

TRANSCRIPT



First Class

A pioneering student group helps first-generation professionals find their footing at Berkeley Law. **PAGE 20**

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Jim Dempsey explains how Berkeley Law keeps ahead of the tech-law pack. **36**

TRANSCRIPT

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All in the Alumni Family



FROM THE DEAN



“I am driven to make you prouder than ever of your law school.”

—Sujit Choudhry

I came to Berkeley Law with high expectations. Actually, stratospheric expectations. I said becoming the dean of this incredible school was the opportunity of a lifetime, and every day since arriving here has reinforced that belief.

To read through this *Transcript* issue is to see why I’m so enthusiastic. It reveals the fruits of our labor, some of which are still ripening, over the past year. It also reveals why the pillars of Berkeley Law’s long-term success—service, access, innovation, and globalization—are structurally sound.

I met with as many alumni as possible during my first few months (page 55), and was genuinely moved to see their passion for the school. Talking with them underscored that it’s not enough to have talented faculty, students, and alumni. To reach new heights, we have to work in concert to cultivate a shared vision for what Berkeley Law should become. Seeing this ethos emerge is exhilarating.

Our *Transcript* cover story about first-generation students (page 20) epitomizes what makes Berkeley Law so special—and what makes providing access to all qualified applicants so crucial. The school’s First Generation Professionals group has become a thriving partnership of students, faculty, alumni, and administrators.

Our feature on alumni judges (page 26) reveals a vast, diverse landscape of graduates serving in important judicial posts across the country—and around the world. Their passion for public service is inspiring, as is our Clerkship Committee’s tenacious and successful push to place more clerks.

The value we place on innovation and globalization shines through in a feature on our top-ranked tech-law program (page 36). A Q&A with Jim Dempsey, the new executive director of our Berkeley Center for Law & Technology, shows why our intellectual property and privacy experts have been able to stay ahead of the curve—and our peers.

Everywhere I turn, I see stunning achievements, extraordinary leaders, and high-yield collaborations. Professor Frank Zimring producing groundbreaking research on killings of and by police in America (page 11). Cross-campus partnerships fueling vital opportunities in real estate law (page 12). Astounding students winning national mock trial competitions (page 4) and supporting constitutional processes around the world (page 46).

I also see our remarkable alumni, who have accomplished so much in so many fields, solidifying the foundation of my faith in Berkeley Law. Busy as they are, they still help this institution fulfill its skyscraping promise by supporting our Access to All Challenge (page 51), assisting our business law center (page 66), and contributing in so many other ways.

I am sincerely grateful to serve as your dean, and driven to make you prouder than ever of your law school.

Sujit Choudhry,
Dean and I. Michael Heyman Professor of Law



JIM BLOCK

IN BRIEF

Making It All Happen

MASTER OF EFFICIENCY

New COO Georgia Giatras has a proven track record of strategic planning that improves operations and saves costs. Some recent examples from her time at Stanford School of Medicine:

Saved more than \$1 million while overseeing the school's lease portfolio through favorable negotiations of contract terms

Improved cost analysis and decision-making by designing a system to track activity by location, type, trade, and provider

Crafted financial strategies that helped drive faculty recruitment and expand clinical operations

A colorful hint told Georgia Giatras that moving from Stanford to UC Berkeley might serve her well. “I wear a lot of blue,” she says with a laugh. “I was routinely teased for that.”

That’s no longer an issue for Giatras, who became Berkeley Law’s first chief operating officer and senior assistant dean in January. Still, ample challenges remain in a job she describes as “supporting and advancing the areas of finance and administration—while keeping faculty, students, and staff happy!”

Giatras brings tremendous energy—and experience—to the position. From 2002 to 2006, she worked in finance and planning at NYU, within the Office of the Provost and in the School of Medicine. For the past seven years, she held myriad leadership roles at Stanford School of Medicine, most recently as director of finance and administration in Facilities Planning and Management.

“It’s one thing to be exposed to many pieces of the university puzzle; it’s another thing to integrate them all while balancing competing priorities,” Giatras says. “You want to support so many wonderful programs and initiatives, but you have finite resources and time. How do you make it all happen?”

Declining state support for Berkeley Law is yet another hurdle. And this is also Giatras’s



FINDING GOLD: New COO Georgia Giatras brings a wealth of experience from Stanford and NYU.

first go-round in a law school environment, though she happily reports that “it hasn’t been hard to acclimate because everyone has been so warm and receptive.”

To help the school work more efficiently and develop strategies that best support its far-

reaching goals, Giatras confers with members of every Berkeley Law constituency.

“There’s a powerful sense of community and engagement here,” she says. “People take enormous pride in being part of this environment, and that’s really inspiring.” —*Andrew Cohen*



FOUR SCORE: Stephanie Llanes '16, Jerel Dawson '15, DeCarol Davis '17, and Salah Hawkins '15 won the 2015 ABA Labor and Employment Law Trial Advocacy Competition.

Mock Trial Teams Stock Trophy Case

No, winning isn’t everything. But as two Berkeley Law mock trial teams that took home national championships can attest, it sure is exhilarating.

In October, Janice Lu '15, Jason Wu '16,

Jordan Kahler '15, and Roxana Guidero '16 won the prestigious National Institute for Trial Advocacy’s Tournament of Champions at Baylor Law School. The event features the nation’s 16 top-performing trial advocacy programs.

“To emerge No. 1 in the face of such competition is quite an achievement,” says Bill Fernholz '93, the director of Berkeley Law’s appellate and competition teams.

Led by coaches Spencer Pahlke '07 and Justin Chou '11, Berkeley Law defeated three schools in the preliminary rounds, including Georgetown. The team then bested Yale in the

TRAINING GROUND

Berkeley Law offers four internal competitions to hone key skills and help train students eager to participate in external events. They include:

Bales Trial Competition

Introduces trial advocacy through a fictional case and encourages students to join the competitive trial program

Halloum Business Competition

Pairs MBA and law students to tackle various elements of a challenging transaction in a limited amount of time

Halloum Negotiation Competition

Develops real-world negotiating, business transaction, and cooperative skills, and is open to first-year students

McBaine Moot Court Competition

Allows second- and third-year students to experience a moot-court event modeled after U.S. Supreme Court practice

semifinals en route to the title.

Three months later, Berkeley Law followed that achievement by winning the ABA Labor and Employment Law Trial Advocacy Competition in New Orleans.

Coached by Ivor Samson '72 and Katie Lubin Benson '08, the team—Salah Hawkins '15, Stephanie Llanes '16, DeCarol Davis '17, and Jerel Dawson '15—defeated Southern Methodist, Northwestern, Villanova, and UCLA on its championship path.

Two other Berkeley teams reached national semifinals: the Civil Trial Competition quartet

of Margi Schierberl '15, Samantha Sondag '15, Colin Jones '16, and Simon Mont '16 in November; and the ABA Negotiation Competition duo of Francis Choi '15 and Maya Ziv '16 in February.

“In the mock trial setting, winning is a secondary reward,” Fernholz says.

“The primary reward is getting to try different types of legal practice and prepare for a successful career in the law.” —Wendy Witherspoon

“To emerge No. 1 in the face of such competition is quite an achievement.”

—Bill Fernholz '93

Crump Says Police Have Too Much on Your Plate

Catherine Crump's busy first year as associate director of the Samuelson Law, Technology & Public Policy Clinic featured her popular TED Talk on an alarming increase in the police use of high-tech surveillance equipment. Within six weeks of posting, the video had cleared 1 million views.

Speaking in Rio de Janeiro, Crump described the methods—and implications—of “NSA-style” tracking technologies such as automatic license-plate readers.

“They can reveal if you’ve visited a therapist, Alcoholics Anonymous meetings, or casinos,” she said. “If plate readers were just used to locate the bad guys, no one would object. But police are increasingly collecting this information from every passing car.”

Other tracking methods include cell-tower data dumps and “stingrays”—devices that can transmit signals through home walls to extract data from cell phones inside. As the databases grow, so does the potential for abuse. “Past experience suggests that the question is not whether, but when, such data will be misused: for political advantage, blackmail, or simple voyeurism,” Crump said.

Last year in England, a retiree had his license plate number put on a watch list after attending political demonstrations—to sketch them. In the Bay Area, a school board member dis-

covered that police had saved date-stamped photos of his car, including one of him and his two daughters in their own driveway.

He wasn't accused of any crime, “yet the government is storing hundreds of photos of his vehicles,” Crump said. “Why is that okay?” —Andrew Cohen



SPEAKING OF SPYING: Catherine Crump's TED Talk on police surveillance has topped 1.4 million views.

CRUMP BITS

Prominent expert on how new technologies impact civil liberties

Vast experience litigating to vindicate clients' First and Fourth Amendment rights and to disclose government records under the Freedom of Information Act

Winner of Stanford Law School's Miles L. Rubin Public Interest Award for advancing justice and change in the lives of vulnerable populations

IELE's Global Reach Now Stretching Farther

Do a little exploring inside Berkeley Law and you can sometimes see around the world—or so it seems.

By doubling its offerings in the past year, the school's International and Executive Legal Education (IELE) program is welcoming more and more professionals from more and more countries.

"Dean [Sujit] Choudhry has a vision of Berkeley Law being a global crossroads for people and ideas," says IELE Executive Director Louise Francis. "IELE's mission is to bring to that crossroads the professional who seeks continual engagement in practice, in scholarship, and in the exchange of ideas across borders."

In January, more than 30 participants from six continents gathered at the law school for IELE's new winter sessions, which include week-long certificate programs in American Law and Intellectual Property Law. Attendees included lawyers from as far afield as the Philippines and Australia, as well as regulators from Nigeria's National Broadcasting Commission.

This summer, interested attorneys and other professionals can spend up to five weeks at Berkeley Law, participating in an expanded range of certificate programs that include Business Law and advanced certificates in Environmental Law and Energy Law.

IELE also offers professional skills workshops, such as Writing to Persuade, and customized



training sessions created for groups ranging from Oracle Corporation's global tax department to senior associates at a leading Brazilian law firm to members of Thailand's judiciary.

As the program grows, so does its alumni base. "We're aiming to create a community, across legal systems, that's focused on a shared passion for learning," Francis says. "Our program participants leave here connected to each other and to Berkeley Law, across practice areas and national boundaries." —*Wendy Witherspoon*

JAMES STEINBERG

WHAT IELE OFFERS

Certificate programs in American Law, Intellectual Property Law, and Business Law

Advanced certificate programs in Environmental Law and Energy Law

Continuing Legal Education programs in areas such as legal writing

Customized training for law firms, universities, corporations, and government agencies

Justice-Delivered: Ginsburg Presents Eponymous Award to Kay

Yes, professor Herma Hill Kay appreciates her 2015 Ruth Bader Ginsburg Lifetime Achievement Award from the Association of American Law Schools (AALS). But receiving it at a January ceremony from the justice herself—her longtime friend, co-

author, and fellow trailblazer—made it especially meaningful.

The two first met at a conference in 1972. Kay and Kenneth Davidson were writing a casebook on sex-based discrimination and needed someone to pen a chapter on constitutional law.

"Ruth was litigating Supreme Court

cases and about to join Columbia as its first woman law professor," Kay recalls. "Our common interest in improving the legal status of women brought us together." Forty-three years later, their seminal casebook is in its seventh edition.

A prolific scholar, award-winning

Discord, Then Discourse: Killings by Police Stimulate Reflection

As its response to police-related deaths in Ferguson, Staten Island, and elsewhere plainly demonstrates, Berkeley Law is not an academic bubble insulated from real-world events.

Students, faculty, and staff took part in myriad activities following the grand jury decisions late last year not to indict white police officers involved in killing unarmed African Americans Michael Brown and Eric Garner.

In December, about 250 people attended a “die-in” protest organized by the Law Students of African Descent. People of color lay down on the main law school steps as other members of the Berkeley Law community encircled them, holding hands.

“It hits us hard because that could have been any of us,” Salah Hawkins ’15 said. “All the people you see lying down have experienced these same types of issues. We have to fight for basic human rights ... and for laws to be applied equally.”

White attendee Heather St. Clair ’15 said America’s criminal justice system “doesn’t recognize black people as having the same value as white people” and called it “deplorable” that the officers “did not have to answer” for their actions.

In January, Dean Sujit Choudhry led a 90-minute brainstorming session to explore how Berkeley Law might better engage on racial

justice issues. Soon after, the school formed the Post-Ferguson Working Group to review proposed initiatives for the fall semester.

Faculty members Ian Haney Lopez, John A. Powell, Richard Rothstein, and Jonathan Simon penned op-eds about the incidents. Also, 198 faculty and staff signed a statement, published on Berkeley Law’s website, which said the rulings “undermined our trust as legal scholars, advocates, and educators in the fundamental fairness of our legal system.” —Andrew Cohen

COMMUNITY ADVOCATES

The Law Students of African Descent articulate and promote the needs of Berkeley Law’s African-American students, strive to foster a unique sense of community among its members, and serve as an academic, political, and social resource for them.



AALS (AWARD); MICHAEL BAZELEY (DIE-IN)



VERDICT DELIVERED: U.S. Supreme Court Justice Ruth Bader Ginsburg hands Herma Hill Kay the AALS Lifetime Achievement Award bearing Ginsburg’s name.

teacher, and pioneering leader during her time at Berkeley Law—55 years and running—Kay was also the school’s first woman dean (1992 to 2002).

“I liked her enormously from our first meeting,” Ginsburg said in the *AALS Annual Meeting News*. “I couldn’t imagine anyone in the world I’d rather have receive this award than Herma Hill Kay. She’s a grand human in all respects.”

Fellow Berkeley Law professor Saira Mohamed and Mario Barnes ’95 were also among the 14 people AALS honored.

Mohamed received the Section on Criminal Justice’s Junior Scholar Award for her work on reconciling mass atrocity within criminal law. Barnes, a UC Irvine law professor who co-directs that school’s Center on Law, Equality and Race, received the Section on Minority Groups’ Clyde Ferguson Award. —Andrew Cohen

Bowker, Briefly, Enjoys Big SCOTUS Victory

“No rest for the weary,” goes one saying. “Eternal vigilance is the price of liberty,” goes another. David Bowker ’97—who spent years litigating a landmark free-speech case that culminated in his first U.S. Supreme Court oral argument—embodies both.

Representing NGOs working overseas to fight HIV/AIDS, Bowker challenged a U.S. State

Department mandate requiring organizations to pledge opposition to prostitution as a condition of receiving U.S. funds. His clients and his firm—Wilmer Hale, which took the case pro bono—believed the policy violated free-speech rights and impeded progress against HIV/AIDS.

Bowker made his argument, then awaited the vote. Disaster: 9-1 against.

Ten votes? Yes:

Luckily, the drubbing came from a pretrial focus group of veteran Supreme Court practitioners. While “dismayed,” Bowker fine-tuned his argument. “I saw it not just as a free-speech case, but as a limited-government case: keeping government from overstepping.”

On April 22, 2013, Bowker got his day in court. “The bench was extremely active and engaged,” he recalls. Late in the oral argument, after Chief Justice John Roberts seemed dissatisfied with one of his answers, Bowker took aim.

“I pointed out that if the government’s position was upheld, it would mean that Medicare funding could be conditioned on a hospital’s explicit support for, say, the Affordable Health Care Act,” he says. “The chief justice paused, and I saw a glimmer of hope.”

Glimmer indeed. Two months later, Roberts himself wrote the majority opinion: a decisive 6-2 win for Bowker (Justice Kagan recused herself).

Case closed? Hardly. Bowker’s going after the government again, for “refusing to change direction with respect to certain organizations operating overseas,” despite the ruling. “We’re 90 percent of the way there and we’ll see this through to the end,” he vows. —*Jon Jefferson*

BEFORE THE COURT: David Bowker ’97 (center) and his Wilmer Hale team celebrate victory in front of the Supreme Court.



Photos Capture Four Decades of Human Rights Struggle

Berkeley Law’s Human Rights Center (HRC) launched its 20th anniversary with a powerful exhibit of images by 10 noted photographers. From Sebastião Salgado’s harrowing depiction of children witnessing Angola’s civil war to Susan Meiselas’ poignant framing of Iraqi graves, the images convey human rights struggles—and triumphs—over several decades.

“These photographs capture profound moments of courage and defiance,” says Eric Stover, HRC’s faculty director. “They remind us that human rights photography is at its best when it shuns the sensational and sentimental and instead finds human dignity in the face of injustice.”

In addition to Salgado and Meiselas, the featured artists included Mimi Chakarova, Nic

Dunlop, Stephen Ferry, Stephen Goldblatt, Ken Light, Thomas Morley, Gilles Peress, and Jean-Marie Simon. All 38 of the photographers' images were available for sale or auction, with proceeds benefiting HRC's work on war crimes, sexual violence in conflict, and other international law violations.

Morley, a London-based photographer, shared images of Ugandans who survived atrocities that included the killing of their children and other loved ones. "For me, photography is tied up with the rights of people, recording their stories and documenting their plights," Morley says.

Curated by artist Pamela Blotner, the exhibit featured photos from Angola, Bolivia, Bosnia, Brazil,



A MAGICAL MILLION

HRC was one of just nine nonprofit organizations around the world to receive a prestigious 2015 MacArthur Award for Creative and Effective Institutions. The center received \$1 million to establish an endowment and expand its Sexual Violence Program.

Burma, Guatemala, Iraq, Moldova, Tanzania, Uganda, the United States, and Vietnam. All images and photographer bios can be seen at envisioninghumanrights.com.

—Andrea Lampros and Andrew Cohen

RIGHTS FIGHT: Sebastião Salgado's photo of a conflict at a Brazilian gold mine was among those in HRC's fundraising exhibit.

Diversity Earns an Upgrade

The report card is in, and Berkeley Law has reason to smile. The school received an A- in *National Jurist's* 2014 diversity grading, up from a B+ two years before.

Among the nation's Top 15 law schools, only four earned an A- or better. And of those 15 schools, Berkeley Law was one of just three whose grades improved from their previous ratings.

"Exposure to a wide array of ideas, outlooks, and experiences is vital to our students' educational and professional development," says Dean of Admissions Edward Tom. "We must train our graduates not only to analyze and interpret the law, but to reflect on competing viewpoints and develop policies affecting a broad range of people."

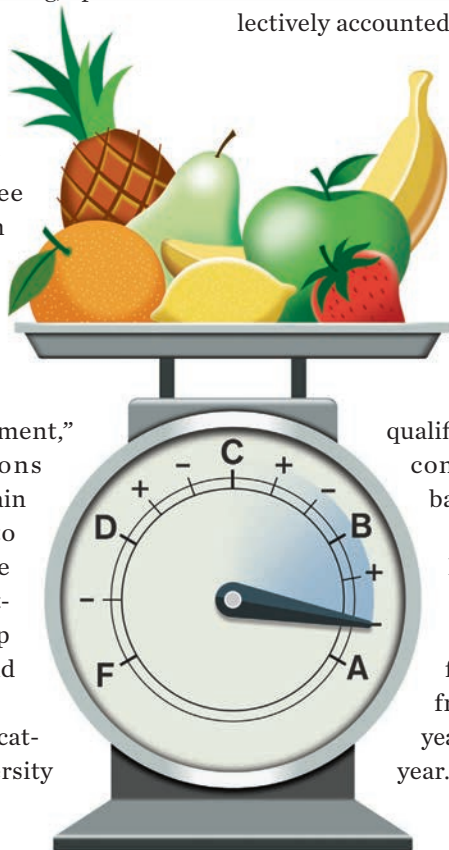
National Jurist used six categories to compile its diversity

grades: percentage of minority faculty, and percentage of Asian and Hawaiian, African-American, Hispanic, American-Indian, and Caucasian students. Student categories collectively accounted for 75 percent of the final

grade; the faculty percentage accounted for 25 percent.

"At the core of a public law school like ours are programs that help us recruit a diverse student body," Dean Sujit Choudhry says. "Our public mission is fueled by diverse classes and qualified students being able to come here irrespective of background."

To help make Berkeley Law more accessible for deserving applicants, the school increased its annual financial aid expenditures from \$7.2 million in fiscal year 2009 to \$13.3 million last year. —Andrew Cohen



DIVERSITY DATA

A few facts about the 2014 entering class:

14 countries of origin

34 percent people of color

51 undergraduate majors from **107** universities and colleges

8 students who came from active military status or overseas deployment



FRAMING HISTORY: Archivist William Benemann says he learns the most about Berkeley Law by following up on intriguing questions.

William Benemann: Berkeley Law's Treasure Guardian

“Archivists are the most powerful people in the known universe,” says Berkeley Law’s William Benemann. “History will be written based on what gets saved—and archivists get to decide what that will be.”

Benemann arrived at UC Berkeley 26 years ago, moving from head of cataloging at the Bancroft Library to head of technical services at Berkeley Law before becoming the library’s first archivist.

“When I started the archives in 2000,” he says, “very few people knew much about Berkeley Law’s history. I’ve learned most of what I know about the school because someone dropped into my office or emailed me

with an intriguing question.”

The Law School Archives are a community collection relying on donations of material—

and memories. The collection includes faculty minutes, course catalogs, photographs, oral histories, posters, T-shirts, and audio and video files of school events.

In December, Benemann received the university’s Distinguished Librarian Award. The honor recognizes excellence in librarianship, especially as it furthers UC’s teaching and research missions.

In addition to his role as archivist, Benemann is a scholar in LGBT studies, American history, and sexuality studies. He has published three nonfiction books, most recently *Men in Eden: William Drummond Stewart and Same-Sex Desire in the Rocky Mountain Fur Trade* (University of Nebraska Press, 2012).

“An archivist can aid you in your search to locate material you didn’t even know was there,” says Benemann, who is always willing to help patrons find their way through the library’s holdings. Those who wish to view the archives—or contribute to them—can reach him at wbenemann@law.berkeley.edu.

—KC Trommer

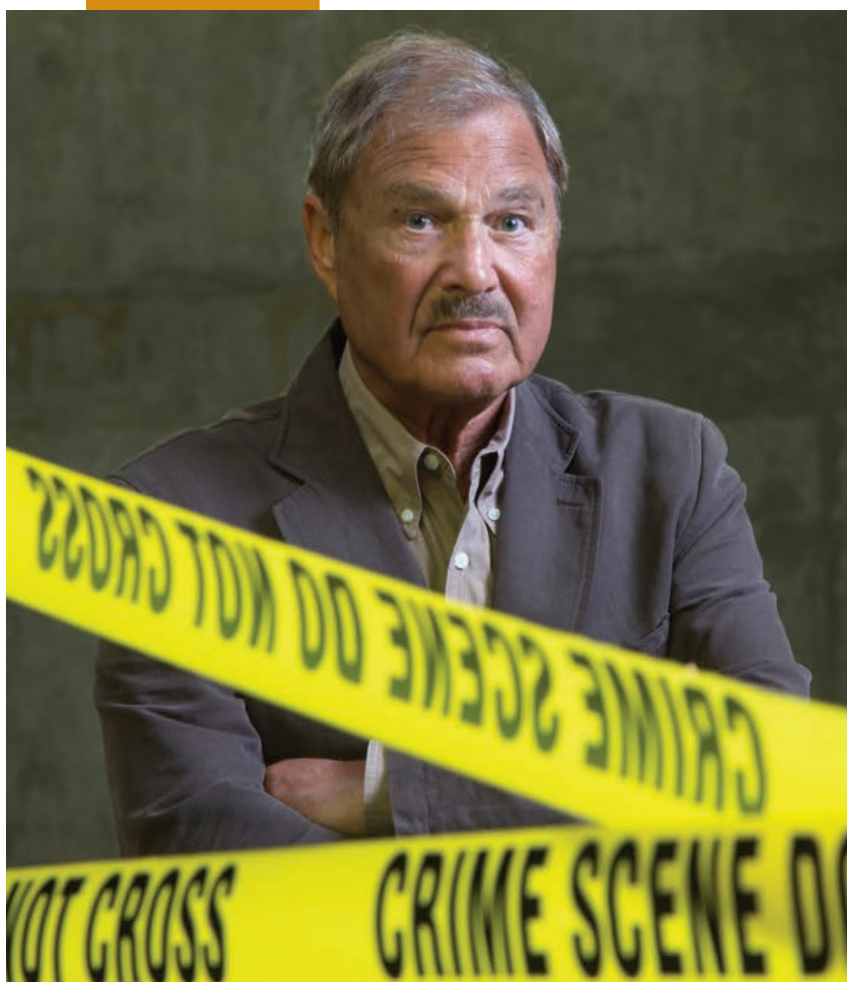
“History will be written based on what gets saved—and archivists get to decide what that will be.”

—William Benemann

AT THE LEADING
EDGE OF RESEARCH
AND SERVICE

FOREFRONT

Police Killing Data Proves Less than Black and White



Professor's research exposes troubling inconsistencies in how the police use of lethal force is reported

Professor Franklin Zimring sees cold data as the best way to assess the hot-button issue of deaths caused by police. Accessing that data, however, is a daunting task, due to what he calls the “scandal” of incomplete and unreliable information.

