

Transcript
Magazine

Spring 2022
Volume 58

Berkeley Law



Leading

From All Angles

Alumni Guiding Law Firms

Pro Bono Visionaries

Dean Chemerinsky Reappointed

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Berkeley Law

Assistant Dean,
Communications
Alex A.G. Shapiro

Managing Editor &
Senior Writer,
Communications
Andrew Cohen

Creative Direction
Laurie Frasier

Original Design & Layout
Arnaud Ghelfi, l'atelier starno

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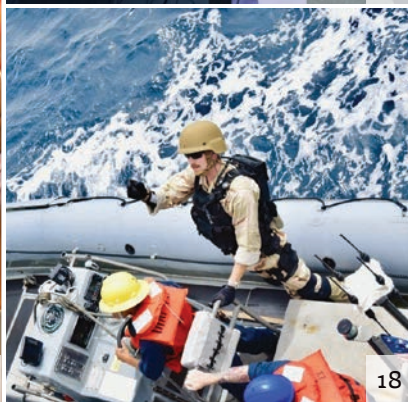
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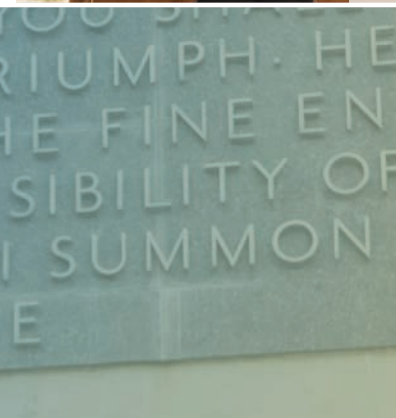
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Contributing Writer

Gwyneth K. Shaw

Contributing Artists

Jialun Deng
Bo Lundberg
Asis Percales
Ariel Sinha

Contributing Photographers

Jim Block
Rachel DeLetto
Brittany Hosea-Small
Darius Riley

Contributing Editor

Sarah Weld

Update Your Address

Email: updates@law.berkeley.edu
Phone: 510.642.1832
U.S. Mail: University of California,
Berkeley, School of Law
Development & Alumni Relations
224 Law Building
Berkeley, CA 94720-7200

Visit www.law.berkeley.edu

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“I feel enormously fortunate that I will have the opportunity to lead Berkeley Law for another five years.”

Learning from Our Leaders

This *Transcript* edition focuses on the important issue of leadership. It portrays many from our community — our alumni, our students, our faculty — who occupy vital leadership roles. Their experiences are an inspiration and a valuable lesson for all of us.

Having been a law school dean for 14 years and having occupied other leadership roles — such as president of the University of Southern California Academic Senate, chair of an elected commission to rewrite the Los Angeles City Charter, and now president of the Association of American Law Schools — I have thought a lot about leadership. I have learned tremendously from watching those in leadership positions. I have been fortunate to work as a faculty member at law schools with terrific deans and to serve as a dean with outstanding chancellors, provosts, and vice provosts.

Each has a unique style, but they all share some basic characteristics: they all have a vision; embrace a collaborative style of decision-making; have a sense of when to delegate and when they must decide; possess excellent managerial skills; genuinely care about the people they work with; and lead by example. Those described in this issue of *Transcript* embody these strengths.

I do not think that law schools do enough to provide leadership training for our students. Perhaps it is because law students do not realize how quickly many of them will be in leadership roles. I would like to see Berkeley Law create courses and even programs on leadership training for our students, like the school's executive education platform has done for our alumni.

I feel enormously fortunate that I will have the opportunity to lead Berkeley Law for another five years. My top priorities are to put the Law School on a very stable long-term financial footing; solve our space crisis in the short and long terms; enhance our public mission, including expanding our in-house clinical faculty; continue to recruit and retain outstanding professors; improve the student experience in all of our programs; continue to bolster the diversity and inclusiveness of our students, staff, and faculty; and further engage our alumni and broaden our development efforts.

I always knew Berkeley Law was an excellent law school, but until I came here I did not realize how special it is among educational institutions. There is a unique sense of community among its alumni, students, and staff, and a commitment to a public mission that truly is unique and wonderful.

I am honored and humbled to have been reappointed as dean and am extremely excited for what we can accomplish together in the next five years.

Warmly,

Erwin Chemerinsky

Dean, Jesse H. Choper Distinguished Professor of Law



CHANGE AGENTS:

2Ls Geoff Bacon and Alison Luna, the Curriculum Committee's student members, helped advance the new race and law requirement.

Moving Forward

Starting with the entering J.D. class in August

2023, Berkeley Law students will be required to take at least one two-unit course on how laws and legal institutions shape and are shaped by racism and other forms of systemic inequality.

The faculty overwhelmingly approved the Curriculum Committee's proposal and committed to consistently offering sufficient classes that enable all students to meet this requirement. They also endorsed a commitment, starting in spring 2024, to consistently offer one or more electives introducing students to a range of theoretical perspectives on law and legal institutions.

"No law student can be prepared to practice law in any field without an understanding of the role of race in American law, both historically and today," Dean Erwin Chemerinsky says. "A distinguishing characteristic of Berkeley Law is our public mission, and this requirement sends an important message about our commitment to equality and justice."

The Curriculum Committee began considering such

a requirement in fall 2020, prompted in part by a 19-page student-drafted proposal that was endorsed by 14 student organizations.

"In my view, law too often reflects the preferences of powerful people who want to stay powerful, to the detriment of everyone else. Legal education divorced from this context is, at best, incomplete," says 2L and committee member Alison Luna. "This new development will help a new generation of students think about how the law formed and gather the resources needed to change it for the better."

The committee conducted student and faculty surveys, interviewed expert faculty and staff, and collected data about practices at other law schools. At a May 2021 faculty meeting, it was encouraged to continue exploring avenues for curricular improvement.

