departments are significant. The LegalEase Solutions specializes in legal research and writing, litigation support, contract and document drafting and review. Kate is currently based in Newport Beach, California.



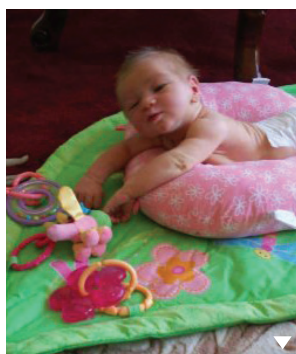
Yuichiro Tsuji is an associate professor of law in Japan. He is in charge of Western Japan Boalt Hall (such as Kyoto, Osaka, Kobe, Hiroshima), as well as public law. Currently, with the aid of Judge Sungmei Hsiung JSD '05, Yuichiro is working to hold an Asian Judge Symposium in November 2009 at Kansai university. He recently attended an international symposium for climate law and policy in Bangkok, Thailand with Professor Dan Farber, the Sho Sato Professor of Law and chair of the Energy and Resources Group at the University of California, Berkeley. Both of their papers were in the Comparative Law Journal of the International Affairs Division, judiciary of Thailand as well. Tsuji is on a tenure track in Japan. (Photo:

Tsuji is seated in the front row on the right; Professor Farber is second from left in the front row.)



2006

Erica Smith began practicing law in the business trial practice group of a prominent Los Angeles firm upon graduating in 2006. In 2008, Erica left practice and relocated to the MD/DC/VA area to pursue an LL.M. in Trial Advocacy from Beasley School of Law at Temple University. Finally, in May 2009, she received her LL.M. and is currently looking for a position in DC.



Olga Mack and her husband, **Kevin J. Mack** ('07), are discovering the joys and chal-

lenges of parenthood after the birth of their child Katie Marie Mack arrived on August 31, 2009 at 3:51 A.M. (Photo: Katie Marie Mack, 4 days old)

2007

Holly Henderson-Fisher just celebrated the birth of her daughter, Bella Mirai Fisher, with her husband Josh Fisher on February 15, 2009.



Amanda Dranginis reports that she got married in January 2009 to Jim Athanasiou. Bridesmaids **Jocelyn Belloni** '07, **Holly Dranginis** '13, and **Sharla Draemel** '07 served as bridesmaids and **Lenin Lopez** '07 emceed the reception. Amanda has been enjoying her work as a tax attorney at the Mountain View office of Fenwick and West since graduation. Amanda has taken her husband's name and is now Amanda Athanasiou.

EDWARD RASKIN '06

Doing the Right Thing

As a freshly-minted lawyer, all Edward Raskin '06 wanted was a case of his own and an opportunity to help someone. If he could have the opportunity argue a case in front of a judge, all the better. At an Orange County Bar Association event in December 2006, a 9th Circuit judge lamented the backlog of cases that needed representation and asked new attorneys to help clear them; Raskin contacted the local volunteer coordinator and was given “an easier immigration case” that had been assigned to mediation. A few days later, an 18-inch-thick file arrived. “I looked at what was an eight-year-old case at the time and thought, ‘what am I getting into,’” he recalls. How right he was.

The client, an undocumented immigrant named Jose Vargas, had entered the United States in 1991. In 1998, Vargas and his employer applied for a work visa—the first step toward getting a green card. In the years that followed, Vargas was ill-served by three individuals, including a Notary Public posing as an attorney and a Puerto Rican lawyer not licensed in California. These people took thousands of Vargas’s dollars, but failed miserably: Vargas was ordered to leave the country in 2002—an order he was forced to disobey to support his two U.S. born children.

Raskin got on the phone with the 9th Circuit mediator in San Francisco and a Justice Department attorney in Washington, who told him that a green card might be issued if Raskin could get the original case reopened on appeal. So he plunged into immigration law and discovered that Vargas was eligible for legal residency under the Legal Immigration and Family Equity (LIFE) Act, something none of his so-called attorneys had noticed or cared to argue. He began the work to reopen Vargas’s case.

The task was all-consuming. “It’s quite a Kafkaesque environment we’ve created within the immigration courts,” Raskin says. One time documents Raskin submitted were rejected because the paper wasn’t the correct shade of green; another time, an immigration judge ordered that the government complete a background check on Vargas, but the agency responsible for doing so simply refused due to confusion.

In the end, Raskin succeeded in getting Vargas’s case reopened on appeal. Once sent back to the lower court, he convinced the immigration judge that Vargas was in fact eligible for a green card and should have never been ordered to leave the country. Unfortunately, Vargas did not receive his card at that time because there were no more available that year and the government had failed to complete its background investigation. At the most recent hearing, on October 2, 2009, the background check still hadn’t been completed, and the case was pushed out another 45 days. This in spite of the fact that the judge ruled that Raskin had successfully proven Vargas’s eligibility for legal residency. (*Just before going to press, Ed notified us that Jose is now a legal resident!—Editor*).

Raskin invested some 250 hours so far, and the case has followed him from his associate days at Paul Hastings to the founding of his own firm, Kassinove & Raskin, which specializes in employment and labor law defense, particularly for the healthcare industry (His partner, Andrew Kassinove, is both a medical doctor and a lawyer.) “Jose was my first immigration case, my only immigration case, and I wouldn’t be surprised if it’s my last immigration case,” Raskin says with a smile.

“I’ve lost so much sleep over this,” he says. “I’ve been brought to tears. It’s been more personal than any other case I’ve handled.” What motivates him to keep fighting? “When I’m not moonlighting as an immigration attorney, we really just fight about liability for monetary damages,” he says. “And while that is certainly important, they are not cases where someone might be permanently separated from their family. That just doesn’t sit right with me.”—Fred Sandsmark



THE NEW ALUMNI CHALLENGE MATCH: QUADRUPLE IMPACT

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A Celebration of Women Leaders

Friday, April 30, San Francisco

Join us this spring to honor two of Boalt's most accomplished women.

Kathryn Werdegar '62

California Supreme Court Justice will be presented with the D. Lowell and Barbara Jensen Public Service Award

and

Herma Hill Kay

Boalt Hall Professor and former Dean will be recognized for her 50th year of teaching at the law school.

This special evening will take place at the Intercontinental Hotel, San Francisco.



Kathryn Werdegar '62
California Supreme Court Justice



Herma Hill Kay
Barbara Nachtrieb Armstrong Professor of Law

Alumni Weekend 2010

featuring the

Citation Award Dinner

49th Annual Citation Award Dinner

Celebrate the accomplishments of the Boalt Hall community with friends and faculty and honor the recipients of the Boalt Hall Alumni Association's Citation, Young Alumni, and Faculty Lifetime Achievement awards.

Friday, October 1, San Francisco



Stuart Gordon '65,
Laura Parsky '95,
Richard Buxbaum '53
2009 Award Recipients

MCLE Day

Return to Boalt for MCLE presentations from faculty and alumni and hear a state-of-the-school update from Dean Edley. Enjoy socializing over lunch and a late afternoon wine tasting.

Saturday, October 2, Boalt Hall

Reunion Dinners for 0s and 5s

For classes ending in 0s and 5s, reunite over dinner with friends and faculty guests.

Saturday, October 2, Boalt Hall and UC Berkeley locations



Class of 1999 celebrates at Alumni Weekend 2009.