“It’s essentially voluntary in terms of when the police turn in this data,” says Zimring, who released a report in January 2015 on killings of and by police. “And when it is sent, it’s not carefully classified.”

A renowned criminologist, Zimring studied police records spanning 35 years with co-author Brittany Arsiniega, a Berkeley Law doctoral candidate. At times, the information gaps were so wide that they were left scouring Wikipedia for cases.

“What we need is one national repository of data on the fatal use of force by police officers,” Zimring says. “It should have an audited reporting system and careful investigation by police departments in tracking such occurrences.”

The report found a 75 percent drop in the number of U.S. police officers killed on the job between 1977 and 2012, and a 30 percent

TRUTH SEEKER: Professor Franklin Zimring released an eye-opening report on killings of and by U.S. police.

JIM BLOCK

decline in the number of citizens killed by police. Of those killed by police, however, 38 percent were African American—three times

their proportion in the population.

Federal data on killings by police comes from the National Institutes of Health, which receives information from local health officials and

county coroners, and from the FBI, which receives homicide reports from city police departments and county sheriffs' offices.

“Both reporting programs say there are about 400 killings each year by police in this country,” Zimring says. “The bad news is they’re not always reporting the same 400 cases. There are also other problems with both data sets.”

In December, mounting frustration about the uncertain scope of recorded police actions sparked U.S. Senate approval of the Death in Custody Reporting Act. Signed by President Obama, the law requires states to report each

year how many people die in police custody or during the course of an arrest. Many experts, however, are skeptical.

“The law won’t be that effective because a lot of killings happen before people are actually detained or arrested,” Arsiniega notes. “There should be mandatory reporting for all citizens killed by police officers—before, during, and after being detained.”

While he understands the outcry over recent grand jury rulings not to indict officers who fatally shot unarmed victims, Zimring says criminal law is the wrong tool for reforming police behavior. “It’s almost impossible to get a criminal conviction because we require proof beyond a reasonable doubt, and it’s subjective whether an officer reasonably believed the threat warranted the use of deadly force.”

Better strategies, he suggests, involve police department training and incentives. “Will the chief penalize you for shooting when you don’t have to? If so, that administrative action, along with training around proper and cautious responses, will be more effective.”

—Andrew Cohen

“What we need is one national repository of data on the fatal use of force by police officers.”

—Franklin Zimring

Where Mixed Messages Can Be a Good Thing



A REAL EDUCATION: Students in lecturer Bill Falik’s Land Development & Investment course get varied insights on real estate.

Law, business, and design students bring enthusiasm and new perspectives to real estate certificate program

For some, “interdisciplinary” is a murky adjective with little meaning. But for law students pursuing the new UC Berkeley Graduate Certificate in Real Estate, it’s a magic bullet.

“Real estate requires you to interact with a multitude of players,” says Steven McCarty ’15. “That’s why this new certificate program provides a great head start.”

The initiative is a joint effort by Berkeley Law, the Haas School of Business, and the College of Environmental Design. It offers training that spans law, planning, investment, and

JIM BLOCK

development—and helps students qualify for jobs across the real estate landscape.

“As a real estate lawyer and developer for 40 years, I’ve worked closely with business people, planners, engineers, lawyers, and accountants,” says lecturer Bill Falik, who teaches Land Development & Investment: The Art of the Deal. “Interdisciplinary work is a critical part of my routine, just as it will be for anyone eager to succeed in this field.”

That’s why Falik divides his class into mixed groups, with at least one student from each of the three schools, to address practical real estate-related problems from varied perspectives.

“I loved Bill’s class because it brought together students from so many different backgrounds,” McCarty says. “It showed the value of approaching a problem from several directions.”

Falik also brings in prominent guest lecturers, which can offer networking opportunities for his students. McCarty, who had interviewed with Gibson Dunn’s managing partner, spoke with her again after she lectured in Falik’s class in April 2014. McCarty worked at the firm last summer, and returns there full-time this fall.

Other certificate courses involve city planning and design, development entitlements, financial and asset market analysis, construction and real estate transactions, and housing and land-use policy. Ken Taymor, executive director of the Berkeley Center for Law, Business and the Economy, crafted the interdisciplinary curriculum with Falik, Haas Real Estate Department Chair Nancy Wallace, and College of Environmental Design Dean Jennifer Wolch.

“It’s important that our law students interact closely with students in other departments who will be the type of people they’ll work with throughout their professional careers,” Taymor says.

Certificate students must also participate in a group project or external competition that weaves together the various threads of real estate transactions. McCarty’s team placed second at last year’s inaugural Pircher, Nichols & Meeks Joint Venture Challenge, a UC Berkeley event in which law and business students simulate real-world business deals. In November, joining with some Haas students coached by Wallace and Falik, McCarty competed in the National Real Estate Competition, where students analyze and present solutions to complex

real estate case studies.

After teaching about 20 students when he launched his course eight years ago, Falik had more than 70 this year—with more on a waiting list.

“Law students learn that risk isn’t always bad, and business students learn that contracts aren’t so intimidating,” Falik says. “Even better, planning students learn that not all developers are Satan.” —*Andrew Cohen*



A Natural Fit

Environmental law clinic will build on expertise and synergy with Berkeley’s ambitious research mission

The puzzle has finally come together. “We’ve long had the best environmental law scholars, the best environmental law students, and the best environmental law journal in the country,” Berkeley Law professor Eric Biber says. “The missing piece was an environmental law clinic.”

That piece falls into place during the 2015-16

school year, when the clinic will offer its first programs. Combining teaching, service, and research, it will bolster the school's position as a national leader in clinical legal education.



MOVING THE NEEDLE: Environmental Law professor Eric Biber helped the clinic plans come to fruition.

Faculty unanimously approved the endeavor, Berkeley Law's first new in-house clinic in more than a decade, in January.

To help prepare students for this highly competitive field, participants will engage in administrative practice, litigation, and policy analysis. Projects will focus generally on climate change, water, biodiversity, and air quality—and, more specifically, on conserving biological diversity, protecting marginalized communities from toxic emissions, increasing the tribal role in managing culturally significant

resources, and improving groundwater management.

Dean Sujit Choudhry says the clinic “will leverage our expertise in environmental and natural resources law, expand experiential learning opportunities, and build synergies between the school's teaching and research missions and the rest of UC Berkeley. In the process, we'll be serving society with important contributions to law and policy.”

Students will engage in sophisticated policy analysis, interview and counsel clients, draft comments on proposed rules, and consult with expert witnesses. They will also conduct legal

research and discovery, negotiate with third parties, draft legal documents, and give oral arguments in administrative, legislative, and court hearings. A two-unit classroom seminar will

complement their fieldwork.

The clinic will also partner with the Center for Law, Energy & the Environment, which develops policy solutions to issues such as reducing greenhouse gas emissions, advancing renewable energy, and ensuring access to clean water in California.

Even without a clinic, Berkeley Law's environmental law program was ranked third last year by *U.S. News & World Report*. But *with* one, as Eric DeBellis '16 points out, “students will work through the whole process of putting advo-

cacy into action from start to finish. This will place them in a considerably better position to launch careers as practitioners.”

Seed funding for the clinic came from a generous—and anonymous—donation. At press time, the school was conducting a national search for a faculty director.

Biber expects that whoever seizes the reins will find UC Berkeley's interdisciplinary nature to be a great advantage. “This university is the nation's best for environmental work,” he says. “Clinic students will work directly with campus leaders in environmental economics, business, science, and social science.”

Clinical and environmental faculty collaborated on the plan. “Faculty were excited by the clinic model and the learning opportunities it could provide,” says professor Charles Weisselberg, associate dean for curriculum and teaching. “Our students will have the chance to engage in real environmental issues across California, if not the nation.”

—Leslie Gordon and Andrew Cohen

The Power of Three: Berkeley's Pipeline to the Bronx

Classmates. Colleagues. Roommates. “Friends, J.D.?”

For most law students, graduation triggers a diaspora, a parting of the ways. But for three members of Berkeley Law's class of 2014—Anisha Gupta, Chris Lau, and Emily Gladden—graduating has bound them together, as colleagues *and* as roommates.

First came the jobs: They're staff attorneys at The Bronx Defenders, a nonprofit criminal

“This will place students in a considerably better position to launch careers as (environmental law) practitioners.”

—Eric DeBellis '16

defense firm whose unique focus appealed to them. “The Bronx Defenders uses a distinctive, holistic model,” says Gupta. “We provide representation not just in criminal court cases, but also in other, interrelated areas of life: fighting eviction; helping people get their children back; applying for citizenship or for public benefits, such as food stamps.”

Adds Gladden, “Sometimes those issues are even more important than criminal proceedings.” In college, Gladden worked in public defender offices. “I saw a lot of client frustration,” she says, “with problems that a purely criminal focus doesn’t solve—but that Bronx Defenders does.”

Lau’s interest in the firm was not just conceptual, but specifically local. “I grew up in the Bronx,” he says. “I saw people from my school and neighborhood get arrested, essentially for just being poor or black or Latino. This job is a way of giving back.”

The trio hit the ground—the Bronx’s broken sidewalks and potholed pavements—at a brisk run, thanks to Berkeley Law’s clinics. Gladden and Lau both worked in the Death Penalty Clinic. Lau and Gupta worked in the East Bay Community Law Center’s Youth Defender Clinic, which is modeled closely on The Bronx Defenders.

That clinical experience made for an easy match, says Seann Riley, deputy director of The Bronx Defenders. “They all had a realistic understanding of the work, and each one is a great fit,” Riley explains. “Anisha came with proven dedication to social-justice issues, plus experience starting her own company. Chris already had courtroom experience, and he’s great on his feet. And Emily had worked at more public defender offices than anyone I’ve ever hired.”

Jobs in hand, next came housing. Lau came east a week before the others and landed an apartment a few subway stops away, in East Harlem. “Most of our friends are downtown,” he says, “so it’s easier to see them from Harlem. And the commute to work is only 20 minutes—on a good day.”

Working together *and* living together: Is it ever too much togetherness? “One of the beautiful things about living together,” says Gladden, “is that you come home to people who know exactly what you’re doing, exactly why you’re outraged, exactly what you’re up against.”

Riley agrees. “During your first year, public



GOTHAM GANG: Class of 2014 grads Anisha Gupta, Emily Gladden, and Chris Lau in the Bronx

defense becomes your entire life. The only people who understand—and, let’s be honest, care most about—what you’re going through are your colleagues.”

Care they do. “We get to share our stories,” Gladden says. “Our stories of joy. Our stories of heartbreak.” —Jon Jefferson

Pioneering Pages: A Center Makes Its Mark

Center on Reproductive Rights and Justice publishes groundbreaking textbook



FIRST IN THEIR FIELD: Professors Kristin Luker and Melissa Murray co-authored the unprecedented publication.

So much for easing in slowly. Just two years after its launch, Berkeley Law’s Center on Reproductive Rights and Justice (CRRJ) has released the nation’s first legal textbook covering laws and policies that regulate sex, reproduction, bodies, and families.

Cases on Reproductive Rights and Justice, published by Foundation Press, explores the vital role these directives play in daily life.

Professors Melissa Murray and Kristin Luker, CRRJ’s incoming faculty director and founding faculty director, respectively, co-authored the

book. They assembled and edited cases and secondary materials; provided substantive analysis of how law, culture, and politics intersect with reproduction’s regulation;

and tackled such topics as the policing of sex, criminalization of drug-addicted pregnant

women, and compulsory sterilization in prison.

“This pioneering casebook is a great example of our scholarly leadership,” says Berkeley Law Dean Sujit Choudhry. “It will be a valuable resource for academics and help educate a new generation of lawyers about the many key legal issues relating to reproduction.”

Murray says the book is not a response to the abortion debate, nor to growing restrictions on women’s access to reproductive health care. “If anything, it responds to a culture and politics that, historically and currently, regulates sex, reproduction, and family life in ways both subtle and obvious.”

Reproductive rights and justice courses are uncommon at U.S. law schools, some of which have pared down electives to stress core courses tailored to the legal marketplace. Those interested in teaching the subject, Murray says, were often dissuaded by the lack of a definitive textbook and the daunting prospect of compiling their own materials.

Yet an annual survey of course offerings shows a rising interest in reproductive rights and justice classes as issues such as fertility treatments, contraceptive coverage under the Affordable Care Act, and abortion restrictions gain media attention.

Berkeley Law students Eliza Duggan ’16 and Kate Meyer ’16, research assistants for the book, believe it will help future advocates address myriad complicated issues. “Deeply entrenched notions of sexuality, gender, race, and class have informed which reproductive choices we’ve valued in our society and which we’ve systematically regulated or criminalized,” Meyer says.

Luker, an expert on the regulation of sex, advised the Clinton Administration on teenage pregnancy. “Reproductive justice issues can arise anywhere,” she says. “Focusing too narrowly on privacy rights excludes a whole range of situations a person might face in a lifetime.”

“This pioneering casebook is a great example of our scholarly leadership.”

—Dean Sujit Choudhry

Executive editor and CRRJ Executive Director Jill E. Adams '06 agrees, saying the book's value stems from a breadth of topics and depth of analysis that pushes readers "past the written laws into the lived realities.

"The letter of the law reveals only a sliver of

the picture," she explains. "To truly understand the impact of regulations and restrictions controlling these most intimate realms of our lives, we must consider the beliefs motivating them, the institutions supporting them, and the communities harmed most by them." —*Andrew Cohen*

Blazing Trails in Law and Social Policy

JSP Program's integrated approach to legal scholarship continues to earn major accolades and appointments

As the first Ph.D. enterprise among U.S. law schools, Berkeley Law's Jurisprudence and Social Policy (JSP) Program has a long track record of innovative scholarship. So the vast research net cast by its recent doctoral candidates—spanning LGBT rights, taxi drivers, surrogate mothers, and more—may come as no surprise. Nor should the growing list of faculty distinctions, distinguished appointments, and student accolades.

"Over nearly 40 years, we've shaped much of what it means to do law and social science," says JSP Program Associate Dean Calvin Morrill.

Renowned legal historian Christopher Tomlins joined the faculty last fall after directing UC Irvine's Program in Law and Graduate Studies. Noted criminologist Jonathan Simon Ph.D. '90 J.D. '87, who directs the Center for the Study of Law and Society, has garnered widespread acclaim for his recent book *Mass Incarceration on Trial*.

"What differentiates us is our ability to integrate the study of law with humanities and social sciences," Morrill says. "We don't silo Ph.D. training on the one hand and studying law on the other."

The program's interdisciplinary bent regularly produces high-level placements and, frequently, dual appointments.

Last year, Kaaryn Gustafson Ph.D. '04 J.D. '97 moved from an endowed chair at the University of Connecticut Law School to UC

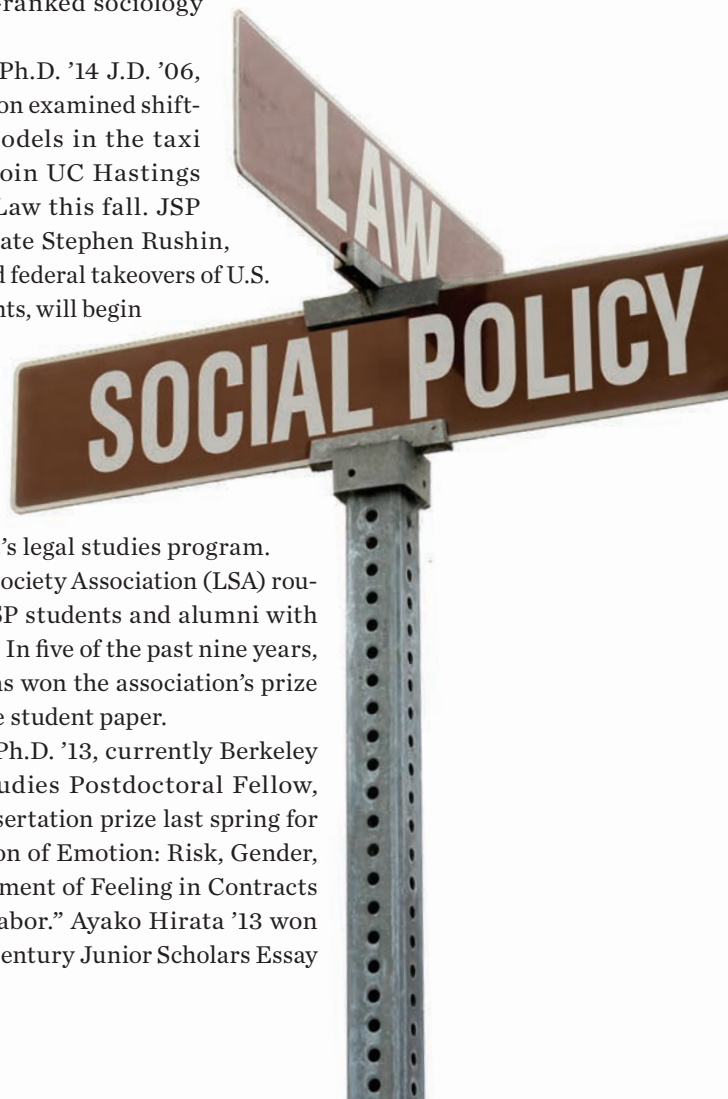
Irvine Law to co-direct its Center on Law, Equality and Race. Gwendolyn Leachman Ph.D. '14 J.D. '11, who recently examined how impact legislation has affected the LGBT movement, joined the University of Wisconsin's law school and top-ranked sociology department.

Veena Dubal Ph.D. '14 J.D. '06, whose dissertation examined shifting business models in the taxi industry, will join UC Hastings College of the Law this fall. JSP doctoral candidate Stephen Rushin, who has explored federal takeovers of U.S. police departments, will begin

teaching at the University of Alabama, and Jamie Rowen Ph.D. '12 J.D. '09 will join UMass Amherst's legal studies program.

The Law and Society Association (LSA) routinely honors JSP students and alumni with national awards. In five of the past nine years, a JSP student has won the association's prize for best graduate student paper.

Hillary Berk Ph.D. '13, currently Berkeley Law's Legal Studies Postdoctoral Fellow, received the dissertation prize last spring for "The Legalization of Emotion: Risk, Gender, and the Management of Feeling in Contracts for Surrogate Labor." Ayako Hirata '13 won LSA's 2nd Half Century Junior Scholars Essay



Competition with “Academic Networks Beyond National Borders.”

Doctoral candidate Johann Koehler addresses the 1978 inception of JSP itself in “The Development and Fracture of a Discipline: Legacies of the School of Criminology at Berkeley.” That effort earned him last year’s Graduate Student Paper Award from the

American Society of Criminology’s Division on Critical Criminology.

“JSP faculty is among the most impressive groups of interdisciplinary law scholars in the world,” Morrill says. “That enables the program to attract and produce graduate students who go on to importantly shape the field.”

—Wendy Witherspoon

Three Award-Winning Professors Join Faculty

Joshua Cohen, Sonia Katyal, and Dylan C. Penningroth bring expertise and exuberance to their new positions

A political theorist, an African-American history specialist, and a property law expert will all join the Berkeley Law faculty this summer. As *Transcript* went to press, three new professors had been hired for the 2015-16 school year: Joshua Cohen, Sonia Katyal, and Dylan C. Penningroth.

Joshua Cohen — One of the world’s leading political theorists, Cohen examines issues at the intersection of democratic norms and institutions. He will be a distinguished senior fellow and hold similar positions in the Departments of Philosophy and Political Science.

“UC Berkeley is an amazing school and I’m thrilled to join it,” Cohen says. “It’s the greatest public university in the country. I have a lot of personal and professional connections here—most notably my wife, Ellen Eisen, who teaches in the School of Public Health.”

Previously, Cohen was a professor at Stanford and the Massachusetts Institute of Technology. At Berkeley, he will lead a weekly course that brings in outside speakers to present works-in-progress in legal, moral, and political philosophy. It will alternate between the law school’s Kadish Center for Morality, Law & Public Affairs and the College of Letters and Science’s Social Sciences Matrix.

“The course is built around interesting people who are working on meaningful projects,” says Cohen, who will also serve on dissertation com-

mittees for Berkeley Law’s Jurisprudence and Social Policy (JSP) Program. “We’ll convene scholars in law, political science, philosophy, and sometimes other disciplines to expose students to compelling ideas from a wide range of fields.”

The author of 10 books, Cohen has written extensively on issues of democratic theory and global justice. Since 1991, he has also served as the editor of *Boston Review*, a bimonthly magazine of political, cultural, and literary ideas.

Cohen is currently on the faculty at Apple University, the technology company’s internal training program for employees.

“We get them thinking about topics, concepts, and issues that may have importance in their decision-making and engagement with the rest of the world,” he says. “One of my courses is called ‘The Best Things,’ which came from a remark by Steve Jobs. His premise was that if you want to produce great products, you have to ‘expose yourself to the best things humans have done, and bring those things into what you are doing.’”

Sonia Katyal — Katyal’s recruiting visit to Berkeley Law fueled an already turbo-charged interest in joining the school.

“The students are a vibrant, inspiring, brilliant bunch of individuals,” she says. “I’m also very excited about joining a world-class faculty that excels in two areas I care deeply about: intellectual property and gender and sexuality.”

Katyal taught for 13 years at Fordham

“I try to be available to my students as much as possible. They inspire me to get up every morning ... and it’s an honor to support their work in return.”

—Sonia Katyal

University School of Law, where she also served as associate dean for research. Her current scholarship focuses on the legal design of proprietary entitlements and their distributional effects.

“What are the factors behind who becomes included and excluded from law-related protections?” she says, explaining her interests. “In examining gender, sexuality, and other social justice issues, how do these areas intersect with technology and property frameworks, including intellectual and cultural property law?”

Katyal comes to Berkeley Law through a national search conducted by the Haas Institute for a Fair and Inclusive Society LGBTQ Cluster. She will teach courses on gender and sexuality, trademark law, property law, and international intellectual property.

Her scholarly work focuses on intellectual property, civil rights, artistic freedom, advertising, and innovation. Katyal’s past projects have studied the relationship between copyright enforcement and privacy as applied to new media, and the intersection between civil disobedience and innovation in property and intellectual property frameworks.

Some of her honors include winning the Dukeminier Award, which recognizes the best legal scholarship on sexual orientation, and Yale’s Cybercrime Writing Competition. She also won the Andy Warhol Foundation’s Creative Capital Award—the first law professor to receive a grant devoted to writing on the visual arts and law.

“As a woman of color, I know firsthand how important it is to have accessible faculty, so I try to be available to my students as much as possible,” she says. “They inspire me to get up every morning—to write, teach, and share ideas—and it’s an honor to support their work in return.”

Dylan C. Penningroth — Increasingly heated discussions about race in America over the past year are no surprise to Penningroth, who specializes in African-American and U.S. socio-legal history.

“Issues of race, rights, and unequal treatment have long been simmering in this country,” he says. “As a historian, it’s my job to take the long view. And with respect to African-American experiences in the courts, the way people talk about these issues is deeply influenced by a legal language that goes back centuries.”

A history professor at Northwestern University since 2003, Penningroth will have

TRIPLE CROWN: Acclaimed scholars Joshua Cohen, Sonia Katyal, and Dylan C. Penningroth are joining the Berkeley Law faculty.

a joint appointment in law and history at UC Berkeley. His teaching in the upcoming school year will include a JSP graduate course on African-American legal history.

“At Berkeley, there’s a constellation of faculty coming together in my fields of interest,” he says. “When you look at what the university offers in terms of legal history, and more specifically in American and British legal history related to race, that’s hard to beat.”

In addition to his duties at Northwestern, Penningroth has been a research professor at the American Bar Foundation since 2007. There, he coordinated weekly seminars and other programming while sharing ideas with other socio-legal experts.

“That experience opened my eyes to what you can do when examining law and legal foundations with the tools of a historian,” he says. “It brought me into this law school universe.”

His first book, *The Claims of Kinfolk: African American Property and Community in the Nineteenth-Century South*, won the Organization of American Historians’ Avery Craven Prize. Penningroth’s many other honors include a prestigious MacArthur Foundation fellowship.

Currently, he is working on a study of African Americans’ encounters with law from the Civil War to the civil rights movement—which examines the practical meaning of legal rights for black life.

“It’s quite revealing to explore how legal meanings are shaped not only by judges and lawyers, but by a whole range of voices and processes,” Penningroth says. —Andrew Cohen





First *on the* Fast Track

A groundbreaking student group helps budding first-generation professionals bridge the gap between disadvantaged backgrounds and a future in law

By Andrew Cohen

Growing up in a rough part of Stockton—dirt-poor, surrounded by drug-war violence, educated at low-performing and often dangerous schools—Antonio Herrera Cuevas '12 overcame more dire obstacles than most Berkeley Law students could even fathom.

While his classmates-to-be chose what to wear each morning, Herrera Cuevas carefully decided what colors *not* to wear based on the prevailing gang activity. He heard gunfire almost daily, witnessed gruesome fights regularly, and had no choice but to grow up fast.