"By design, institutions are supposed to be resistant to change," says 2L Geoff Bacon, the committee's other student. "What was most rewarding is that our committee worked with a collective belief that a change to the curriculum was due." — *Andrew Cohen*



Fantastic Fellowship

Daniel Yablon '19 recently nabbed a one-year Bristow Fellowship, one of the nation's most coveted positions for recent law school graduates. Awarded annually by the U.S. Department of Justice, the fellowship enables top lawyers to spend a year working with the Office of the Solicitor General in Washington, D.C.

This year, Yablon and four other legal standouts will draft briefs opposing certiorari filed against the government in the U.S. Supreme Court, and prepare recommendations to the Solicitor General regarding authorization of government appeals in the lower courts.

They will also help prepare petitions for certiorari and briefs on the merits in Supreme Court cases, work on special projects, and help the Solicitor General and other staff lawyers prepare Supreme Court oral arguments.

Yablon has clerked for U.S. Court of Appeals Judges William Fletcher (Ninth Circuit) and David Tatel (District of Columbia Circuit), and for U.S. District Court Judge Alison Nathan (Southern District of New York).

D.C. BOUND: Daniel Yablon '19 will spend a year at the Office of the Solicitor General.

National Impact

The Association of American Law Schools (AALS) kicked off 2022 by affirming Berkeley Law's profound influence across the legal education landscape.

Dean Erwin Chemerinsky began his one-year term as AALS president, Professor Emerita Eleanor Swift received the Evidence Section's John Henry Wigmore Award for Lifetime Achievement, and the Section on Pro Bono and Public Service Opportunities chaired by Field Placement Director Sue Schechter was named co-section of the year.

Chemerinsky becomes the sixth AALS president from Berkeley Law, following Orrin McMurray, William Prosser, Sanford Kadish, Herma Hill Kay, and Rachel Moran. The theme for his presidency — how law schools can make a difference — reflects his belief in law schools' "ability and obligation" to propel change, and that the need for it has never been greater.

Chemerinsky outlined several areas for consideration. They include adding and requiring classes on race and the law and topics such as climate change, urging focused scholarship on pressing societal issues and how to address them, and recruiting more students from underrepresented groups.

Swift, who had a remarkable 35-year career at Berkeley Law, became a top Evidence scholar, an exceptional teacher, and a powerful advocate for clinical education. Just the fifth woman on the school's faculty, she continually mentored women in the classroom and within Evidence law.

"When I started in 1979, women Evidence professors were scarce and undervalued. Now there are many highly regarded women doing innovative teaching and scholarship that is deep and diverse," Swift says. "Everyone is better off as a result."

Schechter has been co-faculty director of Berkeley Law's Pro Bono Program since 2009 (see page 32). Her AALS section launched educational enrichment and law school collaboration projects to more strongly instill the importance of pro bono and public service in promoting the rule of law and securing America's democracy. — *Andrew Cohen & Gwyneth K. Shaw*



WELL REGARDED: Professor Emerita Eleanor Swift, winner of the AALS Evidence Section John Henry Wigmore Award for Lifetime Achievement, has inspired many Berkeley Law colleagues — including Professor Andrew Bradt.

JIM BLOCK (SWIFT)

Redistricting with Data, Tenacity, and New Tools

The decennial process of adjusting California’s boundaries for elected offices rarely draws attention until the line-drawing process begins in earnest. But for Karin Mac Donald and her small but mighty team at Berkeley Law’s Statewide Database, it’s the source of constant effort.

The state’s official redistricting data repository processes information from the U.S. Census, California’s 58 registrars of voters, and other sources to fuel redistricting for city, state, and congressional offices. Tightly scripted state laws and the federal Voting Rights Act impose additional rules.

“Just a tiny bit of pressure if you’re the one-stop shop for every jurisdiction in California,” says Mac Donald, who directs the database.

Redistricting is always tricky, and 2021 presented more hurdles than usual. The Census Bureau released data late due to a protracted dispute over whether to count undocumented residents, and new guidelines were issued for where to place incarcerated people.

An additional goal, to minimize the division of cities, counties, neighborhoods, and communities of interest, prompted the Statewide Database to create an online mapping tool — Draw My CA Community — that was expanded into Draw My CA District. The team also developed a California redistricting plugin for an open-source Geographic Information System.

“The biggest gamble of my career,” Mac Donald says. “We basically became software developers and just kept working out the bugs, almost in real time.”

Mac Donald and her regular trio — Jaime Clark, Seth Neill, and Linus Kipkoech — expanded to roughly two dozen, including UC Berkeley students, during the project. Some staffed a hotline to help users on their mobile devices or home computers, and others worked across six pop-up hubs for people without online access. Thousands used the tools, which were translated into over a dozen languages.

Mac Donald hopes California can be a redistricting process model, one drained of partisan politics and steeped in representative democracy.

“There’s nothing even remotely like this anywhere else in the U.S.,” she says. “This was inventing the wheel, not reinventing the wheel. And it’s made a big difference for all of us.”

— Gwyneth K. Shaw



CLIENT VISIT: Baker and clinic client Evangeline McKilligan (right) shows her appreciation.