As a preteen, Herrera Cuevas was translating and explaining complex medical reports and credit card documents to his parents, Mexican immigrants who speak limited English. His family of five lived on a household income of \$25,000 to \$30,000 a year—before his father, a laborer, suffered a back injury that pushed the family deep into debt.

SUPPORT SYSTEM: First Generation Professionals founder Antonio Herrera Cuevas '12 (second from left) talks with group leaders Gilbert Rivera '16, Setareh Homayoni '16, Samantha Reed '15, Lora Krsulich '16, and Jackie Aranda '15.

Bright, determined, and ravenous for a better life, Herrera Cuevas earned top grades despite working through high school. He was accepted to UC Berkeley and continued to flourish aca-

demically, graduating in four years. How stressful could law school be for someone who had already overcome so much?

“I came really close to leaving early in my second year,” Herrera Cuevas says. “The classes weren’t a problem, but I felt alienated and depressed because it seemed like I didn’t belong. During the first week of on-campus job interviewing, I had no idea how to behave. It wasn’t just that I didn’t have money—I didn’t have the cultural background to decode the language required to navigate these waters.”

Rationally, Herrera Cuevas knew he couldn’t be alone in feeling alone. Surely, other Berkeley Law students endured hardships en route to becoming the first in their families to attend college. But finding them was no easy task.

Among the dizzying number of student organizations he encountered at Berkeley Law, Herrera Cuevas noticed a missing slice in the diversity pie. “There were so many ethnically and racially identified groups, but no socioeconomically identified organizations,” he recalls. “It seemed like a glaring void.”

Eager to fill it, he poured his energy into forming a haven for first-generation law school students. He found an ally in his first-year module, classmate Rory McHale, and enlisted McHale’s help to form First Generation Professionals (FGP) in 2011. Then the only group of its kind among major law schools, there was no template from which to work.

“I did some research and found that the top law schools collectively have a very low percentage of students from the bottom economic quartile,” Herrera Cuevas says. “That creates an immediate disconnect for people from backgrounds such as mine. I remember talking with other students and thinking, ‘How come no one else knows what government cheese is?’”

FGP started humbly, with seven students attending the first meeting. Today, it provides mentorship, career advising, networking events, and social activities for more than 50 first-generation students.

That stunning growth in membership and programming is a testament to student drive, faculty inspiration, administrative commitment, and alumni collaboration.

CULTURAL CURRENCY

Most graduate schools are quick to tout the diversity of their student bodies. Flip through their promotional materials and you’ll often find language stressing a commitment to admitting low-income students. Far too often, however, the commitment stops there. The national dropout rate for lower-income students is much higher than that of their richer counterparts.

“We want to be the most accessible law school in the country, and that involves making sure every qualified applicant can come here regardless of background,” says Berkeley Law

Dean Sujit Choudhry. “An equally critical piece is ensuring that all of our students have the resources and mentoring they need, not just to graduate but to thrive while they’re here. That’s particularly vital with our first-generation students.”

As Herrera Cuevas broached his student group idea with faculty members and senior staff, it became clear they wanted to help. But he and McHale knew that FGP would also need a strong internal community—with shared goals and a supportive social network—to gain a sturdy foothold.

“We’re used to fending for ourselves,” McHale says of FGP students. “Instinctively, FGPs are guarded about their backgrounds, and students don’t want to reveal to peers or employers that they haven’t been exposed to golf, travel, and expensive restaurants. To maximize our education, we need to quickly learn the cultural language of other students, potential employers, and professors.”

Before launching the group, Herrera Cuevas and McHale happily learned that professors Bertrall Ross and Jennifer Urban had also been first-generation law students. They agreed to serve as faculty advisors, and have provided continuous support and motivation.

Jesus Mosqueda, who led FGP with classmate Amanda Rogers during the 2012-13 school year, saw some students “get a little teary” when Ross and Urban spoke of their own uneasy paths through law school.

“Their circumstances were a lot like ours, and now look at their success,” Rogers says. “I always felt as if professors came from another planet. But hearing their stories and learning how invested they were in us was really powerful. It made our own law school and career aspirations seem feasible.”

Ross described how the tour guide for his orientation at Yale Law discussed strategies for securing a district court clerkship. “I didn’t know what a clerkship was,” Ross recalls. “Right away it felt like I had a lack of cultural capital, that most people were speaking a language I’d never learned. That insecurity can lead to fears of speaking in class, engaging with classmates, and getting to know professors. I could have really benefited from a group like FGP.”

For Ross, adding value to FGP means working to make law school a comfortable space by building programs to help students get that foothold in their new turf.

“FGP students have the smarts, they just don’t always have exposure to necessities like professional etiquette, law firm culture, and networking skills,” he explains. “Many

RIDING HIGH: Antonio Herrera Cuevas '12, who nearly dropped out of Berkeley Law, in his 38th-floor office at Shearman & Sterling in San Francisco



other students already have these ladders to success in place through family connections or parents who are lawyers.”

MENTORING MISSION

Determined to correct that, Herrera Cuevas worked with Eric Stern, director of operations for Berkeley Law’s Career Development Office (CDO), to create a mentorship program that pairs first-generation students with first-generation lawyers. Matches were made based on both geography and practice-area interest.

“There were some kinks early on, as most people who found the mentorships helpful were already pretty extroverted,” says Rogers, FGP’s former student co-leader. “But we worked hard to smooth out the wrinkles, and the organization’s current leaders have done an amazing job presenting events and programs that help students develop concrete tools for achieving success.”

Stern often hears from FGP alumni who say they could

have benefited from this type of group during law school, and are enthusiastic about contributing their mentoring skills. He has successfully added new mentors by reaching out to LinkedIn groups and through Berkeley Law’s eNews bulletin.

The mentoring program now boasts nearly 50 alumni members, some of whom have hosted FGP events at their law firms. The CDO also sponsors first-generation-tailored training in resume writing, job interviews, networking, and financial aid management.

In addition to sharing insights on those subjects, mentors also tackle topics such as what “business casual” means and what kind of drink or food to order at a work-sponsored happy hour or dinner event.

“Let’s say someone at a law firm talks to an FGP summer associate about sailing, skiing, private boarding schools, or another topic to which they have had little to no exposure,” Stern says. “Our mentors do a great job explaining how to

From Uncertainty to Editor-in-Chief

FGP student Lora Krsulich '16 overcomes her initial doubts to lead the *California Law Review*

While reading her acceptance letter to Berkeley Law, Lora Krsulich '16 knew she had a golden opportunity at a Top 10 school. Her faith in capitalizing on it, however, was far less certain.

“I thought that to be a successful law student you needed to be extroverted, aggressive, and self-promoting,” she says. “That wasn’t me.”

Now a leader of Berkeley Law’s First Generation Professionals (FGP), Krsulich credits the student group for instilling a powerful sense of self-belief. In January, she was elected editor-in-chief of the *California Law Review* (CLR)—the school’s pre-eminent legal publication. Among her predecessors: California Supreme Court Justice Kathryn Werdegar '62, former Chief Justice Roger Traynor '27, and former U.S. Ambassador to Australia Jeffrey Bleich '89.

“When you know your school truly values first-generation students, you don’t have to change who you are in order to contribute,” Krsulich says. “Berkeley Law’s leadership actually wants what we bring to the table.”

Raised by parents who didn’t finish high school and emigrated from Croatia in the 1970s, Krsulich graduated from Boston College before serving as a senior policy advisor for Newark Mayor Cory Booker, now a U.S. senator. While focusing on prisoner re-entry issues, she earned a master’s of

public administration at NYU’s Wagner School of Public Service. That experience helps guide her vision for CLR.

“At CLR, we work on cutting-edge scholarship from diverse and talented authors,” says Krsulich, noting a recent article on community monitoring of police. “People talk about law being very binary—yes/no, legal/non-legal. But there’s more nuance, and we provide a voice that pushes the whole field forward.”

Despite her lofty position, Krsulich remains tethered to financial realities. To help save money, she lives in San Bruno with her “relentlessly supportive” parents.

“I came home and said ‘I’m running for editor-in-chief of the *Law Review*!’” Krsulich recounts. “My mom said, ‘We have no idea what a law review is, but we’re happy for you. Will you be eating dinner with us tonight?’”

Krsulich will work at Boies, Schiller & Flexner in Oakland this summer, and has two clerkships lined up after graduating: first with U.S. District Court Judge Philip Gutierrez in California’s Central District, then with Judge Kimberly McLane Wardlaw at the U.S. 9th Circuit Court of Appeals.

“FGP plays a huge part in making my law school experience so fulfilling,” Krsulich says. “I love helping a group that provides so much.”
—Andrew Cohen



FAMILY MATTERS: To help save money, Lora Krsulich '16 lives at her parents' home in San Bruno with her mother, Jasmina, and her father, Roy.

manage such conversations and still connect and build professional relationships.”

Working closely with FGP’s student leaders, Stern coordinates myriad programs that shed light on how law students should interact with attorneys—and on additional areas that might be common knowledge among other students. He has also organized financial literacy workshops that help FGPs pursuing public interest work manage their student loans.

“A lot of our classmates have parents who are professors and judges and lawyers; my parents didn’t even complete grade school,” Mosqueda says. “That can be intimidating. But with FGP, the sense of community and the tools we gain help us be more outgoing with everyone.”

Last year’s group leaders, Jackie Aranda ’15 and Samatha Reed ’15, augmented the mentoring program by adding a peer-to-peer initiative called FGP Families. Each “family”

consists of at least one 3L, 2L, and 1L student. Alumni from the last two graduating classes have since added branches to the family tree—a tradition that Aranda and Reed expect will continue.

“We recognized that mentoring needs persist beyond the first year for FGP students, which is the traditional focus of law school mentoring programs,” Aranda says. “As we keep growing, our members will continue to have peer mentors beyond law school and into their legal careers.”

This school year, 2Ls Setareh Homayoni, Lora Krsulich, Gilbert Rivera, and Tim Shadix joined Aranda and Reed on the leadership team and bolstered FGP programming through focused panels, trainings, and alumni dinners. In March, Choudhry, Ross, and professor Melissa Murray hosted a dinner for current FGP students at which Ross was honored with the group’s first Professor of the Year award.

JIM BLOCK

Student Stays True to His Bluegrass Roots

Luke Burton ’15 finds you can go home again

A common myth of first-generation professionals: equating their career goals with fleeing their roots. Luke Burton ’15 cautions against such thinking. “I’m deeply connected to my home area,” he says. “It has given me so much.”

Case in point: In 2008, a tornado destroyed several barns and other buildings on Burton’s small family farm in Monticello, Kentucky. The damage was immense, but help came in droves—even from people Burton had never met.

“On paper, my community looks like a tough place to live,” he says. Indeed, with a median household income of \$20,116—less than half of Kentucky’s average—Monticello’s schools and services suffer accordingly. “But financial metrics are just one way to measure quality of life,” Burton notes. “The character of those who live there more than makes up for the lack of resources. With regard to the people and the natural landscape, it’s the most beautiful place I’ve ever seen.”

This fall, Burton returns to Kentucky for a federal clerkship with Judge David Bunning in the commonwealth’s Eastern District. Burton credits another judge on the court, Amul Thapar ’94, for the opportunity.

Although Burton had little knowledge of the clerkship process, that changed last year when he eagerly met with Thapar—who spent three days at Berkeley Law’s judge-in-residence program.

“I didn’t know anyone who had clerked and I’d never spoken to a federal judge,” Burton says. “Judge Thapar really went out of his way to help me. I found it so valuable to pick his brain and hear what judges look for in clerks.”

Thapar knows that “the legal profession isn’t a meritocracy. Opportunities open and close that many folks without a law background aren’t aware of. It’s not enough for law schools to admit first-generation students. Like Berkeley Law, they have to explain and promote how to succeed.”

Clerks such as Burton, Thapar says, also “bring a perspective that judges often don’t get. Many people we interact with in civil and criminal cases aren’t from families of professionals.”

After his Kentucky clerkship, Burton will clerk for U.S. 6th Circuit Court of Appeals Judge Julia Smith Gibbons, in Memphis. He will then join Hogan Lovells’ Washington, D.C., office, specializing in antitrust or appellate work.

Culturally, Burton is journeying far from his rebuilt farmstead, where his father and grandfather still raise Angus cattle, soybeans, and corn. But his roots extend deep into his personal soil.

“Where I’m from taught me the value of hard work, perseverance, and community,” he says. “In good times and bad.”

—Andrew Cohen



HOMEWARD BOUND: Luke Burton ’15 will return to Kentucky for a federal district court clerkship.

Reed, raised in small-town public housing by a single mother with mental health limitations, sees FGP's success as a clear signal—which she hopes other schools take note of—that ability alone does not ensure grad school success.

“If you come from a poor background, it's easy to feel like you don't belong and to be a bit mistrustful of people,” she says. “Research shows that just talking about socioeconomic issues makes it easier for FGPs to feel comfortable in higher education. It's rewarding to help FGP students gain confidence with interviewing, networking, and even participating in class.”

SPREADING THE SUCCESS

Looking back, Herrera Cuevas marvels at the cavernous gulf between his upbringing and university life. He remembers his mother trying to get him into a better elementary school through a lottery system, and that before it was implemented, parents would camp out for hours to better the odds. Years later, in Berkeley for Herrera Cuevas to start his college career, they drove by a homeless encampment in People's Park near campus.

“My mom asked me if all the people gathered there were camping out to try to enroll at UC Berkeley,” he says.

A decade later, Herrera Cuevas is now a capital markets attorney at Shearman & Sterling in San Francisco—and has hosted an FGP reception at the firm. After excelling in Berkeley Law's trial advocacy program, McHale is “thoroughly enjoying” his work as a public defender in San Diego.

Mosqueda won last year's Sax Prize for Clinical Advocacy, given annually to Berkeley Law's top clinic student, and is now an Equal Justice Works Fellow with the Public Counsel Law Center Immigrants' Rights Project in Los Angeles. Rogers earned a prestigious Prettyman Fellowship in Washington, D.C., where she is gaining top criminal justice training at the Georgetown Law Center.

“It's all about access,” Rogers says. “Once you can access professors and mentors of the caliber they have at Berkeley Law—once you can learn this new landscape and feel comfortable with it—then the sky's the limit. FGP students are smart; otherwise they wouldn't be here. The only thing holding them back is access, and this group is providing it.”

And looking to share it. FGP's leaders have reached out to other law schools with hopes of establishing similar groups nationwide. Meanwhile, Ross recruits group members for

New Scholarship Opens Window of Opportunity

Funding backs five top students entering this fall

As the new Berkeley Law Opportunity Scholarship (BLOS) demonstrates, the school does more than welcome top first-generation students—it actively seeks them out.

The scholarship program, launched this spring, offers robust financial support to a select handful of high-achieving students who are the first in their families to attend college.

“These students are central to our mission and identity,” says Dean Sujit Choudhry.

“They bring a unique perspective shaped by their family experiences, as well as resourcefulness, pragmatism, and drive that greatly enrich our law school community.”

The first five BLOS recipients will enroll this fall, and plans are in the works to consider awarding even more scholarships in subsequent years. Funding to establish the scholarships came from Berkeley Law and donors.

Those selected will have their full tuition, fees, and student health insurance paid for three years of study—more than \$150,000

of guaranteed non-loan aid. The scholarship also covers possible future tuition increases.

In addition, BLOS recipients will have access to programmatic support from the First Generation Professionals student organization, which provides alumni mentoring and various programs designed to help build professional networks and other career-enhancing skills.

The students are also guaranteed a spot in Berkeley Law's Pre-Orientation Program, hosted by faculty before the start of classes, to ease the transition into law school. In March, finalists were interviewed in Washington, D.C., Los Angeles, and Berkeley by panels composed of school administrators, faculty members, and graduates.

“This scholarship program reflects our commitment to both excellence and access,” Choudhry says. “Berkeley Law benefits tremendously from the presence of these students in our classrooms and, after they graduate, from the remarkable talents they bring to law, business, and public service.”

—Andrew Cohen

pipeline programs at low-performing area high schools to help at-risk students stay on the college track.

Just like Herrera Cuevas, Aranda grew up in a family of working-class immigrants. Just like Herrera Cuevas, she “felt completely out of my league and struggled to feel like I deserved to be here.” Unlike Herrera Cuevas, she had an established group to bond with after arriving in Berkeley.

“Joining FGP and getting to know fellow FGP students was crucial to reducing my anxiety,” Aranda says. “This group single-handedly transformed my experience here.”

Reed, who will clerk with the U.S. 7th Circuit Court of Appeals Staff Attorneys' Office after graduating, says, “Having FGP here contributed to my overall picture of Berkeley as a place that was more diverse and more welcoming to people like me.” For Rogers, “It was great to be at a school that sees FGPs as something to celebrate, not as a disadvantage.”

Herrera Cuevas is thrilled to watch the group he launched grow deeper roots and stronger wings—all while creating a rare kinship that crosses race, geography, and age.

“I wasn't sure if my background would mesh with anyone at law school,” he says. “To have a place where people can find common ground, talk openly with each other, and take on these new challenges together, that's a huge plus for the school and its first-generation students.” ■

IN GOD WE TRUST

DEPTH ON

A fast-growing group of alumni judges hears

By Jon Jefferson

Judging might not be the oldest profession, but it does date back eons: *almost* as far back as people's propensity to squabble. Judges settle disputes between neighbors—and nations. They're asked to issue Solomonian decrees about the custody of children or embryos. Sometimes they change the course of history, as Berkeley Law alumnus and U.S. Supreme Court Chief Justice Earl Warren '14 did in 1954 when he wrote, in



THE BENCH

cases from county seats to the World Court

the majority opinion for *Brown v. Board of Education*: “We conclude that in the field of public education the doctrine of ‘separate but equal’ has no place.”

In the 21st century, more and more Berkeley Law grads are finding their way to the bench—from county appointments to state, federal, and international courts. Meet five alumni judges who reflect this growing diversity and harbor deep faith in the rule of law.



FINDING HER PLACE: Holly Fujie '78 overcame ethnic discrimination to become a star litigator, president of the State Bar of California, and superior court judge.

and now I wouldn't trade that experience for anything in the world."

Fujie planned a career in estates, trusts, and tax law. "I loved my professors in those courses," she says. "What I didn't realize was that they were making really boring subjects sound interesting." After enduring eye-glazing tax law assignments in her post-2L summer, she tried litigation and found it fascinating. "Until then, I never thought that I had a litigator's personality," she says, then laughs. "Although I did marry my moot court advisor" (Lee Cotugno '77).

She spent three decades as a successful corporate litigator—including 21 years at Buchalter Nemer, where she was a partner and equity shareholder. In 2011, soon after her term at the helm of the state bar, Fujie was

LEARNING TO LOVE THE "TERRIFYING RESPONSIBILITY" HOLLY FUJIE '78

"Assembly Center." The term suggests an auditorium, but during World War II, it meant "internment camp." And the parents of Holly Fujie '78, like thousands of other Japanese Americans, learned that definition the hard way. Initially confined at the Tanforan Assembly Center—a fenced-in racetrack just south of San Francisco—they slept in horse stalls. Next they were sent to Utah's Topaz Relocation Center for three years.

From rank stables to the rarified atmosphere atop the legal profession: Quite a leap in one generation, but Fujie, president of the State Bar of California from 2008 to 2009, has made it. She's faced fewer barriers than her parents; still, she grew up hearing taunts and slurs.

"I went to an inner-city high school," she says, "Oakland Tech. It was not a very nice place." Fistfights and fires—started by students who didn't want to be there—were frequent, and Fujie was called names like "Ching Ching Chinaman." The experience toughened her, though, helping her shed the reticence that she says hampers many Asian-American women.

As a Cal undergrad double-majoring in political science and economics, Fujie aimed for law school—but not for Berkeley Law. "I wanted to go to Harvard Law," she admits, "but I didn't get in. I was also interested in UC Davis, so I could get away from home. I was at first disappointed to stay in Berkeley for law school. But I ended up loving it,

tapped by Governor Jerry Brown to fill a vacancy in the Los Angeles County Superior Court. Last year, she ran unopposed and won a six-year term.

Superior court has been "a real eye-opener," Fujie says. "As a litigator, you're advocating for your client's interest. On the bench—especially in family law, where I sit—you're making decisions about people's lives. It's a terrifying responsibility. And I absolutely love it."

CITIZEN—AND JURIST—OF THE WORLD JOAN DONOGHUE '81

Litigants appearing before Judge Joan Donoghue '81 can span the alphabet, from Afghanistan to Zimbabwe. Donoghue is a judge—the first American female judge—at the United Nations' International Court of Justice (ICJ). Also called the World Court, it decides disputes between sovereign states and gives advisory opinions to U.N. agencies.

Donoghue's horizons have long been broad. She earned dual undergraduate degrees, in biology and Russian studies, from UC Santa Cruz. Her senior thesis on Soviet law led to her international law focus at Berkeley. "The more I learned, the more I liked it," Donoghue recalls.

After three post-Berkeley years at a Washington, D.C., law firm, she moved to the U.S. Department of State, rising through the ranks to become State's senior career lawyer. In 2010, she was elected to fill a vacancy at the ICJ. In February 2015, she was re-elected to a full nine-year term. "The cases are novel and complicated," she says "They require a lot of expertise, and they're never repetitive."

WORLD CLASS: Judge Joan Donoghue '81 returned to Berkeley Law this spring to accept the Stefan A. Riesenfeld Award.

Case in point: *Australia v. Japan*, initiated in 2010. Australia charged that Japan's whaling activities in the Southern Ocean near Antarctica violated an international moratorium on commercial whaling. Japan maintained that it was conducting permissible scientific research, arguing that the killing of whales was needed to monitor the health of the ecosystem and the whale herds.

In March 2014, the ICJ ruled in Australia's favor, finding that Japan's program was not for the purposes of scientific research. "Evaluating scientific evidence can be quite difficult," says Donoghue. "I'm pleased by the



HOME COURT ADVANTAGE: PREGERSON LEADS BERKELEY TEAM ON 9TH CIRCUIT BENCH

Judge Harry Pregerson '50 isn't just the oldest judge on the U.S. 9th Circuit Court of Appeals. He might also be the only Berkeley Law alum ever to appear in an Academy Award-winning film. In *Citizenfour*, the 2015 documentary about whistleblower Edward Snowden, a clip of courtroom footage shows Pregerson scolding an

assistant U.S. attorney for suggesting that the judiciary needn't concern itself with National Security Agency activities.

Pregerson has witnessed many changes during his tenure. How could he not? Lyndon Johnson appointed him to the U.S. District Court for the Central District of California in 1967; Jimmy Carter elevated him to the 9th Circuit in 1979.

"Our prisons today are overcrowded," Pregerson says. Mandatory sentences have meant that "many federal prisoners serve sentences that are twice as long as they need to be"—an outcome he considers "illegal and unconstitutional."

Pregerson has mentored many law clerks over the decades, and he's treated them "like family," says former clerk Lindsay Muir Harris '09, a clinical teaching fellow at Georgetown who won Berkeley Law's Sax Prize for Clinical

Advocacy in 2009. "What has stuck with me most—and what I try to impart to law students engaged in social justice work—is what Judge Pregerson taught me about being persistent in the quest for true justice."

Berkeley Law has remarkable depth on the 9th Circuit bench: 11 Class of 2014 grads currently clerk there, and three alums besides Pregerson are sitting judges: Marsha Berzon '73, Richard Paez '72, and J. Clifford Wallace '55.

The door swings the other direction, too: from the courthouse to the law school. Two 9th Circuit judges, John Noonan and William Fletcher, teach at Berkeley Law.

Fletcher joined the faculty in 1977 and taught full-time until his appointment in 1998 to the 9th Circuit (where his mother, Betty Binns Fletcher, also held a judgeship). He still makes time to teach Federal Courts at Berkeley every year—a "rejuvenating" experience, he says. "Judges can get blinkered after years in their cloistered chambers. Students keep you young."

Fletcher's biggest teaching challenge? Persuading students to be less deferential. "Deference shuts off the thought process," he explains. "The fun part of teaching—and the most productive for students—is the give-and-take of challenging and being challenged." —Jon Jefferson

ROLE MODEL: Judge Harry Pregerson '50 has mentored dozens of clerks during his 48 years on the federal bench.

JIM BLOCK (2X)



favorable comments about the way the court handled it in this case.”

Since joining the ICJ, Donoghue has been active in her outreach. She speaks widely about “the important but sometimes invisible role that international law plays in our lives.” That role, she says, makes possible—among other things—international travel, law enforcement cooperation, international commerce, and cooperation on matters such as environmental protection. Donoghue’s outreach extends to law students, law professors, judges, bar associations, civic groups, and reporters.

In April, she returned to Berkeley Law to receive the Riesenfeld Award. Named in honor of one of Donoghue’s mentors, professor Stefan Riesenfeld ’37, it recognizes outstanding contributions to international law. “I’m humbled to receive this award,” Donoghue says. “Professor Riesenfeld taught my first-year elective in international law. His blend of expertise, brilliance, and passion intimidated me—and deeply inspired me.”

LAW THROUGH THE EYE OF A TIGAR JON TIGAR ’89

With the ink on his law degree barely dry, Jon Tigar ’89 left Berkeley for Alabama, to clerk for Judge Robert Vance at the U.S. 11th Circuit Court of Appeals in Birmingham. Four months later, on a Saturday in mid-December, Vance opened a package at his kitchen table. The package con-

tained a pipe bomb loaded with nails; it exploded, killing Vance and injuring his wife.

“Since his wife couldn’t talk to them, I was the first person the FBI called,” says Tigar, the memory still vivid. The killer, Walter Moody, was apparently seeking revenge for a prior conviction—though, in fact, Vance had not been part of that case. “Judge Vance loved the law,” Tigar recalls. “He believed in the rule of law. And he died for that.”

Tigar spent two months helping shut down Vance’s chambers, and then returned to San Francisco as an associate at Morrison & Foerster. His work there included arguing motions and examining witnesses in a commercial arbitration—“my first taste of trial experience,” he says—and it made him want to take that step. “The first time that I cross-examined someone and it went the way the textbooks said it should, I was hooked.”

Eager for courtroom combat, he joined the San Francisco Public Defender’s Office, where he handled 14 trials in 18 months: “They weren’t large cases, but I got to pick 14 juries, make 14 closing arguments, and cross-examine a lot of witnesses,” he says.

But given his office’s low turnover rate, Tigar figured the wait for its biggest cases—homicide trials—was “just too long.” So he hopped to Kecker & Van Nest, where he gained plenty of trial experience as a litigator.

Then came a fateful change. A former law partner suggested that Tigar apply for a judicial appointment. Somewhat to Tigar’s own surprise, he did.

“Judging turned out to be the thing I was waiting for—I just didn’t know it,” says Tigar, who served on the Alameda County Superior Court bench from 2002 to 2013 and is now a federal judge in California’s Northern District. “I used to enjoy being an advocate. I liked the battle of it. But as a judge, you do something completely different. You’re trying to figure out: *What is the law?*”

“There’s something really satisfying about doing good advocacy, but it turns out there’s something even more satisfying about figuring out what the law is, and getting it right. I tell people who ask me about my job, ‘I’m working for you. I’m working for the law.’ ”

Is he channeling the late Judge Vance? Perhaps. “I have his picture in my chambers,” Tigar says. “I look at him every day.”

THE PEOPLE’S BEST FRIEND: Jon Tigar ’89 tells those who ask that, as a judge, he works for them.



CLERKSHIP, INC.: GRADS MATCHED WITH JUDGES, ACROSS THE COUNTRY

GEARING UP: Easha Anand '14 starts clerking for U.S. Supreme Court Justice Sonia Sotomayor in July.



One day in December, Easha Anand '14 received a call. She didn't recognize the number, so she didn't answer. The ensuing voicemail floored her. "Hey, Easha," it began, "it's Sonia Sotomayor. Could you please give me a call at your convenience?"

Anand had interviewed for a clerkship at the U.S. Supreme Court, so the call wasn't unexpected, but the justice didn't say whether the news was good or bad. Only when Anand called back, heart pounding, did she learn: She'd gotten an offer.

Anand was astonished; her teachers weren't. "Easha's a superstar," says professor Amanda Tyler, who co-chairs Berkeley Law's Clerkship Committee with associate professor Andrew Bradt and Eric Stern, director of operations for the Career Development Office (CDO). "She *blazed* through law school. She did exceptionally well in her coursework, and she volunteered for a tremendous amount of institutional service—student organizations, clinical work, the Dean Search Committee."

It wasn't the first clerkship offer Anand had received. In fact, she was already midway through a 9th Circuit clerkship with Judge Paul Watford, who had strongly backed her for the Sotomayor job.

Anand was in good company, clerkship-wise. Stern says 59 new grads—20 percent

of Anand's class—landed clerkships (immediately after graduation or for future terms) with state or federal judges, including 18 at the 9th Circuit alone (see sidebar "Home Court Advantage," page 29). Nearly one-third will be clerking for more than one judge.

The numbers reflect a concerted effort by the CDO and the Clerkship Committee. The task of matching students with clerkships has grown more challenging since 2013, when the Federal Law Clerk Hiring Plan was eliminated, ending uniform application deadlines and selection dates.

Now, says Tyler, "it's a never-ending, full-throttle institutional push to help our students land these extraordinary opportunities. It's extremely time-consuming and stressful for the students."

It's also no picnic for Erin Reynolds' Faculty Support Unit, which produced more than 11,000 clerkship recommendation letters last year—about 5,500 online submissions and 6,000 letters sent directly to judicial

chambers. The efforts are paying off nationwide, with class of 2014 graduates clerking in 29 states, from Maine to Alaska.

As for Anand: When she returned Justice Sotomayor's call, Anand says she "babbled on and on" about how honored she was to receive the offer. Finally the justice asked wryly, "Does that mean 'yes?'"

Yes. Anand's SCOTUS clerkship begins in July. —Jon Jefferson

ANOTHER SUPREME ACHIEVEMENT

Shortly before *Transcript* went to press, another Berkeley Law grad received a dream phone call. Greg Miller '12, who has already worked for three judges, was informed that he will clerk for Justice Antonin Scalia starting in July 2016.

"Former clerks say their year with the Supreme Court was the most demanding and rewarding of their legal careers," Miller says. "I expect to work very hard while making a few memories and forming friendships that will last a lifetime."

LABORING FOR JUSTICE INDIRA TALWANI '88

Indira Talwani '88 traces her path to the federal bench back to her roots—specifically, her grassroots experience as a labor organizer. After graduating from Harvard, she worked in California's Central Valley for the Service Employees International Union, organizing convalescent-home staff members. "It was very hard" she recalls, "and I decided I needed more tools to help workers. That's what made me want to go to law school."

At Berkeley Law, she volunteered in the Workers' Rights Clinic and served as articles editor for the *Industrial Relations Law Journal* (now the *Berkeley Journal of Employment and Labor Law*). After graduating, she clerked

LABOR OF LOVE: Former labor organizer Indira Talwani '88 took an unconventional path to the federal judiciary.



for U.S. District Judge Stanley Weigel of California's Northern District. Then—upon entering private practice—Talwani returned to her labor-law roots, representing unions and individual employees in collective bargaining, arbitration, and litigation on issues from antitrust to whistleblowing.

In 2013, her experience caught the eye of retired U.S. District Court Judge (and current Harvard Law professor) Nancy Gertner, whom Senator Elizabeth Warren had asked to head a committee recommending candidates for federal judgeships. Warren urged Gertner's committee to branch out from the usual prospects—federal prosecutors and Big Law litigators—and the committee obliged, forwarding to Warren a local district attorney, and labor lawyer Talwani.

Warren took the committee's advice, recommending both to President Obama for nominations to federal judgeships. "Ms. Talwani has an impressive track record as a litigator," Warren told the Senate at Talwani's confirma-

tion hearing in January 2014, citing her experience in Massachusetts state trial and appeals courts, the federal courts of appeals, and the U.S. Supreme Court.

Warren also gave Talwani an implicit plug in a February 2014 speech, while the confirmation was still pending. "I believe that diversity in experience matters," Warren told attendees at an Alliance for Justice event in Washington, D.C. "It matters that someone has represented people other than corporate clients, that they've had real experience with people who can't afford lawyers, that they've had real experience trying to fight for the public interest."

On May 8, 2014, the Senate unanimously confirmed Talwani's appointment to the federal bench in Massachusetts—making her the first U.S. district court judge of Asian or South Asian descent in the entire 1st Circuit, and only the second female federal judge of South Asian descent nationwide.

The leap from private civil practice to the federal bench has been a big one, according to Talwani. "The challenge is the volume, the workload," she says. "It's important not to delay things, but it's also important to get things right." It's hard work ... but Talwani's never been averse to labor.

THE MORE THINGS CHANGE, THE MORE HE LIKES IT STEVE GONZÁLEZ '91

"Can't you keep a job?" That's the first thing Steve González '91 heard when he called his mother to say he was leaving his Superior Court judgeship in Seattle. She was joking: González was trading up—way up—to a seat on Washington state's Supreme Court.

Every good joke has a kernel of truth. González *has* moved around a lot, through jobs spanning much of the legal spectrum: negotiating contracts with companies in Taiwan and Japan as an international corporate lawyer. Prosecuting child abuse, domestic violence, and elder abuse as a city of Seattle staff attorney. Investigating hate crimes, child prostitution, and terrorists—and

FACE OF DIVERSITY: Descended from Mexican revolutionaries and Eastern European Jews, Washington Supreme Court Justice Steve González '91 speaks Japanese and Mandarin.



LIVING JUDGES WHO GRADUATED FROM BERKELEY LAW

Paul Abrams '83 *	U.S. District Court (California - Central District)	Lloyd King '65	U.S. Bankruptcy Appellate Panel (9th Circuit)
Richard Andrews '81	U.S. District Court (Delaware)	David Krashna '74	California Superior Court (Alameda County)
Brent Appel '77	Iowa Supreme Court	Russell Kussman '81	California Superior Court (Los Angeles County)
William Bedworth '71	California Court of Appeal (4th District)	Laura Laesecke '92	California Superior Court (Los Angeles County)
Joseph Bergeron '68	California Superior Court (San Mateo County)	Brian Lamb '84	California Superior Court (Inyo County)
Marsha Berzon '73	U.S. Court of Appeals (9th Circuit)	Lawrence Leavitt '69 * #	U.S. District Court (Nevada)
Lucy Billings '73	New York State Supreme Court	Cynthia Lie '95	California Superior Court (Santa Clara County)
Jacob Blea '78	California Superior Court (Alameda County)	Patricia Lucas '79	California Superior Court (Santa Clara County)
Coleman Blease '55	California Court of Appeal (3rd District)	Clare Maier '90	California Superior Court (Contra Costa County)
Angela Bradstreet '80	California Superior Court (San Francisco County)	Barbara Major '87 *	U.S. District Court (California - Southern District)
Wayne Brazil '75 * #	U.S. District Court (California - Northern District)	Albert Maldonado '74	California Superior Court (Monterey County)
Charles Breyer '66	U.S. District Court (California - Northern District)	Joaquin Manibusan '74 *	U.S. District Court (Guam)
Steven Brick '72	California Superior Court (Alameda County)	David Mannheimer '74 °	Alaska Court of Appeals
Tracie Brown '96	California Superior Court (San Francisco County)	Robert Mark '78	U.S. Bankruptcy Court (Florida - Southern District)
Desiree Bruce-Lyle '79	California Superior Court (San Diego County)	Miguel Marquez '96	California Court of Appeal (6th District)
Terence Bruiniers '73	California Court of Appeal (5th District)	James McBride '79	California Superior Court (San Francisco County)
Thomas Cahraman '76	California Superior Court (Riverside County)	Judith McConnell '69	California Court of Appeal (4th District)
Walter Carpeneti '70 #	Alaska Supreme Court	Alex McDonald '61	California Court of Appeal (4th District)
James Chalfant '79	California Superior Court (Los Angeles County)	Enrique Monguia '83	California Superior Court (Los Angeles County)
Rosalyn Champan '67 *	U.S. District Court (California - Central District)	Dennis Montali '68 °	U.S. Bankruptcy Appellate Panel (9th Circuit)
Edward Chen '79	U.S. District Court (California - Northern District)	John Moulds '66 *	U.S. District Court (California - Eastern District)
Maxine Chesney '67	U.S. District Court (California - Northern District)	Fernando Olguin '69	U.S. District Court (California - Central District)
Vince Chhabria '98	U.S. District Court (California - Northern District)	Rafael Ongkeko '78	California Superior Court - Los Angeles County
Cynthia Chin Young Lie '95	California Superior Court (San Francisco County)	Richard Paez '72	U.S. Court of Appeals (9th Circuit)
Allison Claire '93 *	U.S. District Court (California - Eastern District)	Laura Parsky '95	California Superior Court (San Diego County)
Charles Clay III '89	California Superior Court (Los Angeles County)	John Pearce '96	Utah Court of Appeals
Adolfo Corona '85	California Superior Court (Fresno County)	Aaron Persky '90	California Superior Court (Santa Clara County)
Clifford Cretan '72	California Superior Court (San Mateo County)	Ioana Petrou '93	California Superior Court (Alameda County)
George Daniels '78	U.S. District Court (New York - Southern District)	Cheri Pham '90	California Superior Court (Orange County)
Nancy Davis '72	California Superior Court (San Francisco County)	Virginia Phillips '82	U.S. District Court (California - Central District)
Leland Davis III '83	California Superior Court (San Mateo County)	Harry Pregerson '50	U.S. Court of Appeals (9th Circuit)
Gregory Dohi '91	California Superior Court (Los Angeles County)	Joseph Quinn III '94	California Superior Court (San Francisco County)
Robert Dondero '70	California Court of Appeal (1st District)	Thomas Matthew Reardon '88	California Superior Court (Alameda County)
Joan Donoghue '81	International Court of Justice	Alex Ricciardulli '87	California Superior Court (Los Angeles County)
Thomas Donovan '62	U.S. Bankruptcy Court (California - Central District)	Conrad Rushing '63	California Court of Appeal (6th District)
Robert Draper '67	California Superior Court (Los Angeles County)	David Russell '60	U.S. Bankruptcy Court (California - Eastern District)
Miranda Du '94	U.S. District Court (Nevada)	Donna Ryu '86 *	U.S. District Court (California - Northern District)
Drew Edwards '87	California Superior Court (Los Angeles County)	Jose Sandoval '81	California Superior Court (Los Angeles County)
Ronald Evans Quidachay '73	California Superior Court (San Francisco County)	Ray Santana '77	California Superior Court (Los Angeles County)
Robert Faris '83 °	U.S. Bankruptcy Court (Hawaii)	Edward Sarkisian, Jr. '65	California Superior Court (Fresno County)
David Fields '88	California Superior Court (Los Angeles County)	Patricia Scanlon '81	California Superior Court (Contra Costa County)
Kelvin Filer '80	California Superior Court (Los Angeles County)	Alan Schneider '93	California Superior Court (Los Angeles County)
Michael Fitzgerald '85	U.S. District Court (California - Central District)	Ethan Schulman '83	California Superior Court (San Francisco County)
Andrea Flint '96	California Superior Court (Santa Clara County)	Deborah Servino '95	California Superior Court (Orange County)
Maurice Foley '85	U.S. Tax Court (Washington, D.C.)	John Shepard Wiley, Jr. '80	California Superior Court (Los Angeles County)
Robert Freedman '68	California Superior Court (Alameda County)	William Shubb '63 △	U.S. District Court (California - Eastern District)
Gary Friedman '68	California Superior Court (Kern County)	James Singleton '64 △	U.S. District Court (Alaska)
Richard Fruin, Jr. '65	California Superior Court (Los Angeles County)	Erithe Smith '82	U.S. Bankruptcy Court (California - Central District)
Holly Fujie '78	California Superior Court (Los Angeles County)	Thomas Stevens '93	California Superior Court (Alameda County)
Fred Fujioka '77	California Superior Court (Los Angeles County)	Maria Stratton '79	California Superior Court (Los Angeles County)
Kimberly Gaab '93	California Superior Court (Fresno County)	Jon Streeter '81	California Court of Appeal (1st District)
Lloyd George '61 △	U.S. District Court (Nevada)	John Sugiyama '75	California Superior Court (Contra Costa County)
Arthur Gilbert '63	California Court of Appeal (2nd District)	Indira Talwani '88	U.S. District Court (Massachusetts)
Steven González '91	Washington Supreme Court	Leslie Tchaikovsky '76 #	U.S. Bankruptcy Court (California - Northern District)
Martha Gooding '81	California Superior Court (Orange County)	Amul Thapar '94	U.S. District Court (Kentucky - Eastern District)
Brenda Harbin-Forte '79	California Superior Court (Alameda County)	Trina Thompson '86	California Superior Court (Alameda County)
Albert Harutunian III '80	California Superior Court (San Diego County)	Jon Tigar '89	U.S. District Court (California - Northern District)
Anne Harwood Egerton '80	California Superior Court (Los Angeles County)	John True III '75	California Superior Court (Alameda County)
Thelton Henderson '62 △	U.S. District Court (California - Northern District)	Emily Vasquez '77	California Superior Court (Sacramento County)
Esteban Hernandez '80	California Superior Court (San Diego County)	Carlos Vasquez '88	California Superior Court (Los Angeles County)
Joni Hiramoto '87	California Superior Court (Contra Costa County)	Yvette Verastegui '93	California Superior Court (Los Angeles County)
Gregory Hobbs '71	Colorado Supreme Court	Alice Vlardi '71	California Superior Court (Alameda County)
David Hoffer '88	California Superior Court (Orange County)	Lydia Villareal '80	California Superior Court (Monterey County)
Thomas Holman '71	U.S. Bankruptcy Court (California - Eastern District)	J. Clifford Wallace '55 △	U.S. Court of Appeals (9th Circuit)
Jeffrey Horner '63	California Superior Court (Alameda County)	Evan Wallach '76	U.S. Court of Appeals (Federal Circuit)
Anthony Ishii '73 °	U.S. District Court (California - Eastern District)	Brian Walsh '72	California Superior Court (Santa Clara County)
Edward Jellen '71	U.S. Bankruptcy Court (California - Northern District)	Laura Walton '95	California Superior Court (Los Angeles County)
D. Lowell Jensen '52 #	U.S. District Court - California (Northern District)	Oliver Wanger '66 #	U.S. District Court (California - Eastern District)
Samantha Jessner '91	California Superior Court (Los Angeles County)	Edward Weil '79	California Superior Court (Contra Costa County)
Daniel Juarez '92	California Superior Court (Los Angeles County)	Kathryn Werdegard '62	California Supreme Court
David Kalemkarian '89	California Superior Court (Fresno County)	Claudia Wilken '75	U.S. District Court (California - Northern District)
Jonathan Karesh '85	California Superior Court (San Mateo County)	Robert Willett '74	California Superior Court (Los Angeles County)
Stephen Kaus '73	California Superior Court (Alameda County)	Daniel Winfree '81	Alaska Supreme Court
Alan Kay '60 △	U.S. District Court (Hawaii)		

◇ Chief Judge * Magistrate Judge △ Senior Judge # Retired Judge

Despite our efforts to stay current, this list may be incomplete. If you know of an alumni judge not listed above, please contact Eric Stern at estern@law.berkeley.edu.

helping to prosecute Ahmed Ressam, the “Millennium Bomber,” in 2000—as an assistant U.S. attorney. Serving on the King County Superior Court for 10 years: a long stint for tumbleweed González.

The diversity in his professional life seems fitting, given González’s far-flung roots. His late father’s family came from Mexico, descendants of revolutionaries; his mother’s forbearers were Eastern European Jews who emigrated through Ellis Island a century ago. During his college career, González’s grandmother worked as a maid—cleaning rooms in his dormitory.

González doesn’t say it, but he embodies his family’s American Dream. What he *does* say is that despite the nation’s lingering prejudices and stereotypes, he sees “great cause for optimism” for people from diverse ethnic backgrounds—though he’d also like to see faster progress toward dismantling barriers.

González has never been one for narrow boundaries. In college, he found himself drawn to Asia and spent part of his undergrad years in Japan and China, learning Japanese and Mandarin. At Berkeley, he focused on international business law, particularly Asian law.

“The availability of scholars from Japan and Taiwan was very helpful,” he says. “And I very much enjoyed studying Chinese history and law with professor [Bob] Berring. We created our own seminar on Japanese law, which was held in Japanese”—a do-it-themselves complement, of sorts, to the school’s Sho Sato Program in Japanese and American Law. “I still like keeping up with Japanese law and Japanese scholars,” says González, who has also helped train jurists in Colombia, Venezuela, and Argentina.

His advice to law students and young attorneys is distilled from his own peripatetic career and expansive horizons: “Keep yourself open to changing your path, changing your ideas about what you want to do. Have the courage to change, and be open to change.” ■

Freelancer Jon Jefferson is a New York Times best-selling novelist. Collaborating with renowned forensic anthropologist William Bass as “Jefferson Bass,” he’s written nine crime novels, as well as two nonfiction books.

Berkeley Law graduates occupy scores of important

KATHRYN WERDEGAR '62 CALIFORNIA SUPREME COURT

Werdegar finished first in her class and was the first woman elected editor-in-chief of the *California Law Review*. After law school, she worked for the U.S. Department of Justice, protecting voting rights in the South. A California Supreme Court justice since 1994, Werdegar previously sat on the 1st District Court of Appeal in California. She has won five American Jurisprudence Awards, directed the California Continuing Education of the Bar’s criminal law division, and been a professor and associate dean at the University of San Francisco School of Law.



GEORGE DANIELS '78 U.S. DISTRICT COURT (SOUTHERN DISTRICT OF NEW YORK)

Daniels joined the federal bench in 2000 after five years as a New York Supreme Court justice. He began his career with the Legal Aid Society of New York, and subsequently clerked for then California Chief Justice Rose Bird '65 before entering private practice. In 1983, Daniels joined the U.S. Attorney’s Office in New York’s Eastern District and later taught at Brooklyn Law School as an adjunct professor. Daniels also had two judicial stints in the New York City Criminal Court, and served as counsel to the former mayor of New York City, David Dinkins.

JON STREETER '81 CALIFORNIA COURT OF APPEAL (1ST DISTRICT)

A former president of the State Bar of California and the Bar Association of San Francisco, Streeter has also led the Association of Business Trial Lawyers’ Northern California chapter. He chaired the pro bono practice at Kecker & Van Nest, where he was a partner from 1997 to 2014, handling litigation over racial profiling by the California Highway Patrol and defending against a challenge to the city of Berkeley’s student integration program. A winner of multiple public service awards, Streeter has twice served on the Boalt Hall Alumni Association board.



DANIEL WINFREE '81 ALASKA SUPREME COURT

After earning a joint JD/MBA from UC Berkeley, Winfree spent 25 years in private practice with large and small firms, and also as a solo practitioner. Appointed to Alaska’s top court in 2008, he was re-elected in 2012 with 65 percent of the vote. A third-generation Alaskan, Winfree was president of the Alaska Bar Association from 1994 to 1995, served on its board for nine years, and won its Distinguished Service Award in 2007. He has also been president of the Alaska Bar Foundation Board of Trustees and the Western States Bar Conference.

judicial posts throughout the United States. Here's a quick look at just 10 of them:

ERITHE SMITH '82

U.S. BANKRUPTCY COURT (CENTRAL DISTRICT OF CALIFORNIA)

Smith's bankruptcy court is one of the busiest in the nation. Appointed in 1994, she received a second 14-year term in 2007. Smith has served on the U.S. 9th Circuit Bankruptcy Appellate Panel, which hears bankruptcy appeals from nine western states. After two judicial clerkships, Smith worked in private practice in the Los Angeles area, first at McKittrick, Jackson, DeMarco & Peckenpaugh from 1985 to 1987 and then at Lobel, Winthrop & Broker from 1987 to 1994. She has also served as associate editor of the *American Bankruptcy Institute Law Journal*.



MIGUEL MARQUEZ '96

CALIFORNIA COURT OF APPEAL (6TH DISTRICT)

The son of Mexican immigrants, Marquez became his court's first Latino judge in 2012. Previously, he served as counsel for Santa Clara County and general counsel for the San Francisco Unified School District. Marquez was also deputy city attorney in the San Francisco City Attorney's Office from 2004 to 2006 and deputy counsel for San Mateo County from 2002 to 2004, and worked as an associate at Cooley Godward, as well as at Remcho Johansen Purcell. In addition to his JD from Berkeley Law, Marquez has a master's degree in Public Policy from Harvard.



DONNA RYU '86

U.S. DISTRICT COURT (NORTHERN DISTRICT OF CALIFORNIA)

Ryu formed her own civil rights firm in Oakland and co-designed a national training institute on class actions. She was also a clinical law professor at UC Hastings College of the Law and the associate director of Golden Gate University's Women's Employment Rights Clinic. Ryu has been named California Lawyer of the Year in employment law and won an Asian American Bar Association award for exceptional legal advocacy. She co-founded the *Berkeley Journal of Gender, Law & Justice* and works closely with Berkeley Law's judicial field placement program.



MIRANDA DU '94

U.S. DISTRICT COURT (NEVADA)

Born in Vietnam, Du left with her family by boat when she was eight. She spent a year in refugee camps in Malaysia before immigrating to the United States. After law school, Du worked at McDonald Carano Wilson for 18 years and chaired its employment and labor group. President Obama appointed her to the bench in 2012. Among her leadership roles, Du has served on the Nevada Commission on Economic Development. Named a 'Top 20 under 40' Reno/Tahoe-area young professional in 2008, she is the second Vietnamese American appointed to a federal judgeship.



VINCE CHHABRIA '98

U.S. DISTRICT COURT

(NORTHERN DISTRICT OF CALIFORNIA)

When the U.S. Senate confirmed him in 2014, Chhabria became California's first federal judge of South Asian descent. He had spent nine years as a deputy city attorney in San Francisco, representing the city in defense of its health insurance law and in other major cases. From 2002 to 2005, Chhabria worked in private practice at Covington & Burling and Kecker & Van Nest. Before that, he clerked for federal judges Stephen Breyer (U.S. Supreme Court), James Browning (U.S. 9th Circuit Court of Appeals), and Charles Breyer '66 (Northern District of California).