Big Help for Small Businesses

Our New Business Community

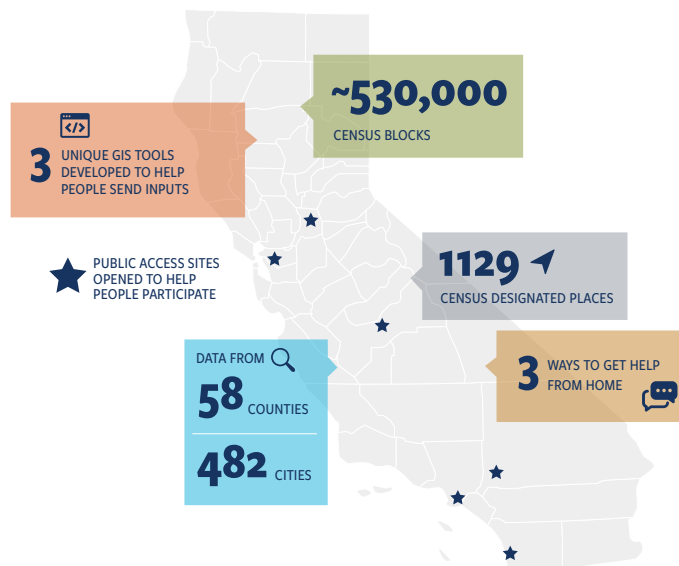
Law Clinic received a \$290,000 grant to expand its free legal assistance to East Bay small businesses.

The Clinic, which helps over 300 such businesses a year owned by low-income entrepreneurs (mostly people of color and women), will offer more consultations, trainings, and webinars in English and Spanish on issues such as COVID-related risks, California’s restrictive contractor laws, and e-commerce.

The grant comes from Wells Fargo’s Open for Business Fund, created to help small business entrepreneurs stay open, maintain jobs, and grow by gaining greater access to capital, technical expertise, and recovery resources. Fueled by the pandemic, nearly 40% of California small businesses were lost between January 2020 and June 2021.

Working in partnership with Immigrants Rising, the clinic will be offering basic training in entity formation, capitalization, hiring workers, and protecting intellectual property to immigrant entrepreneurs, many of whom are undocumented.

During three-hour “legal mercados,” clinic faculty and volunteer attorneys chair four Zoom breakout rooms and offer 45-minute repeating overviews and Q&As for each area. Participants can “shop” for the legal information they need and sign up for individual consultation.





ILLUMINATORS: Margaret Wu '96 (left), Urmila Taylor (center), and Linda Tam '00 bring vast experience to their new roles.

Write Aid

Linda Tam '00 spent two decades advocating for immigrant rights. Urmila Taylor worked 12 years at the U.S. Social Security Administration after starting as a law-firm associate. Margaret Wu '96 also started in private practice before spending 14 years with the UC Office of General Counsel.

A common thread that extended their far-reaching career tapestries: legal writing.

“Writing is the most fundamental of lawyering skills,” Tam says. “When I was a law student, skills-based classes were my favorite. They were also the most helpful classes for my career.”

Tam, Taylor, and Wu are now helping to hone those skills as the newest professors in Berkeley Law’s Legal Research, Analysis, and Writing Program — a 1L curriculum staple and longtime point of emphasis for the school.

“I find it really rewarding to help students learn the

skills and tools they’ll use to become terrific new lawyers while simultaneously learning from them how I can be a better teacher,” Wu says.

The school’s legal writing professors are full-time faculty who bring significant practice experience and teaching chops to the classroom — averaging more than 10 years of teaching per instructor. Working closely with 1Ls in both semesters, they provide highly individualized feedback and routinely develop mentoring relationships.

Taylor ran the Social Security Administration’s federal litigation practice for the Ninth Circuit and the district courts within it. She says her favorite part “was that I also became responsible for training our staff attorneys on legal research and writing” pertaining to the complex regulatory scheme the agency administers. — *Andrew Cohen*

STANDING TALL: (From left) David Fang, Matthew Chung, Harrison Geron, and Walter Mostowy co-authored a nationally prized student paper on net neutrality.



Tops in Telecom Analysis

Class of 2021 grads Matthew Chung, Harrison Geron, David Fang, and Walter Mostowy won the annual Telecommunications Policy Research Conference Student Paper Award. The paper built on a regulatory comment on net neutrality they crafted while students in Professor Tejas Narechania’s Regulated Digital Industries course and filed with the Federal Communications Commission.

“It was cited by other major players in their own comments to the agency, and the FCC even saw fit to respond to the argument that the students made,” Narechania says. “After that, the students kept going, and decided to build on those ideas and turn it into a paper. I met with them a couple times to discuss their ideas, but the work and research is all theirs.”

Still Pursuing Justice

California Gov. Gavin Newsom appointed

Distinguished Visiting Professor and civil rights icon Thelton E. Henderson '62 to the state's Committee on the Revision of the Penal Code. The committee investigates California's legal system to identify areas where its criminal laws can be improved to increase public safety and reduce unnecessary incarceration.

The committee's 2021 Annual Report offered seven main recommendations: strengthen California's mental health diversion law, encourage alternatives to incarceration, expand existing reentry programs, equalize parole eligibility for all offenses, modernize the county parole system, repeal the Three Strikes law, and create a review process for people serving sentences of life without the possibility of parole.

The first Black lawyer to ever work in the U.S. Justice Department's Civil Rights Division, Henderson was a federal district court judge from 1980 to 2017, an assistant dean at Stanford Law School, and a law professor at Golden Gate University. Berkeley Law's social justice center is named in his honor.

KEY INSIGHT: Thelton Henderson, 88 years young, is serving on California's Committee on the Revision of the Penal Code.



ILLUSTRATION BY ARIEL SINHA



On the Record

Our Berkeley Center for

Consumer Law & Economic Justice is off to a great start with its Published Justice Project. Led by staff attorney and Published Justice Fellow Eliza Duggan '16 (pictured above) and joined by a raft of notable nonprofits, the initiative aims to guide the development of consumer law in California.

Most California Courts of Appeal opinions are "unpublished," and therefore lack precedential effect. But the parties or interested observers can request that the court order publication of any unpublished opinion.

Reviewing thousands of opinions, the center has succeeded on 11 of its 18 publication requests, creating over 200 pages of new law. Ranging from tenant rights to solar panel contracts to mandatory arbitration, these decisions — which could not be cited when issued — are now fully citable precedent that will help shape state consumer law.