AMUL THAPAR '94

U.S. DISTRICT COURT (EASTERN DISTRICT OF KENTUCKY)

Thapar became the nation's first federal district judge of South Asian descent in 2007. He was an assistant U.S. attorney for the preceding five years, and chaired the Controlled Substances and Asset Forfeiture Subcommittee of the Attorney General's Advisory Committee. Thapar served as an adjunct professor at the University of Cincinnati College of Law and was a trial advocacy instructor at the Georgetown University Law Center. His experience also includes stints in private practice in Cincinnati and Washington, D.C., and work as a general counsel.



TOP-RANKED TECH-LAW PROGRAM STILL ON THE RISE

Jim Dempsey takes the helm at the Berkeley Center for Law & Technology, stressing versatility, practice-ready skills, and a global perspective

Interviewed by Andrew Cohen

PHOTOGRAPH BY JIM BLOCK



RACING AHEAD: Jim Dempsey steers projects that accelerate Berkeley Law's leading work on intellectual property and privacy.

The only thing harder than making it to the top, goes the ancient sports adage, is staying there. That's the charge willingly accepted by Jim Dempsey, who became the new executive director of the Berkeley Center for Law & Technology (BCLT) in January.

Dempsey is keenly aware that Berkeley Law boasts the top-ranked intellectual property program among all U.S. law schools. And that it has occupied that lofty perch for 16 of the past 18 years.

And that his predecessor, Robert Barr, helped create the field of patent counseling for tech companies and built key bridges between Berkeley Law and Silicon Valley. To Dempsey, however, that's all cause for enthusiasm—not trepidation.

A leading expert on privacy and Internet policy, Dempsey spent 18 years with the Center for Democracy and Technology (CDT), a nonprofit based in Washington, D.C., including a

term as its executive director. During that time, he worked on several projects alongside leaders of BCLT and Berkeley Law's Samuelson Law, Technology & Public Policy Clinic.

From 1985 to 1995, Dempsey served as assistant counsel to the House Judiciary Committee's Subcommittee on Civil and Constitutional Rights, tackling issues at the intersection of national security and constitutional protections. He now sits on the Privacy and Civil Liberties Oversight Board, an

independent federal agency that keeps tabs on privacy violations by the nation's counterterrorism programs.

At BCLT, his plans include more projects focused on cybersecurity and building global collaborations.

Dempsey recently discussed his vision for the center—which will celebrate its 20th anniversary during the upcoming school year—with Senior Communications Writer and *Transcript* Managing Editor Andrew Cohen.

Andrew Cohen: What made you want to take on this new role leading BCLT?

Jim Dempsey: I've known BCLT as an institution, and a number of its faculty directors, for years. I'd spoken here, I'd worked with Samuelson Clinic students on an exciting smart-grid privacy project, and [BCLT co-faculty director] Deirdre Mulligan was a colleague at CDT when I started there 18 years ago. I knew of the prominence of the center's faculty and the breadth of its work. So when I heard that Robert Barr was retiring, this seemed like a logical step, an exciting opportunity, and a perfect fit for me.

Berkeley Law has the nation's top-ranked IP program. Does that bring a certain level of pressure?

We are absolutely going to maintain that leadership position, and my mission is to extend it, to build on Robert's great work over the past 10 years. BCLT's two main pillars are intellectual property and privacy, which are tech law's two most important areas. In both, we have some of the nation's top scholars and a very deep and broad curriculum. Throughout the interview process, I committed to Dean Choudhry, and to the faculty directors, to maintain our leadership position in those two fields while also working with them to expand into additional areas.

What other areas do you have in mind?

Cybersecurity and international engagement are where we need to grow. Today's law students, regardless of which practice area they enter, will confront cybersecurity problems. Just look at the range of entities that have suffered

from attacks in the past year. When there's a major breach, the legal issues go right from the general counsel's office to the board of directors. As for international issues, we live in a globalized economy, and the tech innovations of the past 20 years have been central to that. Lawyers will be dealing with transborder issues and they'll need at least some familiarity with international law and global institutions.

How can BCLT best capitalize on its fortuitous location within UC Berkeley and in the shadow of Silicon Valley?

We draw on the rich expertise of our Bay Area community. Many of our lecturers are attorneys who practice in Silicon Valley. Every day, they're here teaching upper-level courses in sophisticated areas of the law, often drawing directly on the work they were doing that very morning. Our Tuesday and Thursday luncheon talks by lawyers from area firms and in-house counsel are very well attended by students. They hear insights about up-to-the-minute problems that they'll undoubtedly confront when they enter practice. We're also developing more experiential learning opportunities for students working with tech startups, which is very exciting. We're ideally situated for this—intellectually, as well as geographically.

How can students make the most of BCLT's presence, and vice versa?

One thing that struck me in the short time I've been here is the profound commitment of BCLT's faculty directors to the educational mission. They spend a lot of time on



PROJECT PROS: Molly Van Houweling and Paul Schwartz will lead two of the American Law Institute's signature initiatives.

BCLT FACULTY DIRECTORS TAPPED FOR LEADING ROLES ON AMERICAN LAW INSTITUTE PROJECTS

The American Law Institute (ALI) clearly values the insights of professors Paul Schwartz and Molly Van Houweling, selecting the BCLT faculty directors for leadership roles on two of its major initiatives.

Schwartz was named co-reporter on ALI's *Principles of the Law, Data Privacy* project, which seeks to bring greater order and consistency to privacy law and provide guidance to courts and legislatures. A renowned privacy expert, Schwartz sees the assignment as an exciting and essential opportunity.

"The topic of privacy went from being of interest to just a few techies to something that now interests everyone," he explains. "We must consider risks and rewards. For example, today's medical researchers can gather huge data sets from different hospitals. There are threats to privacy

involved, but great potential benefits, too."

So far, Schwartz and his ALI colleagues have developed an initial set of 14 principles they believe are broad enough to effectively manage information privacy in the 21st century.

Van Houweling was named one of four associate reporters on ALI's *Restatement of the Law, Copyright* project. This marks the field's first restatement—one long overdue, Van Houweling notes, given that the Copyright Act of 1976 was the last major revision to statutory copyright law in the United States.

"Copyright law is more important than ever," she says. "While it has always governed the activity of publishing companies, in the digital age, everyone with a computer or Internet access is a potential publisher—and a potential copyright infringer."

Before joining Berkeley Law's faculty in 2005, Van Houweling once worked for

Creative Commons, a nonprofit that enables sharing creativity and knowledge through free, legal tools. "I relish the idea of working on something that might help to summarize copyright in a way that's useful for ordinary people, as well as for legal experts," she says.

Schwartz and Van Houweling join a prestigious list of Berkeley Law contributors to ALI projects. Pamela Samuelson, another BCLT faculty director and a national leader on intellectual property policy, serves as an advisor for the *Copyright* project. William Prosser, the school's former iconic dean, was a reporter for the second *Restatement of Torts*.

"Prosser's project had a huge impact on the law," Schwartz says. "It's an honor for me to do this work, and to follow in the Berkeley Law and Dean Prosser traditions."
—Ben Peterson

curriculum planning, for example, to make sure students will have a broad and deep educational training. Our law and technology writing workshop run by professor Peter Menell, which feeds into the *Berkeley Technology Law Journal*, is a phenomenal experience for students. They get a tremendous amount of supervision and input from both faculty and student advisors.

We host career fairs. We support seven student groups that provide other avenues for involvement outside the classroom. In these and other ways, BCLT helps students build their networks and expand their exposure to the issues and practice areas they'll encounter in their careers.

What sparked your interest in privacy and Internet policy?

I've always been interested in public service. I did a lot of pro bono work when I was at Arnold & Porter. When I left for Capitol Hill, I had the extraordinary privilege to work for Congressman Don Edwards, who then represented the

San Jose area. He chaired the Subcommittee on Civil and Constitutional Rights, and I began getting involved in privacy—particularly the Fourth Amendment and issues related to government databases. Congressman Edwards had oversight responsibility for the FBI, and a theme of his work was developing guidelines for the bureau's use of technology. This was back in the very earliest days of the commercialized Internet. I've been doing tech policy ever since.

Is this area of law beginning to affect Americans as much or more than any other?

Yes. We live in the Information Age, and this remarkable technology has become woven into our personal and professional lives. Companies that offer these innovative products and services exist within a legal framework. But that framework is not well understood by many people and it's constantly contested, rewritten, and re-evaluated. That puts us as citizens in the position where we love the technology, but we worry about its impact on privacy and a loss

In addition to Paul Schwartz and Molly Van Houweling (see "BCLT Faculty Directors Tapped for Leading Roles on American Law Institute Projects," page 39), and fellow professor/faculty director Robert Merges (see "New Offering Links Students to Startups," page 42), the center boasts of five other prominent scholars on its leadership team.



KENNETH A. BAMBERGER

BCLT ROLE: Faculty Director

AREAS OF EXPERTISE: Administrative law and regulation, information privacy, regulation of technology, the use of technology in administration and compliance

CURRENT PROJECTS: Bamberger's forthcoming book with professor Deirdre Mulligan, *Privacy on the Ground: Leveraging Law and Society to Drive Corporate Behavior*, will be published in October by MIT Press. It draws lessons for privacy regulation from practice in the United States and Europe.

HE SAYS: "These days, one cannot study governance without studying technology."

FYI: Bamberger has been named Berkeley Law's next associate dean for Advanced Degrees and Global Engagement.



CHRIS HOOFNAGLE

BCLT ROLE: Director of Information Privacy Programs

AREAS OF EXPERTISE: Computer crime law, Internet law, privacy law, regulation of technology, regulation of advertising

CURRENT PROJECTS: Hoofnagle is writing a book about the Federal Trade Commission and how it regulates privacy. He has works-in-progress on the standing doctrine and vulnerable consumer populations.

HE SAYS: "We're expanding curricular offerings and giving students a rich experience to prepare them for technology practice."

FYI: Hoofnagle and his brother, Mark, defined the contours of "denialism"—rhetorical tactics to give the appearance of legitimate argument when none actually exists—which is now used in academic literature to frame policy debates.

of control of our lives.

Any lawyer, almost regardless of the sector and type of practice she pursues, will encounter tech policy and legal issues that touch on IP, privacy, security, freedom of expression, access to information, and global e-commerce.

What can be done to narrow the gap between rapid technological change and slow-to-respond public policy?

While it is a constant struggle for the law to keep up with technological change, there's been a remarkable evolution over the past 10 years—both in the courts and in Congress—in understanding technology and appreciating its significance for economic growth and democratic participation.

In 2010, the Supreme Court confronted a Fourth Amendment privacy case that dealt with interpreting a complicated statute on electronic surveillance. Clearly reluctant to make statements about the technology or any decisions that might affect it, the Court decided the case on a narrow, pre-tech basis. But two years later, in a GPS

tracking case, the Court showed remarkably greater appreciation for GPS technology and its use in the daily life of average citizens. Then last year, the Court decided a case involving the search of a cellphone that led to an arrest. It displayed total familiarity with the technological nuances, referencing the difference between local storage and cloud storage, and adopting a rule driven by the technology. That progression shows that the Court is becoming more sophisticated in this area.

You've testified more than 30 times before congressional committees. How well has Congress addressed the policy issues flowing from these technological advances?

Because there are some fundamentally different views about how technology should be regulated, the debates have become more polarized. Going back to the earliest days of the Internet, there have been members of Congress who understood technology and its centrality to America's economic future. The typical member today uses Twitter



PETER S. MENELL

BCLT ROLE: Co-founder, Faculty Director, founder of the *Annual Review of Law and Technology* and Berkeley Law Entertainment Networking & Development

AREAS OF EXPERTISE: Intellectual property, law and economics

CURRENT PROJECTS: *Patent Case Management Judicial Guide* (3rd ed.). Forthcoming; *Adapting Copyright for the Internet Age*; *Research Handbook on the Economics of Intellectual Property Law* (Vol. I: Theory; Vol. II: Analytical Methods).

HE SAYS: "The digital revolution has transformed technology and content industries, producing great advances as well as challenges for policymakers, entrepreneurs, creators, and jurists."

FYI: Menell has organized more than 50 IP education programs for the Federal Judicial Center, including an annual four-day conference at Berkeley Law.



DEIRDRE MULLIGAN

BCLT ROLE: Faculty Director

AREAS OF EXPERTISE: Information privacy and security, cybersecurity

CURRENT PROJECTS: Leading workshops through the Computing Community Consortium on "Privacy by Design." Comparative international research exploring how corporations conceive of and institutionalize privacy. Forthcoming book with Kenneth Bamberger (see page 40), MIT Press, October 2015.

SHE SAYS: "The information law issues that interest me most are those that challenge us to reflect upon our norms and laws, and that allow us—sometimes force us—to reconsider what's possible and desirable."

FYI: Mulligan is a principal investigator for the new Center for Long-term Cybersecurity at the UC Berkeley School of Information.



PAMELA SAMUELSON

BCLT ROLE: Faculty Director

AREAS OF EXPERTISE: Intellectual property protection for computer programs, copyright law and policy for a digital age, Internet law and policy

CURRENT PROJECTS: The scope of copyright protection in computer programs is in the news with a recent ruling that Google infringed Oracle copyrights in application program interfaces. Samuelson's research aims to show why the Supreme Court should take Google's appeal.

SHE SAYS: "Computer programs have made it difficult for courts to apply copyright law to their protection because copyright's doctrinal rules have developed to regulate literature and art, not virtual machines and functional processes."

FYI: Samuelson founded the school's pioneering Samuelson Law, Technology & Public Policy Clinic in 2000.

and other social media to communicate, and the number who are familiar with technology continues to grow dramatically. That's partly why our legal framework, in some ways, is pretty good.

How can ordinary citizens influence their leaders to protect privacy and other rights?

We saw a huge public movement with the Stop Online Piracy Act several years ago and, more recently, strong public engagement with the FCC rulemaking on net neutrality. There's been public activism as well on privacy issues, but those have been harder to move the dial on. After the Edward Snowden leaks, there was a lot of public consternation about the breadth of surveillance, yet no significant reforms have been enacted as a result.

You've worked on Internet policy issues in developing and transitional countries. How do those issues influence the type of political systems that emerge?

In almost every country now, the Internet is important to commerce and democratic participation—or to the government's efforts to limit citizen activism. There's a robust and developing body of law around Internet issues in most countries. Ten years ago, we had a very optimistic phase of Internet policy reform around the world in terms of open access and privacy protection. I think the issues have become

more complicated in more countries. Over the past five years, the trend has been toward more control of the Internet. But in almost every country, there are academic or civil society centers focused on privacy, IP protection, and access to information.

Dean Choudhry wants Berkeley Law to be a global crossroads for people and ideas from around the world. How can BCLT serve that goal?

Building relationships with both government and nongovernmental entities—particularly with academic institutions in Asia, Latin America, Europe, and ultimately Africa—is an area of huge potential for Berkeley Law and BCLT. I think our lead partnerships will be with other academic institutions. At the same time, here in the Bay Area, we've clearly demonstrated the value of building relationships with practicing lawyers, entrepreneurs, and companies offering new products and services.

Take any country on the Pacific Rim and you'll see tremendous activity around the very same Internet policy issues and legal issues we debate in the United States. We have to approach those issues with mutual respect and collaboration, and a desire to truly understand the laws in other countries. That's what a university is all about. It's not an advocacy organization promoting one standpoint or another.



NEW OFFERING LINKS STUDENTS TO STARTUPS

A timely pilot program will give Berkeley Law students a coveted opportunity to work with tech startup companies.

Launching this fall, "IP for Startups" offers a seminar taught by professor Robert Merges and a tandem practice project led by lawyer Vern Norviel, who heads Wilson Sonsini's patents and innovation counseling practice.

"We've always tried to be responsive to what our students want and what's happening in the real world," Merges says. "Your head would have to be 20 feet under the Bay not to see that startup fever is thriving in our area."

Norviel, who teaches Biotechnology Law at the school, developed the program with a campus startup incubator called SkyDeck. They discussed it with Dean Sujit Choudhry, who enlisted Merges to fast-track it.

"UC Berkeley has the world's hottest startups, and many need legal service early in

their development," Norviel says. "Meanwhile, Berkeley has the greatest law students—and they're right next door."

The seminar will examine intellectual property (IP) issues uniquely encountered by life sciences startups and focus on preparing "freedom to operate" analyses—which are typically provided to venture funds and angel investors. The practice project will have students assist local early-stage startups on IP matters, supervised by practicing attorneys.

"With exorbitant real estate prices in San Francisco and on the Peninsula, the East Bay has become the new startup frontier," Merges says. "Berkeley Law needs to be in the mix, and our students' response shows that this is a welcome development."

Eleven students—selected from many more applicants—will be enrolled in this pilot version of the course. Going forward, Merges and Norviel say they will expand it to include other technologies if there is sufficient demand. —Andrew Cohen

SEEING THE FUTURE: Professor Robert Merges wants to create more connections between Berkeley Law and Bay Area startups.

You've said that in privacy, crises rarely respect theoretical categories. Can you explain why, and how, that shapes BCLT's approach?

Good lawyers can look beyond the horizon. If a client gets in trouble, it's not enough to say 'no laws were broken.' When a company uses data in ways that surprises its customers, or loses large amounts of customer information, it won't get you far to say 'we complied with all applicable laws.'

The United States has a sectorized approach to privacy—different laws for health records, financial records, educational records, communication records, and so on. But what do you do with medical records that are combined with financial data, or communication records that include private health information? An entity that collects and uses information must have an enterprisewide vision of its data stewardship responsibilities and a holistic approach that goes beyond mere compliance.

We'll train our students to know the categories, but also to see the cross-cutting issues and the connective tissue. Whether you're in front of a judge, regulator, general counsel, or board of directors, you need to present a coherent vision of your IP and data-protection strategies. You must be rock solid on the details of given laws, but also have a broader sense of how everything fits together.

What inspired your book *Terrorism & the Constitution: Sacrificing Civil Liberties in the Name of National Security*?

We were trying to answer how a nation can protect itself against terrorism and still remain true to its constitutional principles. We wrote the first edition before 9/11. There had been a significant counterterrorism act a few years earlier, then came the Patriot Act and everything else that happened after 9/11. Our belief that effective counterterrorism strategy is not incompatible with the Constitution is based on due process and respect for freedom of expression. On the Civil Liberties Oversight Board, I directly confront those issues—dealing with the intelligence agencies and looking at their classified programs. We admitted in the book that these are hard questions, and now that I have a foot in both the government and nongovernmental sectors, I'm even more certain that's true.

Why is clairvoyance, or at least the ability to anticipate, a common thread among effective privacy lawyers?

The pace of technological change and the piecemeal growth of U.S. privacy laws require lawyers to think ahead. You'll get clients that don't fit the categories perfectly—or for whom there's no clear regulatory framework. Being a good lawyer involves giving clients a roadmap. Think about startups. Many of our students want to represent startups, and in that world you have to be a jack of all trades, especially because you may be the only lawyer when you get there. That's why we're so excited about creating more experiential learning opportunities for our students. ■

BUILDING A BRIDGE TO ASIA

To extend Berkeley Law's global reach, Dean Sujit Choudhry isn't just talking the talk. He's taking the flights.

In June, Choudhry will spend two weeks in Asia—with stops in Beijing, Shanghai, Tokyo, Taipei, Seoul, and Hong Kong. His packed schedule includes visits with alumni, faculty, deans, and lawyers to engage graduates, strengthen working partnerships, and raise awareness of Berkeley Law's LL.M. and executive education programs.

The trip will also deepen the school's technology law connections—and forge new ones. Professor Robert Merges, a co-founder and faculty director of BCLT, will join Choudhry with BCLT Executive Director Jim Dempsey, assistant professor Rachel Stern, and Chaney Kourouniotis of the LL.M. Program.

"We're striving to build bridges between what we're doing in California and what's happening in Asia," Choudhry says. "We have the top-ranked tech-law program in the world, and many of our graduates in Asia practice in that field."

Merges, who has strong professional ties to the region, will meet "with as many people as possible" and speak at conferences in Taiwan and Korea.

"It all starts with personal relationships," he says. "We want to attract the very best international students to Berkeley, learn more about trans-Pacific legal practice, and explore innovative partnerships with Asia's top universities and intellectual property lawyers. There's nothing like face-to-face meetings to advance those goals."

Schools often trumpet their memoranda of understanding (MOUs)—which outline opportunities for academic collaboration between universities—with their counterparts abroad. Merges prefers meaningful partnerships that yield tangible results.

"The road to obscurity is paved with unrealized MOUs," he says. "Substantive, ongoing relationships generate productive content. To maximize our Asian presence, we have to provide more than a brochure of what we offer."

Before the trip, Stern—an expert on China—coordinated meetings and shared insights about how to build effective networks in the area. "I love the idea of Berkeley as a global law school and a destination for transnational research," she says.

Choudhry will visit top multinational law firms and headline alumni events in each city, offer the opening remarks at an IP law forum hosted by National Taiwan University, and confer with tech-law leaders across the region.

"To be a great law school in the 21st century, you can't just be great on issues that matter to your state or nation," Choudhry says. "You have to be great on issues that matter to the world." —Andrew Cohen

CREATIVE WORKS



WITNESS TO HISTORY: Penny Cooper '64

FILM: PENNY COOPER '64

Time for a Close-Up: A Legal Life on Film

Imagine walking into a theater filled with 200 friends and associates to watch a half-hour documentary about your life—and not knowing what you'll see.

That's what happened to Penny Cooper '64 during the fall premiere of "PENNY" at Berkeley's Pacific Film Archive. Although she sat for numerous interviews, Cooper was not involved in the editing process and chose not to preview the documentary by Bay Area filmmaker Elizabeth Sher.

"It was pretty overwhelming and emotional," Cooper says. "It's almost like looking at your own funeral or obituary."

Shown at Berkeley Law in November, "PENNY" chronicles Cooper's career as a renowned trial lawyer and also her life, which has dovetailed with tremendous social change. In the film, Cooper describes the anti-Semitism she encountered growing up in Denver in the 1940s and '50s, and the discrimination she felt as one of just 11 women in Berkeley Law's 1964 graduating class.

While thrilled to join the Alameda County Public Defender's Office after graduating, Cooper soon experienced retaliation for opposing the Vietnam War. So in 1969, she and a colleague opened their own practice—gaining

about 100 clients by offering reduced fees to demonstrators charged during that year's People's Park protests. "I really wanted to be a trial lawyer," Cooper says in the film. "I wanted to fight for the people."

In 1982, Cooper teamed with Cris Arguedas to build a powerhouse criminal defense firm. They became the first female defense lawyers to try a major white-collar crime case, and obtained acquittals and reduced sentences in several high-profile verdicts. In 1987, they prevailed in a U.S. Supreme Court decision regarding an unlawful probation search.

On the first day courthouses opened for same-sex marriages in California in 2008, Cooper married longtime partner Rena Rosenwasser. Together, they have amassed one of the United States' largest private collections of contemporary art by women.

In 2010, nine years after retiring, Cooper was inducted into the State Bar of California's Trial Lawyer Hall of Fame.

While at ease under the courtroom lights, she found on-camera sessions difficult. "Every time Sher would leave after an interview, I'd think of 20 things I should have said," Cooper recalls. "I was just really happy I survived and didn't say anything terrible. I'm kind of loose-lipped."

—Wendy Witherspoon

PENNY

By Elizabeth Sher

www.pennythedocumentary.com

BOOK: JOHN RENEHAN '00

Down in The Valley

Afghanistan is notorious for sealing the fates of even the most storied armies. And though John Renehan '00 is an Iraq war veteran, he set his fateful novel and its main character, a young officer named Will Black, in the Afghan mountains. There, Black finds comfort “in the sound of helicopters overhead” and dread in a place he knows only as “the Valley.”

It's a story with an unreliable narrator and an immersive sense of place. It's also a murky procedural mystery, pitting Black against an elusive “lost platoon” clinging to sanity and a misguided strategy for survival.

Born in Boston, Renehan attended UC Santa Barbara and stayed in California because Berkeley Law “was the best law school I got into—and it was cheap.” After graduation, he worked for the New York City Law Department, helped 9/11 victims and their families, and applied for the U.S. Army's Officer Candidate School—extending a family tradition of public service.

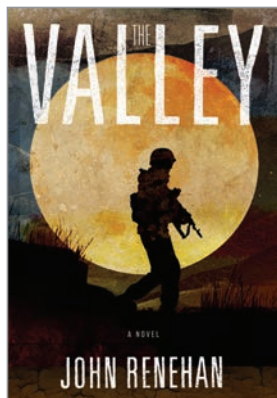
Four years as an artillery officer followed, along with deployment to Iraq. Today, he's in the general counsel's office at the Department of Defense.

Renehan's writing career was inspired by unlikely muses—two kids still in diapers. “I'd always read non-fiction. But once the kids came along, all I had energy to read were page-turners, so I worked my way through Dennis Lehane and Michael Connelly.”



BATTLE TESTED: John Renehan '00

In the service, Renehan honed his craft with op-eds about transitioning into military life, why people with elite educations don't generally serve, and counterinsurgency lessons from Iraq. “Fiction was in my head, but I couldn't get started,” he says. Once he did, though, he couldn't stop—writing mornings, evenings, and weekends, and feeding his wife chapters as he finished them.



Renehan constructed *The Valley* as a detective story in a military context. It was included in *The New York Times'* roundup of modern war stories, selected for the American Booksellers Association's “Indies Introduce” list of notable debut authors, and cited in *Foreign Policy*, where Nathan Webster writes, “... Renehan's slow-simmering sense of alienation has best captured in literature the mood of the little outposts of Iraq and Afghanistan ...” —Linda Peterson

The Valley

By John Renehan '00

Published by Dutton, 2015

TELEVISION: JAMI FLOYD '89

Small Screen, Big Presence

It was 1995. The O.J. Simpson trial was gearing up, and Jami Floyd '89—teaching law and pursuing a Ph.D. at Stanford—wrote San Francisco's KPIX-TV to criticize the station's monochromatic (and all-male) coverage. Floyd planned to recommend several diverse analysts, but never got the chance. “The station manager phoned and said, ‘Why don't you do it?’”

Floyd—who had appeared on camera once and deejayed in college—agreed. Twenty years later, she's still at it. Her O.J. commentaries led to legal-analyst gigs at CBS, WNYC, ABC, and MSNBC. From 2006 to 2009, she hosted Court TV's, “Jami Floyd: Best Defense.”

Although she now addresses cameras, not juries, Floyd—who practiced criminal law for three years—still considers herself an attorney. “Once a lawyer, always a lawyer,” she says.

Floyd's career has given her access to history-making issues, victims, and defendants. Her most memorable interview? Myrlie Evers, widow of Medgar Evers, the civil rights activist shot in his Mississippi driveway in 1963. “She described every minute of the murder as freshly as if it had just happened.”



ASTUTE ANALYST: Jami Floyd '89

Floyd considered pulling the plug on her TV career in 2013, then got a call asking her to join Al Jazeera America. She visited, met the staff—“very diverse; people from all over the world, all ranks of journalism”—and signed on, covering stories from Trayvon Martin to NSA spying. The screen might be little, but the issues are huge. —Jon Jefferson

jamifloyd.com

FAST FORWARD

Helping Make History

“There is much optimism to be divined from Tunisia,” says Riddhi Sohan Dasgupta ’16.

Gregarious and thoughtful, Dasgupta is the very person you’d want to speak with about the budding democracy that gave the first hints of Arab Spring.

While completing his doctorate in international law at Cambridge in 2013, Dasgupta was tapped to be senior advisor to the Wilberforce Society, a student-run political think tank. At age 28, he led 35 lawyers, politicians, social scientists, and other stakeholders in drafting a proposed constitutional framework for Tunisia and submitting it to the nation’s Constituent Assembly.

“We had this extraordinary team striving in unison to contribute to Tunisia,” Dasgupta says. “Many team members suspended their lives, took risks on their careers, and lived apart from their families for months for that far-from-certain prospect.”

Dasgupta met with representatives of Tunisian politics and civil society, including the Constituent Assembly’s president. Last year, the country finalized and adopted its constitution, which has been hailed as a model for other transitional democracies. It features progressive provisions codifying equal rights for

women and establishing new protections for religious freedom and separation of powers.

Dasgupta was born in Calcutta and moved as a teenager with his family to Detroit. He distinguished himself early, winning the Congressional Gold Medal for Youth at age 20, and earning degrees from Columbia, Oxford, and Cambridge.

At Cambridge, in addition to his work on Tunisia, Dasgupta co-founded a law clinic and worked on the legal claims of indigent criminal defendants in Texas. He also delivered the keynote address at the university’s first TED event, exploring

“The Power of Resilience.”

Along with completing his doctorate, Dasgupta published his third book, *International Interplay: The Future of Expropriation Across International Dispute Settlement* (Cambridge Scholars Publishing, 2013). Informed by experience, the book explores how international economic law can deliver stability and structure in coming decades.

Dasgupta now studies international and constitutional law and global partnerships at Berkeley Law. He has drawn on his natural talent for fostering collaboration to organize two symposia on campus: one on international law, honoring International Court of Justice Judge Joan Donoghue ’81, and another focused on constitutional law,



TAKING OFF: Riddhi Sohan Dasgupta ’16

hosting state solicitors general. The latter was inspired by his experience working for Elbert Lin, solicitor general of West Virginia, last summer.

Although his successes are considerable, the affable Dasgupta is quick to credit others. “Triumphs are made even more vindicating and setbacks

are made into learning opportunities when we deliver together,” he says.
—*KC Trommer*

From Lab Coat to Law School

Christelle Kamga Pride '17 was just 18 years old when she took the test that would change her life.

Pride had taken countless tests as a young science prodigy in her native Cameroon, but this one was notably different—this one would deliver a ticket to study in the United States.

Pride loved to read as a young girl in Douala, Cameroon's largest city. But there was no public library in her neighborhood, so she would sometimes trade her lunch for books. She attended a private high school where her mother was a teacher, and later—at 15—enrolled as a chemistry major at the University of Buea.

At the time, a single goal dominated Pride's thoughts: securing a scholarship. “I told myself I'd do whatever was required to get it done,” she says.

During senior year, her hard work combined with a lucky break. Guest teacher Thomas Huang, a Fulbright Scholar from East Tennessee State University, made a special announcement to his chemical kinetics class: His two best students would be offered graduate scholarships to ETSU.

“Imagine telling that to a class of 60 students hungry to study abroad!” Pride says. “We knew the race was on.”



STILL EXPERIMENTING: Christelle Kamga Pride '17

Pride earned perfect scores on every test and assignment in Huang's course, but knew she needed to be perfect on the final, too. When Huang returned the graded exams, Pride ran to a secluded place to check her score: 100 percent.

In 2003, she arrived in Johnson City, Tennessee, for ETSU classes—and culture shock. “I remember telling myself, ‘I'm never going to buy tomatoes if this is how much they cost!’” she recalls.

Tomatoes or not, Pride earned a master's degree in chemistry in 2005 and went on to a Ph.D. in pharmacology from the University of Louisville in 2010.

During her postdoctoral fellowship at the University of Pittsburgh, she

began soul searching—no longer sure that scientific research was her calling. “I'd always wanted to go to law school, but I felt like I'd missed that train,” she says.

Through connections, Pride met some patent attorneys in Pittsburgh and decided to pursue the field, earning her patent agent certification last year.

Landing at Berkeley Law has exceeded her lofty expectations. “My first-semester classes made law come alive in a way I hadn't considered before,” she says.

Pride is unsure exactly how patent law will figure into her future. She's pursuing litigation, which means one thing for certain: Many more tests ahead. —*Wendy Witherspoon*

Renaissance Man Wears Many Different Hats, Comfortably

In the 2008 movie *Taken*, kid-nappers meet their match in the form of Liam Neeson's protagonist—a growling, intimidating, retired CIA agent with, as he says, “a particular set of skills.” Garner Kropp '16 doesn't growl. He doesn't intimidate. But he *has* acquired an intriguing set of skills and experiences on his path toward a dual degree (Berkeley Law JD and Master's in Public Policy).

Where to begin? An accomplished baker, Kropp earned three blue ribbons for his snickerdoodle, coconut chocolate chip, and triple ginger cookies at the Ventura County Fair. He plays five instruments, including three—mandolin, guitar, and ukulele—he learned on his own.

Then there's the speed and endurance department. Kropp ran 50 miles per week as a 1L and races a sub-90-minute half marathon. Need more? He taught waterskiing for two summers and has lived in a cabin once occupied by John Steinbeck.

Kropp's studies and work life have been almost as diverse as his outside interests. As a Stanford undergrad, he wrote his honors thesis on development economics. His winter term abroad at Oxford included an intensive 10-week course on James Joyce.

After graduating, Kropp worked for Medicare and found himself embroiled in a heated national debate on the Affordable Care Act. During that time, he co-authored papers in scholarly publications, including the *American Journal of Epidemiology*.

“Being part of that environment sparked my interest in law and pub-



lic policy,” he says. “I chose Berkeley for the policy school's strength in quantitative analysis and for the law school's top-shelf law and economics program.”

Co-president of the Boalt Healthcare and Biotech Law Society, Kropp will pursue his passions this summer at King & Spalding in San Francisco. The firm specializes in law related to health care and pharmaceuticals. “Health is an incredibly dense area of law and policy, but I love it because it's very human,” he says. “Health care matters to all of us.”

Now halfway through his professional school experience, Kropp views his many paths as part of a

PRACTICE READY: Garner Kropp '16

single journey.

“I'm very thankful for all the opportunities I've had,” he says. “I've worked in education at the School of Public Policy, on legislation for the mayor of San Francisco, and in anti-trust for the Department of Justice. All these different topic areas may not seem like they have much to do with each other, but I can move easily among them, thanks to the toolbox of quantitative skills from Berkeley. To quote the movie *Margin Call*, ‘It's all just numbers really, just changing what you're adding up.’”
—Ben Peterson

ADVANCEMENT

A New Era for Alumni



“It didn’t take long to realize just how serious our new dean is about engaging alums.”

In last year’s *Transcript*, I suggested that 2014 would be a year of “thanks and gratitude.” I hope I successfully conveyed sincere appreciation for everything the law school’s devoted alumni and friends did to make the Campaign for Boalt Hall a resounding success. We can’t thank you enough.

When Dean Sujit Choudhry arrived in July 2014, we put together a transition plan leading up to the next fundraising campaign. Our objectives were simple: Continue to achieve the monthly goals of our last campaign, have the dean meet with as many alumni as possible, and articulate a clear vision for the future of Berkeley Law.

It didn’t take long to realize just how serious our new dean is about engaging alums and creating a shared sense of mission and identity. His tireless travels (18 events in 13 cities on 3 continents) reflected his commitment to making this amazing school even better. We exceeded our fundraising goals by 100 percent for the first six months of his term, as Dean Choudhry’s main priorities—access, service, innovation, and globalization—connected strongly with graduates across practice areas and geographic regions.

Within the past six months, we proudly launched two key programs to make our school more accessible to *all* qualified applicants: The Access for All Challenge and the Berkeley Law Opportunity Scholarship.

The Access for All Challenge is a fundraising campaign for need-based financial aid. After exceeding our initial \$2 million

Challenge goal, thanks largely to matching gifts by two generous alums, others have stepped up to help us extend this program through the end of the year.

The Berkeley Law Opportunity Scholarship provides extraordinary first-generation students full tuition and fees for three years of study. Our alums have again responded to this call for support, and we’re thrilled that the first five recipients will enroll here this fall.

The other pillars of Dean Choudhry’s vision—service, innovation, and globalization—have all been bolstered by pivotal improvements: Increased funding for summer judicial externships. More mentoring initiatives. New interdisciplinary courses. Greater policy engagement through our clinics and centers—to be further enhanced when our new environmental law clinic (made possible through an anonymous donor’s significant gift) launches this fall. International collaborations that will help establish Berkeley Law as a global crossroads for people and ideas from around the world.

Dean Choudhry’s first nine months featured over 125 one-on-one meetings with alums—in addition to numerous group events. He knows full well that Berkeley Law is only as strong as its alumni engagement, and we’re both enormously grateful for all that you do to make this law school soar.

Sincere regards,

Robert G. Sproul, *Assistant Dean for Development and Alumni Relations*

Building Relationships One Grad at a Time



Nancy Fineman '86



Lynn Pasahow '72



John Kuo '88

Boalt Hall Alumni Association President Nancy Fineman '86 theorizes about what makes—or breaks—connections. “In the past,” she says, “our graduates would leave campus grateful for a quality education at a bargain price. The only time they might hear from us would be an occasional request for a contribution. That’s a terrible waste of relationships.”

Today’s mission: connecting alums with their alma mater in rewarding ways. Board members have stepped up the pace, meeting four times a year instead of two, while focusing on some of Dean Sujit Choudhry’s main priorities for alumni engagement—including mentorship, networking events, and issues-

oriented programs.

This year, Fineman’s predecessor Lynn Pasahow '72 led a pilot program to match rising 2Ls with alumni mentors. “Each mentor took on two to four students,” he says. “We talked candidly, one-on-one, about what’s most important to law firms as they consider summer hires.”

Pasahow clearly relished the experience. “Mentoring students and helping them to find an appropriate place where they can start their careers is very rewarding,” he says. “It’s a commitment of time that contributes to the students and to our profession.” The program’s success has inspired expansion, with the alumni association endeavoring to recruit mentors on a national basis.

John Kuo '88, who chairs fundraising, has focused on crafting tighter communications, initiating board outreach to alumni, and creating a sense of community. “Many of us came to Berkeley Law for quality education and affordability,” he says. “This was the gateway that transformed many of our lives, and that needs to remain open for the future. We have to look toward the next generations, and give back.”



Tyler Gerking '02



Kim Natividad '09

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Lynn Pasahow '72
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2014 Reunion Co-chairs
Jeffrey Bleich '89
Penelope Cooper '64

Tyler Gerking '02 is advancing the cause for Partners in Leadership, a program that encourages alumni at law firms and organizations with four or more Berkeley Law graduates to help achieve 100 percent giving. "This experience gives me the opportunity to connect with great colleagues for a noble cause," he says.

Kim Natividad '09, Berkeley Law's director

of student services, leads the charge to engage young alumni. She is enriching friendly connections over eggs and toast, as the recently launched Alumni and Admit Brunch Mixer starts a new tradition. "It's important to involve young alums in our community," she says, "because their voices and experiences are invaluable in shaping the school's priorities." —*Linda Peterson*

Alumni Meet the Access for All Challenge

For Carolina Garcia '16, the road to Berkeley Law was filled with pot-holes. Her father never went to school, her mother only reached fourth grade, and Garcia—who grew up on a drug-ridden street in Seaside, California—had a son while in high school. Undaunted, and buoyed by her parents' support, she clung tightly to her dream of practicing law.

"My parents didn't want me to become a statistic—because statistically speaking, I shouldn't be here," Garcia says. "I really want to be an example for people, especially for girls from poor families ... that you can become a lawyer; that you're not limited by where you came from."

To help ensure that students like Garcia can continue to attend Berkeley Law, late last year Dean Sujit Choudhry launched the Access for All Challenge—a fundraising campaign for need-based aid, so the school remains accessible to all qualified applicants.

Over the past two decades, tuition has soared as California's support of its public colleges and universities plummeted. At Berkeley Law, state support has dropped from 76 percent of the school's revenues in 1990 to 11 percent today.

"I wouldn't have become a lawyer if not for Berkeley, because I couldn't afford any other law school," says former U.S. Ambassador to Australia Jeffrey Bleich '89, a partner at Munger, Tolles & Olson. "I paid for it with the money I earned during summers, but you can't do that today. The cost of a Berkeley

education is nine times what it was in my day. So it's up to us alums to pay it forward—to give the next generation the same opportunity we had."

Thanks to two generous graduates who matched gifts at various levels, the Challenge exceeded its \$2 million goal well before this year's June 30 target date. Other alums stepped forward to offer matching funds, enabling Berkeley Law to extend the program through the end of 2015.

The school has steadily increased its annual financial aid expenditures, from \$7.2 million in fiscal year 2009 to \$13.3 million last fiscal year. More is needed, however, to sustain a proud tradition of providing a top-tier legal education to exceptional students from all economic circumstances.

"My family didn't have a lot of money," says financial aid recipient Tim Shadix '16. "I would not have been able to attend Berkeley Law without the really generous financial package offered to me here."

Learn more about the program at www.law.berkeley.edu/challenge. —*Andrew Cohen*

DREAM NOT DEFERRED: Carolina Garcia '16 credits the law school for helping students show "that you're not limited by where you came from."

"I would not have been able to attend Berkeley Law without the really generous financial package offered to me here."

—Tim Shadix '16



A Year to Remember

Record attendance during Alumni Weekend. Modern, greatly-needed new space for our in-house clinics. A slew of dynamic events showcasing our extraordinary students and faculty. New speaker series and programming that brought in prominent graduates and other guests to share their insights and connect with the Berkeley Law community. Here are just a few snapshots from the past school year.



A



B



C



D

A: U.S. Supreme Court Justice Anthony Kennedy meets with professors Fred Smith, Melissa Murray, and Amanda Tyler before delivering the inaugural lecture of the Dean's Distinguished Speaker Series.

B: Alba Witkin, who died in December, talks with professor Jeff Selbin at the opening of the clinical program's new offices—made possible by the Witkin Charitable Foundation's \$300,000 gift.

C: McBaine Honors Moot Court Competition winner Jana Jett Loeb '15 argues her case next to runner-up Bevan Dowd '15.

D: Class of 2009 members Vina Ha, Jane Kim, Emma Greenman, Shanna Simmons, and Taina Gómez-Ferretti reconnect during Alumni Weekend.

E: Members of the *Berkeley La Raza Journal* talk with prospective students.



E

JIM BLOCK (A, B), FRED MERTZ (C)



F: Cloey Hewlett '79, Everett Hewlett, Lynn Alvarez '84, James Mayo II, and Anita Mayo '89

G: Dean Sujit Choudhry is all smiles during Admitted Students Weekend.



H: Rachel Draznin-Nagy '16 talks with classmate Andrew Peterson April 9 at the annual Berkeley Law Scholarship Luncheon.

I: A mariachi band adds to the celebration during last fall's Alumni Weekend festivities.

J: Leading environmental law expert Ruth Greenspan Bell '67 gives a talk March 5 at the UC Berkeley Faculty Club.

K: Judge Jeffrey Horner '63 introduces Thomas Orloff '69, winner of the law school's annual D. Lowell and Barbara Jensen Public Service Award.



L: Alumni and friends cheer on the Cal football team during the Bears' exciting game against Arizona.

JIM BLOCK (G); ERIC LIANG (H, J)



POWER PANEL: Agent Greg Genske '98, former Golden State Warriors player Adonal Foyle, former Oakland Athletics president Roy Eisenhardt, former NBA players union executive director Billy Hunter '71, agent Leigh Steinberg '73, and agent Craig Fenech '73

Sports Law Conference Steps Up Its Game

Expanded gathering draws all-stars to campus

Sports law giants at the top of their game tackled many hot-button issues April 3 during the spirited 2015 Berkeley Law Sports Law Conference.

Fittingly, the event took place in the University Club high atop Memorial Stadium. The all-star lineup included iconic football agent Leigh Steinberg '73, general managers Bob Myers and Pete D'Alessandro of the Golden State Warriors and Sacramento Kings, former National Basketball Players Association Executive Director Billy Hunter '71, and Major League Soccer President Mark Abbott '89.

Leaders of the *Berkeley Journal of Entertainment and Sports Law* organized the conference with Berkeley Law's Alumni Center. The journal hosted a smaller conference last year, planting the seed for a more robust event. "We wanted to provide a medium for students interested in the law and business of sports, and a platform for them to engage with people in that world," says Nick Brokaw '15, the journal's outgoing editor-in-chief.

One panel examined the increasingly

blurred lines between athlete and entertainer representation, and social media's impact on branding. Reed Smith partner Miles Cooley '99 has represented Rihanna, 50 Cent, and Jay-Z and seen the latter branch out to represent athletes and become part owner of the NBA's Brooklyn Nets.

"Jay-Z embodies this confluence of different aspects of culture," Cooley said. "Sports are part of the nomenclature of hip-hop, which has helped him excel on different platforms."

While acknowledging social media's minefields, Cooley touted its marketing importance. "Our clients want to use

Twitter, Instagram, and similar vehicles to promote their brands," Cooley said. "It's a direct pipeline to their fans."

Over lunch, general counsels from the Warriors (David Kelly), Pac-12 Conference (Woodie Dixon), and Seattle Seahawks (Ed Goines '92) formed a panel with Oakland Raiders associate counsel John Yow '09.

Goines characterized team general counsels as "traffic cops. You get hit with everything and anything." Yow concurred, saying "day to day, you could be dealing with sponsorship agreements, human resources, salary cap issues ... you never know what's coming."

Success, panelists noted, champions the long view. Goines described how a longstanding Seattle nail salon was illegally selling a Seahawks-trademarked item.

"We could have sent a cease-and-desist letter that said, 'Stop using our logo,'" he said. "But that would show we're being hard-liners with a small shop that's established in our community. Instead, we contacted the shop and politely educated them on proper versus unauthorized use of our trademarks. They were appreciative and respectfully stopped

using our marks in their promotions.”

Later, the conference confronted stadium development issues, with a focus on Northern California. Myers and D’Alessandro, both lawyers, then described the challenges of their lives as general managers in the NBA.

The final session probed the rise of off-field transgressions and corresponding discipline. Panelists included Berkeley Law alums Steinberg (who revolutionized the sports agency industry and inspired the 1996 hit

movie *Jerry Maguire*), Hunter (a former NFL player who headed the NBA players union from 1996 to 2013), and Greg Genske ’98 (a top baseball agent who also represents quarterback Jameis Winston, the first pick in this year’s NFL draft).

“People know this school produces leaders in fields like social justice, politics, and environmental law,” Brokaw says. “Now they’re starting to realize it also produces leaders in sports.” —*Andrew Cohen*

One panel examined the increasingly blurred lines between athlete and entertainer representation.

Travels with Choudhry: Engaging Alums

Dean Sujit Choudhry values alumni engagement the way plants value water. As he sees it, “Berkeley Law’s ability to flourish is tied directly to our alumni community’s involvement with the school.”

Toward that end, Choudhry hit the ground sprinting after he arrived last July. Over his first nine months, the numbers were staggering: 18 alumni events in 13 cities on 3 continents—and over 125 one-on-one meetings.

His desire to gain insights from Berkeley Law graduates and involve them in the school’s future took him to Los Angeles, Denver, New York City, Chicago, Portland, Seattle, Washington, D.C., Frankfurt, New Delhi, and London—as well as San Francisco and Silicon Valley.

“The dean’s enthusiasm for the school is infectious,” says Tracy Edmonson ’88, a partner at Latham & Watkins’ London office. “We had a lively discussion about the faculty, the student body, and future plans. We spent a lot of time talking about making law school affordable, as it was when I attended.”

Choudhry’s outreach has helped bring prominent alums back to campus to speak, assist various programs, and mentor students. Among them: environmental lawyer Ruth Greenspan Bell ’67, who met with Choudhry in Washington, D.C., and returned to Berkeley in March to deliver a dynamic talk to students at the Faculty Club.

“It was huge fun to spend a day at the

school,” Bell says. “I came away actively envious of the current students and the experience they’re getting.”

A Friday snapshot from Choudhry’s fall schedule: He takes a 6 a.m. flight to Los Angeles and has four meetings—two with individual alums and two with multiple alumni partners at different downtown law firms—before his 7:35 p.m. flight home. His tireless travels, Bell believes, have helped reaffirm Berkeley Law’s national and global standing.

“As I’ve learned hosting the new admits reception in D.C. for many years, it isn’t always clear to prospective students that Berkeley opens doors well beyond California for its graduates,” Bell says. “Sujit’s interest in solidifying ties with alumni in D.C. and elsewhere helps reinforce the message that Berkeley Law students can take their skills anywhere in America or the world and be welcomed.” —*Andrew Cohen*

ROAD WARRIOR: Dean Sujit Choudhry has shared his vision with alumni from coast to coast—and overseas.



Tribute to Trailblazers

Citation Awards salute Michele Roberts '80 and John Phillips '69



CITED FOR SUCCESS: NBA players union head Michele Roberts '80 and John Phillips '69, U.S. Ambassador to Italy and San Marino, will receive Citation Awards in October.

Legal trailblazers Michele Roberts '80 and John Phillips '69 will receive the Citation Award—Berkeley Law's highest honor—October 20 in San Francisco. During the annual dinner ceremony, the school will also bestow its Faculty Lifetime Achievement and Young Alumnus awards.

Roberts, named executive director of the National Basketball Players Association last year, is the first woman to head a U.S. professional sports labor union. Phillips, U.S. Ambassador to Italy and San Marino, co-founded the pioneering Center for Law in the Public Interest in Los Angeles just two years after completing law school.

During Roberts' eight years as a public defender in Washington, D.C., three grateful acquitted clients named children after her. She then moved to private practice at Akin Gump, accelerating her trial prowess.

In 2002, *Washingtonian* magazine called her "the finest pure trial lawyer in Washington—magic with juries, loved by judges, feared by opposing counsel." Roberts was named Business Trial Lawyer of the Year by Chambers USA in 2011, when she joined Skadden Arps, before being chosen to head the NBA players union.

Raised in a South Bronx housing project, Roberts says Berkeley Law taught her "not to be paralyzed by a problem ... and to search for innovative solutions." That approach will be useful in her new post—especially after the NBA's last collective bargaining agreement in 2011 saw maximum guaranteed contracts shortened and the players' share of basketball-related income fall from 57 to 50 percent.