Passing Lane

Berkeley Law's Class of 2021 likely faced more adversity than any other. They were 2Ls in March 2020 when COVID-19 forced them to transition to online instruction — not to mention the pandemic's many other stressors — for the rest of their legal studies.

"I think we all gained some resiliency and realized we're capable of dealing with more than we may have

"Having spent almost half of our law school careers online, it was almost unreal to gather with classmates." — Jessica Williams '21

NEWLY MINTED:

(From left) Class of 2021 grads Emma Atuire, Armbien Sabillo, Serena Nichols, and Jessica Williams at Berkeley Law's Swearing-In Ceremony.



CELEBRATING:

(From left) Scot Conner, Will Lowery, Isaiah Loya, Dave Blum, Emily Avazian, Ginetta Sagan, Lauren Strauss, and Liz Bramley.

thought we could have a couple years ago," says Army JAG Corps attorney Dave Blum '21.

For many who packed UC Berkeley's Chevron Auditorium on Dec. 14, celebrating a huge achievement — passing the July California Bar Exam — took a backseat to reconnecting in person. Adding to the festive atmosphere: Berkeley Law had the highest first-time pass rate, 95.4%, of any law school in California.

"Having spent almost half of our law school careers online, it was almost unreal to gather with classmates," Cooley trademark associate Jessica Williams '21 says of the ceremony and ensuing reception. "I think if we had been able to see each other's entire face, there wouldn't have been a dry eye in the house."

The audience heard remarks from Dean Erwin Chemerinsky, Berkeley Law Alumni Association President Carly Alameda '06, California Court of Appeal (1st District) Associate Justice Jon Streeter '81, and U.S. District Court (Northern District of California) Senior Judge Claudia Wilken '75. Streeter and Wilken gave the licensing oaths for admission to the state bar and federal district court, respectively.

"I can honestly say without exaggeration that your generation faces challenges as great literally since the inauguration of Abraham Lincoln," Streeter said. "Because I know the level of talent and character assembled here today, typical of Berkeley Law, I'm confident you will meet that challenge." — *Andrew Cohen*

Leading the Way on Corporate Sustainability

Berkeley Law's innovative work exploring how environmental, social, and governance (ESG) questions are — and should be — incorporated into business strategy got a big boost through a recent gift to support research, programming, and student fellowships.

The school was named the first academic partner of the ESG and Law Institute, launched by Paul, Weiss, Rifkind, Wharton & Garrison LLP as an independent forum studying corporate sustainability's most pressing issues. The idea of a more sustainable form of capitalism was a hot topic in the business world — even before the COVID-19 pandemic made the depth of income inequality starkly visible.

"We are proud to partner with the region's premier public university to equip law students with the sophisticated understanding of ESG that they will undoubtedly need in their future practices," says Paul, Weiss Chairman Brad S. Karp.

Berkeley Law Business in Society Institute Director Amelia Miazad '02 developed the school's growing suite

of courses bridging corporate law and social and environmental justice, bringing together companies and experts to share best practices. The institute incorporates the school's public mission into a curriculum that gives students the opportunity to become leaders in building better corporations.

The new gift will award two \$25,000 fellowships to select Berkeley Law students to conduct research and analysis and participate in topical programs and events.

"Our students are increasingly concerned about the role of business in society," says Adam Sterling '13, the school's assistant dean for executive education and revenue generation. "This gift will help scale our platform and provide our students and faculty with additional support as we continue to build the most impactful business law program in the world." — Gwyneth K. Shaw



RACHEL DELETTO (JUDGE)



HOLDING COURT: Haywood Gilliam (left) and Allison Claire '93 enlighten students during the Judges-in-Residence Program.

Judges Pay a House Call

During the fall semester,

California federal district court judges Haywood Gilliam and Allison Claire '93 spent two days meeting with students at Berkeley Law's annual Judges-in-Residence Program. During classroom visits, meetings with student groups, and on Zoom, the judges discussed judicial clerkships (former Gilliam clerks Joan Li '16 and Galen Ages '16 each joined one of those sessions) and their paths to the bench.



TALKING SHOP: Professor Katerina Linos (left), here with Professor Stavros Gadinis, hosts a new podcast on international law issues.

Prime Podcasts

Berkeley Law continues to grow its

podcast network with wide-ranging discussions about legal education, timely topics, law practice areas, and more. Here are five podcasts that recently launched. Listen: law.berkeley.edu/podcasts

“BCLT’s Expert Series”

Host: Berkeley Center for Law & Technology Executive Director Wayne Stacy

Content: Leading law and tech experts discuss impactful current cases and recent decisions

“Borderlines”

Host: Professor Katerina Linos

Content: Global problems in a world fragmented by national borders

“Climate Break”

Host: Center on Law, Energy & the Environment Climate Program Director Ethan Elkind

Content: Short bits of problem-solving and research on key climate issues

“More Just”

Host: Dean Erwin Chemerinsky

Content: How law schools can play a role in solving society’s most difficult problems

“Unscripted Direct”

Hosts: Trial program directors Spencer Pahlke ’07 (Berkeley Law) & Justin Bernstein (UCLA Law)

Content: Discussions geared toward the law school trial advocacy community

No. 1 on the Dean’s List

As the University of Northeastern Philippines’ president and law school dean, Remelisa Moraleda had ample options to advance her own legal education.

“I chose Berkeley Law for my LL.M. degree because it’s the only top-ranked law school that offered a program convenient for foreign practicing lawyers,” she says. “I scoured the top 10 schools for a similar program, but couldn’t find one that worked for my situation being a mother to very young kids. I also found the curricular offerings to be more diverse and relevant in these times.”

When the Philippines’ Legal Education Board required attorneys to have an LL.M. before becoming a law professor or a law school dean, Moraleda pounced on her dream of earning a law master’s degree in the United States.

“There’s an exception for those who were law professors for at least 10 years before the requirement took effect, and I fall into the exception,” she says. “However, I believe in having an advanced degree if one wants a career in the academy, and I felt that I owe it to my students to be an effective professor and law dean.”