"Many of these players came through some fairly tough times to make it, and they know I did too," Roberts says. "I think my upbringing struck a chord with them, and allowed us to create a relationship of trust."

Phillips also links his career trajectory to law school—particularly his "amazing fellow students, the faculty, and the stimulating Berkeley environment in the late '60s."

At the Center for Law in the Public Interest, Phillips litigated major consumer protection and corporate fraud cases. Verdicts in his favor forced the Los Angeles Police Department to hire more women and minorities, prompted Toyota to recall and repair a brake problem in its first Camry model, and exposed bribes by U.S. corporations to foreign governments.

The latter helped spur Congress to pass the U.S. Foreign Corrupt Practices Act in 1977 to better hold accountable companies that defraud the government. His firm, Phillips & Cohen, recovered more than \$11 billion for the U.S. Treasury under that statute.

Named to the *National Law Journal's* 100 most influential lawyers in America list in 2006, Phillips chaired the President's Commission on White House Fellowships from 2009 to 2013 before being appointed ambassador.

The toughest part of his current job: "Assuming an unfamiliar position later in life involving complex issues, often with major consequences, where you're the final decisionmaker. And being constantly in the public eye—it's simply something you have to get used to." —Andrew Cohen

Anonymous Donors' Estate Plan Designates \$1.8 Million for Tuition Aid

Determined to help future students access the same affordable academic opportunities they enjoyed, a 1965 Berkeley Law graduate and his wife have made a generous—and anonymous—planned gift to the school.

The couple's bequest of a portion of their estate is valued at approximately \$1.8 million. It will be earmarked for the dean's discretionary financial aid fund to maximize the gift's impact.

The donor, who recalls paying \$2.30 per semester for his undergraduate coursework at Baruch College of the City University of New York in the late 1950s, credits his career success to a virtually cost-free education. His planned gift will provide financial opportunities at Berkeley Law for students who need them most.

"My wife and I are both products of public education," he says, "and I see the value of that from a very personal standpoint."

Before receiving his law degree, the donor earned an M.B.A. from UC Berkeley's Haas School of Business in 1961. His wife attended Mills College before receiving a B.A. in French from UC Berkeley in 1963.

"I felt privileged that I was able to go to an exceptional school," the donor says about his time at Berkeley Law.

An acute fear of failure motivated him to work hard, he recalls, especially in law school. He holds particularly fond memories of professor Richard Powell, whose property law course inspired a standing ovation from his students on the last day of classes.

"Professor Powell gathered his notes and walked out, and we continued to applaud," says the donor, who retired after 44 years of practicing maritime law in the Bay Area. He and his wife have two grown daughters, and two grandchildren who are now in college.

As their daughters achieved financial independence, the donor and his wife arranged for the remainder of their estate to be divided between Berkeley Law and two other universities upon the death of both spouses.

Planned gifts to Berkeley Law can not only satisfy personal financial planning needs, but also provide the school with important long-term support. Gifts made through a will generate significant estate tax benefits, and revocable gifts are now considered planned gifts if the donor is age 70 or older.

The donor says he and his wife "both agree that giving back is the right thing to do."

—Wendy Witherspoon

Planned gifts to Berkeley Law can not only satisfy personal financial planning needs, but also provide the school with important long-term support.



MAKING HISTORY,
INFORMING THE FUTURE

PAST PRESENT

A Powerful Legacy

Professor and former dean Jesse Choper retires after 50 years at Berkeley Law

Jesse Choper has played many roles in his 50 years on the Berkeley Law stage: Professor. Author. Dean. Mentor. Confidant. A giant among constitutional law scholars and an icon in the law school community,

Choper has decided to retire.

“My next birthday will be my 80th, and overall I’ve taught for 57 years,” he says. “I figure that’s enough for me, and I’m sure it’s enough for my students.”

Humility aside, Choper quickly

became known as an engaging educator in constitutional and corporate law. A winner of UC Berkeley’s Distinguished Teaching Award and Berkeley Law’s Rutter Award for Teaching Distinction, his reach has long extended across the country. Case in point: his *Constitutional Law* casebook—of which he is the last of the original authors—is now in its 12th edition and 51st year.

Choper spent three years teaching at the University of Pennsylvania’s Wharton School of Business and four at the University of Minnesota Law School before coming to Berkeley in 1965. A former president of the National Order of the Coif, he shared his expertise as one of the three major lecturers at U.S. Law Week’s annual Constitutional Law Conference from 1979 to 1998.

Choper, who clerked for U.S. Supreme Court Chief Justice Earl Warren ’14, served as dean from 1982 to 1992. For decades, he has been one of the school’s most visible leaders.

“Jesse’s relationships with all segments of the Berkeley Law commu-

VOICE OF REASON: Professor Jesse Choper has successfully captured Berkeley Law’s attention—and imagination—for half a century.



nity form one of the most important aspects of his legacy,” says fellow professor Herma Hill Kay, who succeeded Choper as dean. “I call it a passion for excellence. He has always wanted this law school to be the very best.”

When Choper’s deanship ended, the late Sanford Kadish—who preceded him as dean—hailed his

“extraordinary quickness of mind.” Kadish, who died in September (see page 69), also credited Choper for upgrading the school’s first-year writing program and “devoting himself unsparingly to the needs of the school.”

While Choper has witnessed many changes in legal education over the years, his assessment of Berkeley

Law never wavered.

“I was offered deanships elsewhere, and every time I’d say ‘I really like it here,’” he recalls. “I’ve always felt that if you take everything into account, from faculty to course offerings to location, this is the best law school in the world. And I still believe that.”

—Andrew Cohen

Two Other Icons Bid Farewell

An expert in Evidence and Civil Procedure, professor Eleanor Swift has retired after enriching Berkeley Law in myriad ways for 35 years. A winner of the Rutter and Distinguished Teaching Awards, she is widely hailed for her dedication to teaching, mentorship of junior faculty, and leadership in developing the school’s clinical program.

In 1992, then-dean Herma Hill Kay tapped Swift to lead the effort to improve and expand the school’s clinical curriculum—a post she held for five years. Swift was also associate dean from 1998 to 2000.

“Nobody has done it better here,” says clinical law professor Jeff Selbin. “Nobody has cared more about our hiring and our teaching excellence. Eleanor taught so many of us how to be better teachers.”

Swift, one of just four women on the faculty when she joined it in 1979, expresses appreciation for several women professors with whom she taught. She calls them “my sisterhood—my generation of women who paved the way for the amazing junior faculty we have here now, both men and women.”

Melvin Eisenberg, who joined the faculty in 1966, also retired this year. One of his generation’s leading contract theorists and a major figure in corporate law, Eisenberg is currently completing the much-anticipated *Foundational Principles of Contract Law*, which presents his unified theory of the subject.

Eisenberg is another winner of both the Rutter and Distinguished Teaching Awards. He has also served as chief reporter to the American Law Institute’s *Principles of Corporate Governance*, and adviser to its *Restatement (Third) of Agency*, *Restatement (Third) of Restitution*, and *Restatement of Consumer Contract Law*.

In a video shown at the 2008 Citation Award Dinner, during which

he received Berkeley Law’s Faculty Lifetime Achievement Award, Eisenberg described his teaching as “largely directed toward what the law should be, and that’s based on morals and policy.”

As for life at the law school? “Fantastic,” he said. “It was just like a family, with a general atmosphere of warmth and support.”

Barbara Winters ’85, former litigation director at Howard Rice Nemerovski Canady, said on Eisenberg’s tribute video, “I’d bet there isn’t a person who took his class who didn’t think of it as one of the best they’ve ever had. His brilliance was revealed not by using long words or showing off, but by the kinds of questions that he asked.”

—Andrew Cohen



EXCEPTIONAL EDUCATORS: Newly retired professors Eleanor Swift and Melvin Eisenberg earned numerous awards and the admiration of both students and colleagues.



INSIGHT:

Big Law's Future in a Borderless World



BY BILL VOGЕ '83

“Firms must change how they do business to serve the needs of global clients.”

For the recent financing of a gas project in Russia, Latham & Watkins represented a joint venture for Russian, French, and Chinese partners. Our attorneys communicated with clients in their native tongues, discussing agreements governed by laws from five nations. Latham's team included attorneys with passports from seven countries, and the meetings took place in Moscow, London, Beijing, Paris, and Washington, D.C.

This is the future, and it's happening now.

When I joined Latham in 1983, it was one of the bigger U.S. law firms, with 165 lawyers. Back then, large U.S. firms served primarily domestic clients, and occasionally global clients with U.S. legal needs. For complicated transactions involving laws of multiple countries, clients typically engaged several firms in different countries—and moments of chaos often ensued.

In the late '80s and early '90s, the main strategic discussion among large U.S. firms was whether to expand outside the country. Clients were becoming global and asking their firms to do the same. In the late '90s, when Latham pursued a strategy to become a top “global law firm,” 95 percent of our lawyers were in the United States. Today, we have 31 offices in 14 countries.

Over the years, I've seen transformational industry changes due to globalization, clients' changing requirements, and technological advances. Some pundits have predicted the demise of Big Law—common vernacular for large, global law firms—saying it's not nimble enough to keep up with clients' changing needs.

A study of large law firm failures over the

last 20 years reveals that most fail for one of two reasons: poor management or poor strategic planning. It's difficult to find a firm that failed simply due to being large. For Big Law, keeping pace with today's changing priorities is the path to tomorrow's success:

MAINTAINING A COLLABORATIVE CULTURE: As businesses continue to globalize, they increasingly need law firms that can handle complex matters unfolding at breakneck speed—and involving multiple practice specialties. Today's global firm must operate 24/7. More important than having attorneys in all key jurisdictions is a culture that promotes collaboration and incentives—and ensures that the right teams of talent can be assembled quickly and work together seamlessly.

BUILDING DIVERSITY: When I joined Latham, we had only 16 women attorneys and few members of our team were minorities. The first language of nearly every attorney was English. Today, we have more than 2,000 attorneys spanning 54 nationalities and fluent in 47 languages.

HARNESSING TECHNOLOGY: How firms harness technology to enhance culture, communication, and collaboration is increasingly vital to delivering client value. Moreover, technology can help combat cybersecurity threats, manage enterprise risk, support project management, and enforce fiscal discipline.

Firms must change how they do business to serve the needs of global clients. In 2014, each of our 10 largest clients, on average, used Latham lawyers in 24 offices and 12 countries.

This is the future, and it's happening now.

Bill Voge '83 is the global chair and managing partner of Latham & Watkins. He works in the firm's London office.

CLASS NOTES



1939

Richard Johnston, who died on September 6, 2014, designated \$20,000 to Berkeley Law. Soon after entering grade school, Richard was selected for Stanford professor Lewis Terman’s groundbreaking *Genetic Study of Genius*. Following law school, he worked as a lawyer for the National Labor Relations Board and the U.S. Treasury, and then as a naval intelligence officer during World War II. Richard later returned to the Treasury Department before forming a law practice in Oakland in 1951 with two other partners. He remained there for more than 50 years, mainly handling tax defense and estate plan-

ning cases. Richard also taught various courses at Berkeley Law, UC Hastings College of the Law, and Golden Gate University School of Law. He held leadership positions at several civic organizations, including the Boalt Hall Alumni Association.

1954

Robert Stone passed the 60-year mark of practicing law as a plaintiffs’ personal injury trial attorney in January. In 2012, he served as president of the American Board of Trial Advocates, a nationwide association of about 7,000 plaintiff and defense civil trial lawyers and jurists dedicated to preserving the right to civil jury trials as guaranteed by the Seventh Amendment. Still active in representing clients, Robert says he “likes helping people and enjoys the daily challenges the law presents.”

1963

Kenneth Cole chairs the New Mexico Wilderness

Alliance, which has played a lead role in coordinating a major coalition to define the boundaries for the Organ Mountains-Desert Peak National Monument announced by President Obama. The protection of almost 500,000 acres of federal land near Las Cruces, New Mexico includes significant western landscapes, as well as important cultural and historic landmarks.

1966

Howard Franklin recently published *Gideon’s Children*, a novel set in the tumultuous 1960s that explores the role public defenders played in the U.S. Civil Rights movement. Published by Chamberlain Press, the book focuses on five young public defenders who staffed the newly formed Public Defender Offices after the U.S. Supreme Court’s momentous 1963 decision mandating the right to counsel when charged with a crime. Facing virulent bias, the public defenders battle

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prosecutors, police, and judges within the raw environment of murder, rape, robbery, and drugs. A former deputy public defender, Howard offers a brutally realistic look into the world of criminal law.

Dana “Woody” Bradford received the Omaha Bar Association’s Lifetime

Achievement Award. He was honored for his exemplary service to the legal profession, innovative contributions to improving justice, and longstanding commitment to mentoring in the law. A founding member of Bradford & Coenen in Omaha and now the firm’s managing partner, Dana transitioned

from mergers and acquisitions to civil and criminal litigation. He has also served as president of the Nebraska and Omaha Bar Associations, and the Urban League of Omaha.

1969
Ralph Benson received the Bay Nature Institute’s

Local Hero Award at a ceremony in March for “extraordinary work on behalf of conservation and environmental education.” Under his 12 years as executive director of the Sonoma Land Trust, the organization has increased its budget fivefold, tripled its protected acreage, and doubled its staff. Ralph

HOWARD LINCOLN '65

Making a Career Out of Second Chances

In April, while driving to a talk he was giving at the UC Berkeley Faculty Club, Howard Lincoln '65 passed a nondescript Chevron station on Shattuck Avenue. “Can’t believe it’s still there,” he said. “That’s where I pumped gas after flunking out of undergrad.”

Yes, Lincoln’s ascension to rarefied air—first helping lead Nintendo of America, now leading baseball’s Seattle Mariners—took an unconventional path. Soon after starting college, he jumped brain-first into fraternity life and lost his work ethic—for the last time.

“Flunking out was a blessing,” Lincoln says. “I had to talk my way into a chance to re-enroll through summer school, and needed straight A’s to do it. I’ve worked hard ever since.”

Lincoln buckled down, excelling in undergrad and then at Berkeley Law. The day before passing the California Bar Exam, however, his plans took an abrupt turn with a jarring piece of mail: a draft notice. He joined the Navy Reserve, got accepted to the Judge Advocate General Corps, and was stationed in Seattle and San Diego from 1966 to 1970.

After a decade in private practice, Lincoln learned from a client that a small Japanese company—Nintendo—needed some legal work done for its new U.S. branch. The client recommended Lincoln, who began handling certain matters for the company. Two years later, Nintendo hired Lincoln as its senior vice president—and soon revitalized the home video game business.

“We were successful against all odds because bad business decisions and low-quality games by Atari and Coleco had put the industry in



a big hole,” says Lincoln, Nintendo of America’s chairman from 1994 to 2000. “When we used the term ‘video game,’ retailers would run out of the room. But we vastly improved the quality of game consoles, and designed a smart licensing structure, and retailers soon changed their minds. Without what we did, there might not be a thriving home video game business today.”

And if not for Nintendo, Seattle might not have a baseball team. In 1992, with Mariners’ ownership pondering relocation of the team, Hiroshi Yamauchi, Nintendo’s president, bought a majority share and kept the Mariners at home. He subsequently transferred his majority ownership interest to Nintendo of America.

Lincoln took on a fast-growing role with the team before being named its chairman and CEO in November 1999. The Mariners negotiated with the State of Washington for a new stadium (Safeco Field), expanded the team’s television coverage, and saw its worth increase from Nintendo’s original \$100 million purchase price to a projected value exceeding \$1 billion.

“The scrutiny that comes with running a baseball team is intense, especially these days with the explosion in media platforms,” Lincoln says. “But it’s an exhilarating challenge.” —Andrew Cohen

attracted more than \$80 million in outside funding for acquiring scenic Sonoma landscapes, and invested major resources into restoring and managing them. Previously, he spent 24 years as general counsel for the Trust for Public Land.



1970

Leslie Klinger practices law full-time (tax, estate planning, and business work in a boutique firm in Westwood). He has also published 28 books, including the Edgar-winning *New Annotated Sherlock Holmes*, the critically acclaimed *New Annotated Dracula*, and the *New York Times*-bestselling *Annotated Sandman*. In October, he has three more books coming out: Volume 3 of *Annotated Sandman*, an anthology called *In the Company of Sherlock Holmes*, and *New Annotated H.P. Lovecraft*. Leslie has also been a technical advisor for the “Sherlock Holmes” films with Robert Downey, Jr., and has consulted on Holmes and Dracula for

DAVID WEISSBRODT '69

Human Rights Leader Creates a Legacy



Nineteenth-century American poet Lucy Larcom observed, “If the world seems cold to you, kindle fires to warm it.” Educator and entrepreneur David Weissbrodt '69 has kindled warmth—and change—in the complex world of human rights law.

Weissbrodt's own interest in human rights was ignited by a seminar at Berkeley Law. “In 1968, Dean Frank Newman brought together a group of enthusiastic young scholars with world-renowned human rights advocates,” he recalls. Joining Newman as instructors were rights leaders Egon Schwelb, a prominent attorney whose clients included anti-Nazi German refugees; Thomas Buergethal, who later served as a judge on the International Court of Justice; and Karel Vasak, the first secretary-general of the International Institute of Human Rights.

Newman later arranged for internships at the International Commission of Jurists in Geneva for Weissbrodt and his wife, Pat Schaffer—who was also in the seminar. “We wrote international analysis for the basis of human rights for East Pakistan, learned about Amnesty International, and worked at the United Nations on human rights issues,” says Weissbrodt.

From there, his path led to a faculty post at the University of Minnesota, where he has taught torts, administrative law, immigration law, and international human rights law for 40 years. “The environment at Minnesota allowed me to take advantage of what I learned from Frank at Berkeley,” says Weissbrodt. “I saw an opportunity to build.”

Eager to inspire future leaders as Newman inspired him, Weissbrodt helped launch the law school's International Human Rights Internship Program in 1976 and its Human Rights Center in 1988. Since the center's founding, it has funneled 538 interns to direct-advocacy assignments and worked with 365 human rights organizations in 91 countries.

Weissbrodt has been an important voice for rights worldwide, with stints at Université Jean Moulin in France, Oxford University, United Nations University in Tokyo, and Monash University Law School in Australia. He also chaired the United Nations Sub-Commission on the Promotion and Protection of Human Rights—the first U.S. citizen since Eleanor Roosevelt to head a U.N. human rights organization.

Still, Weissbrodt is especially proud of his work at home in Minnesota, where he co-founded the Advocates for Human Rights in 1983 and the Center for Victims of Torture in 1985. “I've always been pleased to encourage lay people and lawyers in Minnesota to be advocates,” he says.

In 2008, Weissbrodt received Berkeley Law's annual Stefan A. Riesenfeld Award for outstanding contributions to international law. The influence of his wisdom and creative solutions, fueled by the passion he first experienced in Newman's seminar, continues. —Ben Peterson

GENE LUCERO '72

Champion of the Environment

Gene Lucero '72 may not be immune to frustration, but he's adept at plowing through it. After all, that's often the only feasible path to progress in environmental law.

"Because changes in environmental law disrupt business and require companies to reallocate resources, there's a built-in reticence," Lucero says. "It takes enormous effort to move the process forward because of the number of entities and agendas involved."

Lucero chaired Latham & Watkins' global Environment, Land & Resources department before retiring in 2011 after 20 years at the firm. Previously, he worked in state government and then for the Environmental Protection Agency (EPA)—directing enforcement of federal laws governing hazardous waste from 1981 to 1988.

"I worked at the Colorado State Attorney General's office for three years, and my first day there, someone asked, 'Are you interested in an environmental case?'" Lucero recalls. "I was off and running."

After litigating Colorado air and water laws, Lucero moved to Washington, D.C., for a two-year stint at the federal agency ACTION/Peace Corps. He then joined the EPA, returned to Denver for two years as a deputy regional administrator—steering the execution of environmental laws in six Western states—and landed back in Washington to help develop the Superfund response program.

In leading the EPA's enforcement, Lucero shaped many regulations and policies concerning environmental liability—and helped spur Congress to reauthorize the Superfund and Resource Conservation and Recovery Acts (RCRA).

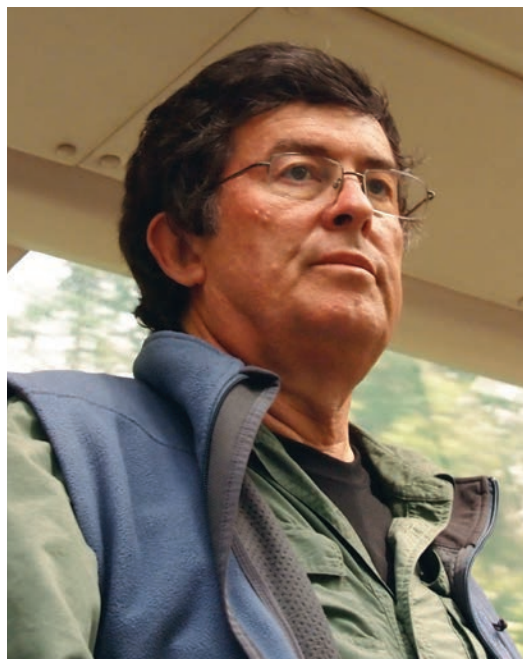
"The Office of Waste Programs Enforcement was the center of the EPA's universe for several years," Lucero recalls. "Holding a Superfund leadership position and working to clean up contaminated property was hard work, but very gratifying."

In private practice, Lucero defended numerous clients in enforcement actions brought by the EPA and state agencies, successfully appealed several RCRA rules, and helped assess and allocate environmental liabilities in major business transactions.

Having testified before Congress numerous times, he hopes the legislative pendulum swings back toward more protection. "Congress's high-water mark was from 1984 to 1990," he says. "That's when it reauthorized RCRA, Superfund, and the Clean Water and Clean Air Acts, and gave the EPA significant additional responsibility. Since then, though, Congress has tinkered here and there without driving meaningful change. As a result, some issues are bogged down in the courts."

These days, Lucero sees rising discord and reduced cooperation between Democrats and Republicans thwarting vital policy initiatives.

"There used to be a willingness to defer to science and pick solutions accordingly," he says. "Now, more and more people don't want to adapt their belief systems, even in the face of science." —*Andrew Cohen*



books, graphic novels, games, and scripts. He teaches classes at UCLA Extension on Holmes and Dracula.

1971

Robert Lutz II received the Warren M. Christopher International Lawyer of the Year Award, presented by the State Bar of California's International Law Section. A professor at Southwestern Law School in Los Angeles for more than 36 years, Robert has held top posts in several influential international law organizations. He chaired the American Bar Association (ABA) Section of International Law and the international law sections of the Association of American Law Schools and the Los Angeles County Bar Association. Robert also co-founded the State Bar of California International Law Section and was the first editor of two of its international publications. In addition, he chaired the ABA's International Trade in Legal Services Task Force, leading the U.S. legal profession's efforts to liberalize lawyers' access to various foreign jurisdictions.

1973

Brian Kahn, host of the public radio show "Common Ground," helped launch Friends of Francis—a nondenominational organization

inspired by the words of Pope Francis. To help offer employment opportunities to young people, Friends of Francis is creating an economic council of business and labor with members of the nonprofit sector and academia. Its goal is to present recommendations in January to assure that every high school and college graduate in the nation has an opportunity for work. Learn more about the organization at www.friendsoffrancis.net. A longtime mediator, Brian has served as president of the California Fish and Game Commission and director of the Montana Nature Conservancy.



1975

Sherry Broder, a longtime Hawaii attorney with expertise in complex civil litigation, received the ABA's 2015 Solo, Small Firm and General Practice Division's 2015 Lifetime Achievement Award in April. Sherry has represented clients in several state courts, federal circuits, the U.S. Supreme Court, and courts in three other nations. She also serves as a mediator, arbi-

trator, and hearings officer for government agencies, the Supreme Court of Hawaii, and private parties. Sherry has appeared in *Best Lawyers in America* for more than 20 years and was class liaison counsel for the 9,500 victims of torture when Ferdinand Marcos was president of the Philippines. Her legal team ultimately won a \$2 billion verdict, one of the largest personal injury verdicts in U.S. history. The first female president of the Hawaii Bar Association and vice president/president elect of the Federal Bar Association for Hawaii, Sherry is also a lecturer at the University of Hawaii's William S. Richardson School of Law.



1977

Patricia Salas Pineda, group vice president of Toyota Motor North America's Hispanic Business Strategy Group, was named one of *People en Español* magazine's "25 Most Powerful Latinas." The highest-ranking Hispanic executive at Toyota North America, Patricia's 30-year career with the company has

included roles as general counsel and head of the Toyota U.S.A. Foundation and national philanthropy efforts.