Moraleda received her LL.M. in December, spending last summer on the Berkeley campus sandwiched between studying remotely during the spring and fall semesters.

“Aside from the discussions with professors who truly are experts in their fields, I found the opportunities for cultural and social exchange between students from all parts of the globe a great bonus,” Moraleda says. “Berkeley is the best place. There’s so much to see just in and around campus, and the people are courteous and respectful. It was the most enriching and enjoyable summer I’ve experienced in a long time.”

— *Andrew Cohen*

ALEX A.G. SHAPIRO (LINOS, GADINIS)



ALL SMILES: A university president and law school dean, Remelisa Moraleda (center, black coat) happily chose Berkeley for her LL.M. degree.

Charting New Terrain

Ana de Alba '07, nominated

by President Joe Biden to a federal judgeship in the U.S. District Court for the Eastern District of California and expected to be approved by the Senate, is on track to become the court's first Latina judge.

In past interviews, de Alba described sharing a 500-square-foot home with her parents and three older brothers, sleeping on the floor, and not having her own bed until she was 15. She also conveyed how seeing unfair treatment of workers in the fields, while helping her family pick tomatoes in California's Central Valley, motivated her to become a lawyer.

A Fresno County Superior Court judge since 2018, de Alba also spent five years as a partner at Lang Richert & Patch in Fresno, where she focused on employment, business, tort, and construction litigation.

If confirmed, she would join the bench in a district of nearly 8 million people.



PIONEER:
Ana de Alba '07 is on track to make history in the Eastern District of California.



Investigation Alliance

Berkeley Law's Human Rights Center and the UC Berkeley School of Journalism's Investigative Reporting Program recently launched the country's first multidisciplinary investigative reporting course using open source intelligence at a university.

The course will tap into training and skills developed in the center's Investigations Lab, created in 2016, which uses open source methods to discover and verify war crimes. The lab has contributed to a Pulitzer Prize-winning Reuters article on Myanmar, and to reporting by the *New York Times*, *Washington Post*, *Associated Press*, and other publications.

Teaching law and journalism students to use social media and other publicly accessible online material from satellite imagery for investigative reporting, the course brings in top multidisciplinary experts in international law, investigative reporting, and multimedia journalism. Students learn how to gather digital material, weed out disinformation campaigns, find new information sources, and verify the veracity of both photos and videos.

The course also teaches visual storytelling techniques, rigorous fact-checking, and the evolving ethics of investigative journalism in the digital space. In addition, it cultivates practices for addressing second-hand trauma from watching gruesome videos and photos from war-torn countries, and for processing hate-filled language on militant extremist forums.



ILLUSTRATION BY JIALUN DENG



AT THE WHEEL:

Life Sciences
Project leader
Allison Schmitt '15
sees how digital
technology and the
legal system are
driving innovation
in the field.

Booster Shot

The Berkeley Center for Law & Technology adds life sciences to its expanding portfolio

For more than 25 years, the Berkeley Center for Law & Technology has been a hub for the legal and regulatory intersection of the cutting edge — a lode-star for academics, practitioners, and students at Berkeley Law and around the world.

Now, with COVID-19 driving home the importance of breakthrough medical technologies and the biotech industry booming in the Bay Area, BCLT is adding a life sciences initiative to its already robust agenda. The Life Sciences Project will explore intellectual property, innovation, and regulatory issues across myriad products and technologies, from drug discovery to artificial intelligence to healthcare data.

“Life science is not just biotech. It’s health tech, medical devices, and also the social issues around health policy,” says BCLT Executive Director Wayne Stacy. “This life sciences group has become so important.”

He sees the project complementing BCLT’s core pillars — patents, copyrights, and trade regulation; privacy and cyber; technology and societal impact; and information technology — as computer science and biological science become more intertwined.

The idea came from Wilson Sonsini partner and Berkeley Law lecturer Vern Norviel, who has worked with life science companies for three decades. Walking

Crisis Management

to the BART station one day, he passed the special parking spaces that UC Berkeley reserves for its Nobel laureates.

“It struck me that the law school was only a few feet away, and there should be a much better bridge to the rest of the university in the life sciences,” Norviel says.

He and his firm donated to the new initiative, as did fellow project founders Genentech, Gilead, and Weil Gotshal & Manges LLP. BCLT and its faculty directors, including Professors Peter Menell and Robert Merges, also helped bring the endeavor to life.

Allison Schmitt '15, a seasoned life sciences litigator with a Ph.D. in chemistry, leads the project. She calls this a pivotal time for life sciences research and developments in the legal infrastructure supporting it, pointing to the mRNA vaccines developed to combat the COVID pandemic as a telling example.

“We’re now engaging in debates surrounding the proper legal frameworks for protecting those inventions,” Schmitt says. “Startups in the life science space are gaining real traction towards bringing their transformative technologies to fruition, and digital technology is changing the ways in which life science research is conducted and brought to market.”

The project will promote research on where scholars can help move the law forward, expand BCLT’s research agenda to confront ethical and societal concerns around technology, and build a sense of community among lawyers practicing in the life sciences sector.

“That community is important because often they’re going to see problems and issues long before they even surface in the academic world,” Stacy says. “That’s one of the great things Allison will be introducing — to help them really work as a single unit.”
— Gwyneth K. Shaw

Berkeley Law spearheads two initiatives aimed at helping Afghans in danger

For Afghan refugees Zulaikha Aziz '08 and Roya

Massoumi '04, the humanitarian crisis that exploded in their home country last August was excruciating. A Berkeley Law initiative they helped create in response — fueled by students, faculty, and staff mobilizing to launch it at lightning speed — delivered immediate help.

The semester-long Berkeley Law Afghanistan Project focused on two urgent needs: establishing a pro bono initiative to help Afghans resolve legal issues impeding their ability to leave, and preserving evidence of human rights abuses committed by the Taliban.

“It was humbling and overwhelming,” Massoumi says, noting that over 70 Berkeley Law students signed up to help within a couple days of the initiative being announced. “We feel really supported by Berkeley Law and grateful that the school put such effort and resources behind creating this project.”

Faculty member and fellow Afghan refugee Amelia Miazad '02 and other colleagues engaged their contacts in the business and academic world, and Berkeley Law’s Development & Alumni Relations office facilitated fundraising efforts.

Aziz is a human rights lawyer who has spent nearly 20 years working on and off in Afghanistan. Massoumi has had a long career representing public and federal agencies. Each fled Afghanistan as a child with their families in the early 1980s, settled in the United States, attended

RECONNECTING: The safe arrival of Afghan scholar Khwaga Ghani (right) in Berkeley is welcomed by a relative.



New and Improved

Berkeley Law, and joined its International Human Rights Law Clinic.

With family members in Afghanistan and colleagues from religious and ethnic groups targeted by the Taliban, Aziz calls it a “terrifying” situation.

“Some of these people worked for the former government and received threats,” she says. “This was all re-traumatizing for us. Our whole lives were spent dealing with that trauma and legacy of having to flee and not wanting to. That’s why we wanted to provide as much relief as we could as fast as we could.”

Berkeley Law’s Human Rights Center (HRC) also responded quickly to the crisis, launching a program with San Jose State University’s Human Rights Institute and the UC Berkeley Afghan Student Association to bring threatened Afghan scholars to the Bay Area.

The program expects to support 10 Afghan scholars — six at Berkeley and four at San Jose State, as well as their family members — with one-year fellowships. Scholars will have an academic base to continue their work, financial support for travel and housing, and legal help to navigate the complex landscape of visas and work permits.

Khwaga Ghani, the first scholar to come to Berkeley, addressed a reception at HRC.

“I’m just taking my body to a safe place, because my soul had already been wounded and I left it behind me,” she said. “I left the homeland where I belong, where I was supposed to develop and bring changes for the new generation through my work and my stories.”

— Andrew Cohen & Edward Lempinen

— Andrew Cohen & Edward Lempinen



TAKING ACTION: Afghan refugees Zulaikha Aziz '08 (left) and Roya Massoumi '04 helped launch the Berkeley Law Afghanistan Project.

A welcome waiver restores the promise of public service loan forgiveness

Recent changes to a federal loan forgiveness program could be life-altering for Berkeley Law graduates in public service jobs and for students who want to pursue them. Director of Public Interest Financial Support Amanda Prasuhn and Professor Jonathan Glater, who has written extensively on higher education finance and student debt, describe the implications.

After years of operation so botched that the errors

would be comical but for their real world impact, the Public Service Loan Forgiveness (PSLF) program got a much-needed upgrade. It’s more heartening news for many Berkeley Law grads amid the school’s ramped up support for students and alumni pursuing public service (see *Walking the Walk*, page 15).

Intended to cancel repayment obligations for student loan borrowers who spend 10 years in public service jobs, PSLF denied over 95% of applicants in the first years of eligibility. Some students have successfully used the program, including several Berkeley Law grads. But for many public service workers, escaping student debt seemed nearly impossible.

To correct some of its blunders, the U.S. Department of Education announced a new temporary waiver to improve PSLF eligibility and provide relief to students who should have already gotten it. The waiver addresses some choke points in applying for loan cancellation, like the requirement of making 120 payments (10 years’ worth) on specific types of federal loans within certain repayment plans.

The Department now counts payments that may not have satisfied these strict requirements. The waiver alone will benefit over 550,000 borrowers, including an estimated 22,000 eligible for loan forgiveness immediately.

It also greatly expands the definition of a qualifying payment: any federal student loan payment made between October 1, 2007 and October 31, 2022 can qualify for PSLF — regardless of loan type, repayment plan, or if the payment was late or in a partial amount.

These changes are particularly relevant for those who had or still have federal loans through the old Perkins Loans or Federal Family Education Loan programs; have Direct Consolidation Loans; were or are enrolled in repayment plans like Graduated, Extended, or Standard plans; and whose prior payments didn't qualify for PSLF because they were late or not made in full.

All signs point to the Department making more PSLF improvements. They include simplifying the process of applying to cancel indebtedness and broadening access by, among other things, reviewing previously denied applications.

To be evaluated for the waiver, graduates should submit PSLF forms to document all periods of qualifying public service employment.

Some grads may still need to consolidate their loans or switch repayment plans. Instructions and forms are on the Federal Student Aid website. Since the waiver is time-limited, all required actions must be taken before October 31, 2022.

Berkeley Law alums needing help with PSLF or loan repayment can contact the Loan Repayment Assistance Program team at lrapp@law.berkeley.edu.



NOW HEAR THIS: Director of Public Interest Financial Support Amanda Prasuhn and Professor Jonathan Glater spread the word about major Public Service Loan Forgiveness program improvements.

Walking the Walk

Supporting students who want to do public service work is pivotal to Berkeley Law's public mission. Toward that end, the school has greatly increased expenditures to fuel these efforts, spending about \$1.8 million more in 2021 than in 2019. Developments include:

Enhanced LRAP

The annual salary threshold to receive full support from our Loan Repayment Assistance Program (vital for many students pursuing public service careers) **increased from \$70,000 to \$80,000**. Graduates making \$80,000 or less now have no out-of-pocket student loan expenses; graduates making over \$80,000 and up to \$100,000 can receive partial LRAP support.

Summer Fellowships

- 2020: Grants for student summer fellowships **increased by \$1,000**
- 2021: Grants for a second summer of public interest work **increased by \$500**
- 2022: Grants may be supplemented to bring one's **total summer earnings up to \$10,000**

Post-Grad Fellowships

Available to students who have shown a dedication to public interest work during law school, but could not secure outside funding. Berkeley Law has **funded all graduating students** who have applied over the past few years.