1980

Paula Crow was named a partner in the San Francisco office of Sedgwick LLP. She works in the firm's real estate and finance practice, focusing on commercial real estate transactions and representing publicly held companies in leasing and purchase and sales matters—including the tenant on the second-largest commercial lease in San Francisco last year. Her work for Silicon Valley clients extends throughout the United States, Canada, and international business centers. She also advises clients on issues related to financing, foreclosure, bankruptcy, multifamily rental housing, and live entertainment venue leasing. Active in the business community, Paula is a member of Commercial Real Estate Women San Francisco.

Nancy Lemon has received three honors over the past year: the Abby J. Leibman Award from the California Women's Law Center, the Lady Justice Innovator Award from the Pro Bono Project of Silicon Valley, and the DCC Praxis Award from the American Society of Criminology. A Berkeley Law lecturer, Nancy directs the school's

Domestic Violence Practicum. She also co-founded the Family Violence Appellate Project, which provides appellate representation to survivors of domestic violence, and is now its legal director.



1983

Henry Farber, was inducted as a Fellow in the College of Labor & Employment Lawyers, one of the field's highest peer recognitions reserved for experienced lawyers who have provided exceptional professional services to clients, the bar, and the public—and who promote civility among attorneys. Chair of the firmwide employment practice at Davis Wright Tremaine, Henry represents employers in labor negotiations, arbitrations, and National Labor Relations Board cases from his Bellevue, Washington, office. He helps employers protect confidential and competitive information, and advises clients on labor and employment law issues, with a focus on employers in health care, hospitality, broadcasting

KEN KING '87

Yen for Travel: Ken King's Globalization

It's 3 a.m., and Ken King '87 is wide awake. Exhausted and sleepless, his internal clock is still set for Tokyo, where King—the partner in charge of Skadden Arps' Palo Alto office—has spent the past week helping a client in Japan think through the tactics and structure of a potential multibillion-dollar acquisition of a publicly traded U.S. company.

If practice made perfect, King would leapfrog time zones effortlessly. An international corporate lawyer with a special focus on Japan, he's ping-ponged between California and Tokyo many dozens of times.

King's ocean hopping began well before his law career. He spent two of his college years in Tokyo; after graduating, he worked there for four more years, selling steel pipe worldwide.

Arriving in Berkeley for law school, he brought a love of Japan—plus a love from Japan: his wife, Kuniko, whom he'd met in Tokyo. King alternates between countries and cultures fluently. With his Palo Alto colleagues, he speaks English; in Japan—and at home—he prefers Japanese.

His cross-cultural experience has strongly shaped his law practice, which includes cross-border mergers and acquisitions, joint ventures, restructurings, and other transactions. "Working in any non-U.S. environment gives you a much better perspective on legal systems," King says, "particularly the challenges of multiple jurisdictions. It gives you the ability to approach deals flexibly—to look first for the business objectives, then for how to achieve them within a given legal regime."

That perspective proved especially useful last year while advising Nokia on the \$7.2 billion sale of its mobile phone business. "Nokia has facilities around the world," he says. "That transaction spanned multiple countries and legal systems."



King gives Berkeley Law high marks for training students to think analytically and solve problems. He speaks not just as an alum, but as someone closely involved with the school's Berkeley Center for Law, Business, and the Economy (BCLBE). A BCLBE advisory board member since 2006, he sees his service as a way to give back, sharing real-world, whole-world expertise. "I'm a big believer in the school," he offers. "Its mission—especially its public-education mission—is important."

That belief also prompted King to serve in February on the selection panel for the new Berkeley Law Opportunity Scholarship program, which offers full tuition and fees for three years to first-generation professional students. "I helped interview eight students," he recalls. "All were the first in their families to go to college, let alone to professional school. They were all compelling, smart, and articulate, with inspiring stories about the challenges they'd overcome. I'd hire every one of them." —Jon Jefferson

and communications, and social services. Henry is recognized by all the major lawyer-ranking organizations, including Chambers USA, *Best Lawyers*, *Super Lawyers*, and Martindale-Hubbell.

Brian Haughton, an environmental partner at Barg Coffin Lewis & Trapp, was named to the 2014 *Northern California Super Lawyers* list. Published annually by Thomson Reuters, the list's selection process includes a state-wide survey of lawyers, an independent research evaluation of candidates based on peer recognition, and professional achievement and peer reviews by practice area. No more than 5 percent of eligible lawyers in Northern California receive the distinction.

1985

Marc Zeppetello, another environmental partner at Barg Coffin Lewis & Trapp, was also named to the 2014 *Northern California Super Lawyers* list.

1986

Nancy Fineman, a principal at Cotchett, Pitre & McCarthy, helped her firm secure a \$1.15 billion verdict on behalf of several California counties and cities in *People of the State of California et al. v. Atlantic Richfield Co. et al.* The lawsuit, which took 13

years to resolve, accused several of the country's lead paint makers and the companies that acquired them of harming children who ate paint flakes that peeled and chipped off surfaces of aging homes.

Andrés Rivero is a partner at Rivero Mestre, which won two major awards in 2014: One bestowed by Chevron for the firm's commitment to diversity, and the other from *The American Lawyer* for the firm's work on an \$18 billion fraud case. The latter Global Legal Award is given to law offices that play a substantial role in distinguished cross-border work across a wide range of disciplines. Rivero Mestre is one of a small number of minority-owned law firms in the United States that practices complex commercial litigation, including international litigation and arbitration.

1988

Damon Connolly was elected to the Marin County Board of Supervisors and began his term in January. He has served in several public policy positions, including chair of the Marin Energy Authority's Board of Directors, vice mayor and city council member in San Rafael, and president of San Rafael's Dixie School District Board. A certified mediator, Damon was a partner at Girard

Gibbs before starting his own practice in 2008. As a supervising deputy attorney general for California, he prosecuted energy companies that engaged in fraudulent practices. Those efforts resulted in a \$1.6 billion settlement, the largest of its kind.

1994

Joseph Quinn III was appointed to a judgeship in San Francisco County Superior Court in March. He had been a partner at Hanson Bridgett since 2010. Joseph was principal and chair of the appellate practice group at Meyers Nave from 2003 to 2010, and an associate at Howard, Rice, Nemerovski, Canady, Falk & Rabkin from 2001 to 2003. Before that, he was a principal trial attorney at the San Francisco City Attorney's Office; a law clerk for U.S. District Court Judge Eugene Lynch in the Northern District of California; an associate at Jackson, Tufts, Cole & Black; and a trial attorney at the Federal Defenders of San Diego. Joseph has also taught as an adjunct professor at Golden Gate University School of Law since 2010, and previously was an adjunct professor at St. Mary's College of California.

1995

Gideon Kracov chairs the State Bar of California's

Environmental Law Section Executive Committee. Elected by his peers, he leads education and program activities for the section's 2,500-plus members. A solo practitioner in Los Angeles, Gideon represents clients in civil law, and environmental and land use cases, including high-stakes litigation and complex regulatory matters. He is a *Los Angeles Magazine* Southern California Super Lawyer, a designation limited to the top 5 percent of lawyers in the region. In 2009, the *Daily Journal* named him one of the top 20 lawyers under age 40 in California. Earlier this year, Governor Jerry Brown appointed Gideon chair of California's State Mining & Geology Board, which oversees the state's interests in seismic hazards, mineral resources, and reclamation of mining lands.



1997

Jess Bravin received a 2014 ABA Silver Gavel Award for his book, *The Terror Courts: Rough Justice at Guantanamo*

Bay. A reporter for *The Wall Street Journal*, Jess was presented the award at the National Press Club. Among those attending was Jeffrey Bleich '89, a former U.S. Ambassador to Australia, who was one of Jess's instructors at Berkeley Law.



1999

Ricardo Ochoa was honored by the Center on Policy Initiatives as a "Responsible Business Owner" for his law firm's role in helping to advance economic equity for working people. Ricardo is a founding partner of Ochoa Legal Group, a San Diego labor firm dedicated to advancing, supporting, and defending labor unions and their members.

Tirien Steinbach will co-chair the planning committee for the 2016 Association of American Law School's Clinical Section Conference in New York City. The executive director of Berkeley Law's East Bay Community Law Center, the East Bay's largest provider of free legal services, Tirien

SARA ANJARGOLIAN '00

Art and Enterprise in Armenia

After eight years as a photographer and multimedia journalist in Armenia, Sara Anjargolian '00 thought hard about what her adopted country might need to advance the social justice causes she'd chronicled in her work. "I was advocating, but I wasn't in the pipeline for change," she says. "So I started to look for tools on the solution end."

Last year, she set down her camera and helped co-found a non-profit, Impact Hub Yerevan, in Armenia's capital. When it opens this fall, the small-business incubator and social enterprise community center will be the first of its kind in the former Soviet republic, joining a growing global network of more than 60 Impact Hubs.

"Impact Hubs aren't just about giving business tools to entrepreneurs," Anjargolian says. "Here, it's about bringing change-makers together under one roof and catalyzing power to develop the country."

She calls her Berkeley Law experience and the school's approach to legal issues "really the foundation of why I'm in Armenia." Although her parents both have Armenian heritage and she grew up in an Armenian enclave of Los Angeles, her interest in the country extends beyond her roots. "It has to do with a much larger, social justice perspective on the world."

After graduating from law school, Anjargolian worked for the U.S. Department of Justice. In 2002, she won a Fulbright award to study the extent that due process and the rule of law had developed since Armenia's independence from the Soviet Union in 1991.

While in Armenia, she explored both law and art, teaching law at the American University of Armenia and working for a documentary studio. After her Fulbright ended, she took a job as a policy advisor in the Los Angeles City Attorney's office—but returned to Armenia often. In 2012, she made Yerevan her home, pairing her advocacy and photography skills to shine light on the country's pressing issues.

As a multimedia journalist, Anjargolian had already covered labor migration from Armenia to Los Angeles, non-combat deaths in Armenia's military, refugee life and disputed territory along the Azerbaijan border, and HIV infection and tuberculosis among the Zulu people in



South Africa. She also served as still photographer for the 2012 feature film *Zenne Dancer*, which documents the "honor killing" of a gay man in Turkey.

Anjargolian hopes the opening of Impact Hub Yerevan will help entrepreneurs advocate for themselves, and build on the country's significant resources. "For all of its challenges, Armenia is chock full of innovators and entrepreneurs," she says. "It's an unbelievable intellectual and artistic place." —KC Trommer

will coordinate the annual conference, which brings together more than 600 clinical professors.

2000

Karen Rosenthal has been promoted to shareholder by Greenberg Traurig. Working out of the firm's

Silicon Valley office, Karen focuses her practice on general commercial litigation and has experience in complex business, employment, commercial landlord/tenant, real estate, and intellectual property litigation. She represents a wide range of clients in state and federal courts.



2001

Christian Chu, a principal at Fish & Richardson, was named a 2014 Rising Star in international trade by Law360. The award honors lawyers under age 40 with notable accomplishments in their practice areas. Christian, a patent

litigator at the U.S. International Trade Commission (ITC), recently secured two significant case victories for client LG Electronics (LGE). In one case, the complainant sought an exclusion order and cease-and-desist orders involving numerous products—including e-readers, a navigation system, smartphones, and a portable game console. Christian took the lead in managing a joint-defense group of 13 respondents represented by 11 different firms. The ITC found noninfringement, resolving the case in favor of LGE and the other respondents.



2002

Kristen Law Sagafi was profiled in the annual *San Francisco Business Times*' "40 Under 40" list. She is a partner attorney at Loeff Cabraser Heimann & Bernstein, which represents plaintiffs in individual, group, whistleblower, and class action lawsuits in state and federal courts. Kristen also serves on the executive committee of the California Women

In Memoriam

Hyman Goldman '35	Loyd McCormick '56	Charles Warner '66	Hitesh Barot '01
Daniel Goldberg '39	E.L. Overholt '56	David Frohnmayer '67	Leah Harhay '02
Richard Johnston '39	William Hirose '57	Jack Joyce '67	
Melvin Cohn '40	Marc Monheimer '57	Barry Sax '67	Martha Africa
Lawrence Schei '40	Richard Olson '59	Bruce Jackson '70	Sam Bercovich
F.M. Cameron '45	Dennis Scott '59	John Peterson '70	Earl Cheit
Albert Brundage '47	Thomas Hammer '60	Charles Soley '70	Robert Dal Porto
Bryan McCarthy '47	Thomas Lacey '60	Peter Shannon '71	Paul Davies
Paul Engstrand '48	George Nelson '60	Ben Pesta '72	Ralph Fisher
John Doar '49	Donald Pitts '60	Richard Neal '73	Margaret Frampton
Neil Falconer '49	Joanne Garvey '61	Henry Shields '74	Mortimer Herzstein
Carolyn Karpinski '49	Christopher Money '62	Robert Padia '75	Sanford Kadish
Forrest Plant '49	Eugene Swann '62	Marc Palotay '75	Fern Kelly
Cranston Montgomery '50	Francis Hingham '63	Nancy Cyra '78	John Krebs
Patricia Hofstetter '51	William Lockett '63	Michael Murphy '78	Virginia Miller
Dean Wright '51	Alan Reedy '64	Charles Stepkin '78	Michael Millman
Roy Giordano '52	Lawrence Shepp '64	Joseph Walker '78	Elizabeth O'Neil
G.E. Lopez '52	Theodore	David Posegate '79	John Rosston
Howard Rhea '53	Wickersham '64	William Cosgrove '82	Bernice Schumer
Cassius Kirk '54	Edward Kosmal '65	James Pultz '84	Andrew Sessler
Thomas Adams '55	John Oakes '65	Debra Dietrich '85	Max Thelen
Kenneth Hagen '55	William Pesce '65	Jeffrey Siirtola '85	George Truin
Frank Mankiewicz '55	Patrick Shreve '65	Peter Tiersma '86	Lloyd Ulman
Seymour Rose '55	Glen Kuykendall '66	Perry Oei '87	Alba Witkin
John Whitney '55	Thomas Martin '66	Tuan Lam '97	
Albert Chan '56	Robert Merritt '66	Ceide Zapparoni '98	

Sanford "Sandy" Kadish: 1921-2014

Former Berkeley Law Dean and professor emeritus Sanford "Sandy" Kadish, one of the world's foremost criminal law scholars, died in September at age 92. Kadish joined the Berkeley Law faculty in 1964 and served as dean from 1975 to 1982. He was the driving force behind the school's pioneering Jurisprudence and Social Policy (JSP) Program—the first and only law school Ph.D. program until the last decade—and also helped propel the school's Center for the Study of Law & Society (CSLS). "These enterprises were not only the first programs of their kind, but also became and remain the leaders in their respective fields," says Calvin Morrill, associate dean of the JSP Program.

Nearly 50 years after it first appeared, Kadish's *Criminal Law and Its Processes* remains the most widely used casebook in criminal law. Berkeley Law professor Christopher Kutz notes that "virtually every other criminal law casebook remains indebted" to Kadish, and "virtually every influential criminal law scholar has been taught or mentored by him."

In 2000, Kadish and his wife, June, conceived of—and generously endowed—Berkeley Law's Kadish Center for Morality, Law, and Public Affairs to help probe the theoretical and moral aspects of criminal law.

In November 2012, after a ceremony dedicating the JSP/CSLS library in his name, Kadish said the honor was "massively gratifying ... I invested a good deal of my life at the law school, and it's heartwarming to be recognized this way." —Andrew Cohen



SONIA GONZALES '07

A Voice for the Voiceless

The roots of social justice advocacy run deep for Sonia Gonzales '07, executive director of the California Bar Foundation. Her paternal grandfather came to the United States in 1930 at age 13, undocumented and unaccompanied, to toil in the scorching fields of the Southwest as a migrant farmworker.

Nearly two decades later—just before *Brown v. Board of Education*—Gonzales' grandfather, Jose "Joe" Gonzales, and a few other Latino parents in Tolleson, Arizona, served as plaintiffs in a lawsuit that successfully challenged the local school district's policy of racial segregation.

"This story inspired me, emboldened me, and provided context for my view on advocacy, the justice system, and the world," she says.

After graduating from Berkeley Law, Gonzales spent two years as assistant director of the ACLU of Northern California. She then became managing director and interim executive director of the Lawyers' Committee for Civil Rights of the San Francisco Bay Area.

Since taking the California Bar Foundation reins in 2012, Gonzales has deepened the organization's commitment to making civil legal assistance accessible to low-income Californians, especially in rural areas. She also has prioritized making the legal profession better reflect state demographics. While non-Hispanic whites make up about 39 percent of California's population, its legal practitioners are more than 80 percent white.

As a child in a working-class neighborhood of Glendale, Arizona, Gonzales was acutely aware of the self-perpetuating cycle of socioeconomic inequality. "Growing up, I didn't have professionals in my family," she says. "I didn't have family who had graduated from a university, and I certainly didn't know any lawyers."

After earning a political science degree from Stanford in 1999, Gonzales turned to politics. She served as presidential candidate John Edwards' 2004 regional political director, among other high-profile campaign and congressional staff positions. Enrolling in law school after buzzing around the center of national

politics took some adjustment.

"I started at Berkeley Law with my head half in and half out," she admits. "Fortunately, I found there were many others who felt as passionately as I do about issues and events outside the classroom."

During law school, Gonzales was inspired to "provide a voice for the voiceless." The California Bar Foundation has enabled her to do just that. After President Obama's 2012 executive order establishing Deferred Action for Childhood Arrivals, for example, the foundation provided special grants to legal service organizations assisting the influx of young applicants.

"The foundation has been at the table," she says, "providing thought leadership and resources to address the most critical challenges and opportunities facing the legal services community." —Wendy Witherspoon



Lawyers' Board of Governors, and on the board of the Bar Association of San Francisco's Justice & Diversity Center.

2004

Carolyn Boies Nitta, an assistant city attorney in Seattle, and her husband, Keith, welcomed their daughter, Claire Fumiko, into their lives in October 2010. Carolyn focuses her practice on public sector employment litigation and counseling, including traditional labor issues.

Jordan Cunningham announced his candidacy for California State Assembly in the 35th Assembly District, which covers San Luis Obispo and Santa Barbara counties. He has worked in private practice, as a federal law clerk, and as an attorney for the U.S. Department of Justice. Jordan then returned to his home region, became a deputy district attorney in San Luis Obispo County, and prosecuted a wide range of crimes—including fraud, assault, domestic violence, and environmental violations. A trustee for the Templeton Unified School District, Jordan is president of the Central Coast Taxpayers Association, a nonprofit dedicated to taxpayer education and advocacy. You can learn more about Jordan's candidacy at JordanCunningham.org.

Chandra (Garry) Eidt was named to the 2014 Washington Rising Stars list, which honors attorneys 40 years old or younger or who have practiced law for 10 years or less. A patent attorney in Miller Nash Graham & Dunn's intellectual property practice group in Seattle, Chandra counsels clients in all aspects of patent law. She has broad experience ranging from patent procurement and strategic business counseling to patent litigation.



Alisa Nave-Worth was named senior policy advisor and counsel at Brownstein Hyatt Farber Schreck's Las Vegas office. A member of the firm's government relations department, Alisa has extensive legal, political, and public policy experience in Nevada, which she brings to implementing and advocating legislative strategies before state and local agencies for a wide range of corporate clients in the state. She has also been a board member of several philanthropic organizations.

2005

Tamara Freeze writes, "On November 6, 2014, I obtained a \$1.37 million verdict in an employment discrimination/retaliation case against the Community Development Commission of the County of Los Angeles. After an 11-day jury trial in downtown Los Angeles Superior Court, my client won on all five causes of action. Case: *Mayo v. Community Development Commission* (BC486184)."

2006

Dean Cheley has been promoted to partner at Donaldson + Callif, a Los Angeles-based law firm representing independent producers of film, television, and web-based content with an emphasis on all clearance matters. Dean focuses his practice on structuring deals and negotiating contracts for individuals and corporations involved in the film and television industry. He regularly works with book authors, screen writers, performers, directors, and producers, as well as institutions such as studios, networks, guilds, and talent agencies.

2007

Christina Hioureas received the Greek America Foundation's "40 under 40" award for her work in public international law and interna-

tional arbitration. That work includes resolving disputes between state sovereigns, private entities, and individuals. Christina also received the Partner in Justice Award from the Center for Justice and Accountability for her victory in *Ahmed v. Magan*. It marked the first judgment to hold a Somali National Security Service member accountable for human rights violations that occurred during the country's brutal dictatorship. She also serves as special legal adviser to the Republic of Cyprus at the United Nations.



Glenn Sulmasy was appointed the first provost and chief academic officer at Bryant University in Smithfield, Rhode Island. He had been the chair and designated dean of the Department of Humanities and a law professor at the United States Coast Guard Academy in New London, Connecticut. Glenn is an international law and national

security expert with more than 25 years of experience in academic, law, and government service. He is responsible for all academic and research programs within Bryant's College of Business, College of Arts and Sciences, and School of Health Sciences.

Bryant Yang helped achieve a historic legal victory for a pro bono client with the help of Berkeley Law faculty member Barry Krisberg, who was an expert witness in the case. A partner at Irell & Manella, Bryant represented Edel Gonzalez, who had been in custody since 1991, when, at age 16, he participated in an attempted carjacking that resulted in a tragic death. He was convicted of felony murder and sentenced to life without possibility of parole. Gonzalez became a model prisoner, taking advantage of educational opportunities. Under a new California law that permits some individuals sentenced to life without parole for juvenile offenses to be resentenced to parole-eligible terms, Gonzalez, with Bryant's help, became the law's first beneficiary when an Orange County judge recalled the original sentence and imposed a new sentence of 25 years to life. Gonzalez will be eligible for parole in less than three years.

2008

Jordan Diamond became the new executive director of Berkeley Law's Center for Law, Energy, and the Environment in November 2014. She had spent the prior six years at the Environmental Law Institute (ELI), a leading environmental think tank. She was co-director of ELI's Ocean Program, working to strengthen environmental ocean and coastal governance at local, regional, and international levels. Jordan returned to the Bay Area in 2013 and served as the academic coordinator for Berkeley Law's Law of the Sea Institute. Also in 2013, she received The Next Generation Award from the ABA's Section of Environment, Energy, and Resources Distinguished Environmental Advocates.

2009

Keith Hiatt won the President's Pro Bono Service Award from the State Bar of California. Created in 1983, the award honors those who excel in providing free legal services to low-income clients. A solo practitioner and Ph.D. student in Berkeley Law's Jurisprudence and Social Policy Program, Keith has volunteered hundreds of hours with Community Legal Services in East Palo Alto and the Legal Aid Society of San Mateo County. His work has included advocating for safe and healthy

housing conditions, defending against unlawful evictions, protecting tenants against unlawful landlord behavior, and recovering security deposits.

2012

Kelsey Mayo has been awarded a coveted National Academy of Education (NAE) Spencer Dissertation Fellowship. Only 30 fellows—each of whom receives a \$25,000 award—were chosen from more than 600 graduate student applications. The fellowship encourages top young scholars to work on education-related issues; fellows are invited to discuss their work at two NAE meetings in Washington, D.C. A Ph.D. candidate in Berkeley Law's Jurisprudence and Social Policy Program, Kelsey studies education law from a sociological perspective. She focuses on legal environments for school choice and charter schools, and mobilizing educational rights.

2013

Kristen Corpion, a litigation associate at Greenberg Traurig's Miami office, won the Legal Services of Greater Miami's annual Legal Eagle Closing Argument Competition. The single-elimination tournament hosted by the University of Miami School of Law raises money for

Legal Services of Greater Miami. Kristen also won the Greater Miami Chamber of Commerce's 2015 Rookie of the Year Award, which honors outstanding achievement and innovation. She currently chairs the Member and Chapter Recognition Committee for the Miami Dade Chapter of the Florida Association of Women Lawyers, and co-chairs the Rainmaker's Committee and Schools Committee of the Dade County Bar Association Young Lawyers Section.



Kennji Kizuka was named a Fellow at Immigrant Justice Corps (IJC), which helps immigrants navigate the legal system to fight deportation, incarceration, and separation from family. Launched last year, IJC pairs talented law school and college graduates with non-profit legal service providers and community-based groups in and around New York City. Kennji has advocated for immigrants through the East Bay Sanctuary Covenant, CAIR Coalition, and United Nations High Commissioner for Refugees.

Ryan Shaenig Pokrasso recently launched a new law practice called Elevate Law & Strategy. Elevate is a Bay-Area based firm that provides both legal and strategic consulting to entrepreneurs, with a particular focus on helping those with a social mission. Ryan writes, "We make a personal investment in the creators we serve with the principal aim of providing financial, regulatory, and strategic advice that is tailored to each entrepreneur's unique goals. There is a great wave of 'for-profit, for-good' businesses popping up in the Bay Area and we're looking to help these social enterprises to maximize their impact."

2014

Yesica Hernandez has joined Lane Powell's Seattle office as a litigation attorney. Prior to working as a summer associate there, Yesica served as an extern for U.S. District Court Judge Paul Friedman of the District of Columbia. She also worked as a law clerk for Independent Television Service, Inc. in San Francisco. As a Fulbright-mtvU Fellow from 2010 to 2011, Yesica lived in Peru to document the influence that Afro-Peruvian music has had on race relations. In addition, she has interned for the Northwest Immigrant Rights Project in Seattle.



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