Staffing

Over the next two years, the Career Development Office will hire an **additional counselor** and an **additional administrator** to help with fellowships as well as public interest/public sector career guidance.

Public Interest Scholars

A newly created program will award **up to 10 annual full scholarships** to incoming students with a proven commitment to public service who intend to do public interest work after law school.

Power of Procedure

An inspiring alliance helps a domestic violence victim and improves California law

Berkeley Law's core pillars — excellence, public mission, and community — all shined through during a recent pro bono collaboration that brought hope to an abused client and progress to California law.

Alumna Mallika Kaur '10, of counsel at ADZ Law, contacted Professor Andrew Bradt regarding a civil case filed in Napa County on behalf of a domestic violence victim against her then-partner (both from

Georgia) for acts he committed during a trip to California. Although criminal charges were filed against him in California, the court ruled it lacked personal jurisdiction in the plaintiff's case for civil damages.

"Who better to elucidate on the personal jurisdiction issues than Andrew, an expert who has written two casebooks on civil procedure?" Kaur says. "I don't know how he found time for this during pandemic teaching, but I know a lot of people who are deeply grateful that he did."

Believing the ruling was erroneous and that California law needed elaboration, Bradt advised on the case and wrote an amicus brief for the plaintiff's appeal with his student research assistants Jessica Cuddihy '21 and Natasha Geiling '21.

They argued that if someone intentionally commits a harm-causing tort in California, even during a short visit, that person should have to answer for it in the state's courts. The California Court of Appeals agreed, reversing the decision and remanding the case for further proceedings.

"This importantly clarifies the law for many survivors of domestic violence," Kaur says. "Given the interstate and interconnected nature of our lives, coupled with the continuing pervasiveness of intimate partner violence ... we knew the lack of clear case law would be a blow to many future victims seeking civil remedies."

Close friends who met in a bagel line at Berkeley Law orientation, Geiling and Cuddihy tracked how personal jurisdiction is handled in states versus federal court. The brief noted the U.S. Supreme Court's stated reasons for constitutional limits on personal jurisdiction, why those limits didn't apply here, and why the plaintiff's case established required contacts between the defendant and California.

"Personal jurisdiction is both a fundamental and complex topic of civil procedure, something we study as 1Ls but go back to even in more advanced classes," Geiling says. "So the research was both familiar and challenging."

For many students, Civil Procedure — a required 1L course — seems detached from substantive justice. Bradt's teaching emphasizes that "every case is a pro-



cedure case,” and how “mastery of procedure can often be the difference between winning and losing, regardless of the case’s merits.”

“This collaboration really represents the best of Berkeley,” Bratt says. “This is just one case, but it

makes a real difference for a real person and also led to a published opinion that clearly moves our state law in the right direction. It’s just a great example of what our community, and the rule of law, can accomplish.”

— *Andrew Cohen*



IN THE FIELD:
Matt Sardo '23 (left) trains UC Berkeley Army ROTC cadets in platoon operations.

Showing Veterans Some LOVE

A new student-led group confronts barriers for former military service members

When Tyler Baylis '22 arrived at Berkeley Law he wanted to work with military veterans, who can struggle making the transition to civilian life. With no student organization to join, Baylis promptly founded one — Legal Obstacles Veterans Encounter (LOVE) — with fellow veterans Matt Sardo '23 and Blaine Manire '23.

“The rigors of law school can make this transition even more difficult,” says Baylis, a former U.S. Navy Surface Warfare Officer for five years who deployed twice. He founded LOVE to provide aid to the Bay Area veterans community and to give Berkeley Law veterans “an oppor-

tunity to participate in a project that feels familiar.”

One of the Pro Bono Program’s 41 Student-Initiated Legal Services Projects, LOVE is supervised by lecturers Olivia Cole (a California deputy attorney general) and Rose Carmen Goldberg (deputy legal director at the nonprofit Swords to Plowshares). They also co-teach the school’s Veterans Law Seminar and Practicum.

“Veterans law is a burgeoning area with a lot of need but not a lot of advocates relative to other social justice practice areas,” Cole says. “In Berkeley, the rest of the East Bay, and other cities across the country, veterans



ON DUTY: (Left) Tyler Baylis '22 in the Indian Ocean during his Navy service. (Right) Blaine Manire '23 is promoted to sergeant by his unit commander.



experiencing homelessness, mental health conditions, and criminal justice involvement often have nowhere to turn for the specialized and culturally competent assistance they need.”

LOVE’s students are helping Swords to Plowshares develop a guide to assist elderly veterans in navigating their benefits. Over time, the group’s founders hope to expand into client-facing projects that allow students to interact more directly with veterans.

“We received overwhelming interest from veteran and non-veteran applicants,” says Sardo, who has spent 14 years in the U.S. Army (including as part of the elite Green Berets) and teaches UC Berkeley ROTC cadets in small unit tactics and ethics. “We’re humbled by the talented team we’ve built in a short period of time.”

The founding trio’s combined military service is long enough that Manire jokes they must be the most non-

traditional student-led organization on campus. But it also gives them a big advantage.

“Our shared military service emphasizes our ability to lead, develop, and achieve,” Manire says. “These qualities instantly come out when we’re all working together, which makes the process that much easier.”

LOVE is part of what Golberg and Cole call a renaissance for veterans law offerings at Berkeley Law, along with the practicum and two other student-led initiatives, the Survivor Advocacy Project and the Disability Rights Project.

“They deserve a huge shoutout for taking the initiative to create this from scratch during such a tumultuous moment,” Goldberg says of LOVE’s co-leaders. “Despite the challenges of navigating law school during a pandemic, they made time to lead and help others. This is the height of service, and we’re honored and humbled to be a part of it.” — *Gwyneth K. Shaw*

On-Site Assistance

Alumni attorneys give Berkeley Law students a leg up in depositions training



VOID FILLER: Henry Hecht created Berkeley Law’s pragmatic Depositions course.

Years ago, while consulting with law firms to help train their associates, Henry Hecht was asked to create a training program on depositions: how to take them, defend them, and prepare a witness for them. Not wanting to be a “talking head,” Hecht — Berkeley Law’s Herma Hill Kay Lecturer in Residence — designed a learning-by-doing workshop where associates took part in simulated depositions and got pointed feedback.

“Offering a similar course at Berkeley Law was the natural next step,” he says.

There were no offerings on depositions at the time — courses on how to try cases were considered more relevant. But that changed after a major study showed that in 2006 only 1.3% of U.S. district court civil cases

reached trial.

Hecht carefully designed a course where students conduct mock depositions, review them in small groups, and glean insights from both alumni litigators and Hecht. Last semester, nine Berkeley Law grads — including eight of his former students — came to offer pointers.

“Henry’s class gave me real practical experience that pushed me up the learning curve,” says Latham & Watkins partner Jeff Homrig ’01. “I’m deeply grateful for that, and I wanted to help pass that experience along to others.”

Hecht invites litigators from wide-ranging backgrounds to showcase the legal community’s diversity — and the many paths to deposition success. They

Fall Star Lineup

These alumni were guests in Henry Hecht's Depositions class during the fall 2021 semester:

Katherine Benson '08, partner at Lief Cabraser
Mel M. C. Cole '13, shareholder at Littler Mendelson
Tyler Gerking '02, partner at Farella Braun + Martel
Steve Holtzman '89, independent practitioner
Jeff Homrig '01, partner at Latham & Watkins
Bailey Langner '15, associate at King & Spalding
Kaitlyn Murphy '13, San Francisco deputy city attorney
Spencer Pahlke '07, shareholder at Walkup, Melodia, Kelly & Schoenberger
Allen Wang '11, associate at Fenwick & West

emphasize reading cues from witnesses and opposing attorneys, and how to use tone, pace, volume, body language, and personality to influence their behavior.

"As a paralegal and a summer associate, I'd watch lawyers try things during depositions and ask myself, 'Are they really allowed to do that?'" says 3L Jenna Forster. "It was great to learn the rules of the road and what those rules actually look like in practice."

Each semester, Hecht recruits UC Berkeley undergraduates to act as witnesses.

"Preparing witnesses is an important part of deposition practice," he says. "I wanted them to be people my students hadn't met before to make the simulations more realistic."

Hecht also enlists outside student court reporters to transcribe testimony for review, video records his students taking and defending depositions, and meets with them individually outside of class to review their videos, allowing for a deep dive.

"It puts each student in the cockpit repeatedly," Homrig says. "They get used to their role, have to make decisions on the fly, and see what worked and what didn't."

King & Spalding associate Bailey Langner '15 notes that without such a class, a deposition's mechanics — marking exhibits, going on and off the record, having every word recorded — can intimidate new lawyers.

"The experience I got in Henry's class gave me the confidence to take my first deposition as a first-year associate," she says. "In turn, the early successes I had gave the partners at my firm confidence that I could handle myself, leading to additional opportunities."

— *Andrew Cohen*



PREP SCHOOL: Jeff Homrig '01 (top) is one of several alumni who visit the class each semester to guide students such as 3L Nathan Desai (bottom).



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At firms big and small, Berkeley Law alumni rise to the leadership challenge.

BY GWYNETH K. SHAW

Anna Elento-Sneed '83 snagged a dream opportunity just a few years after graduating from Berkeley Law: The chance to work at one of the oldest law firms in her native Hawaii.

The labor and employment lawyer jumped at it — only to find the iconic firm too slow and hidebound for her tastes. A second, newer firm still felt stodgy, at least in terms of adopting technologies that could make practice easier and more effective.

“So I decided, ‘Well, I’ll just have to do it,’” Elento-Sneed says. “I took the whole department with me and set up this firm.”

That firm, ES&A, now boasts seven attorneys — including her two daughters — attracting clients with a full suite of services that often range far beyond legal advice. The firm bridges physical distance and belies its small size with various tech tools, from AI analysis of contracts to making the most of virtual and cloud-based connections.

“We’re much more collaborative than the typical law firm, and partner with different professions for large projects to help clients work through things,” Elento-Sneed says. “We ask clients, ‘What do you want? What do you need help with?’ We can bring in non-legal professionals like accountants, PR people, whatever they need to reach their goal.

“It’s a much more dynamic kind of operation and a very different way of practicing law — challenging and always interesting.”

Elento-Sneed didn’t leave Berkeley Law envisioning herself as the head of a firm. But, like other alumni law firm leaders,

she's found deep fulfillment in pushing the boundaries of what firms should look like, do, and aspire to.

Across the country and around the world, Berkeley Law grads are captaining firms through some of the most turbulent waters in decades. *Transcript* spoke with four of them about how law school guided their path, what it's like at the top of an organization, and how the turmoil wrought by the COVID-19 pandemic might shape firms of the future.

Changing big law culture, one lawyer at a time

Mitch Zuklie '96 went straight from law school into the heady space of Silicon Valley's startup culture in the go-go late 1990s. He's brought that same spirit to Orrick, where he is now chairman and CEO, and its stable of more than 1,100 lawyers in two dozen offices worldwide.

"Leading a law firm, or leading any organization that's

fundamentally talent-driven, is all about creating a sense of purpose, meaning, and connection," he says. "It's important that your team knows how that aligns with where they personally want to go. That's what ultimately, I think, causes people to want to stay at an organization."

Zuklie says the tumult of the past two years, from the pandemic to America's racial justice reckoning, has further driven home that how we act matters, as individuals and collectively. He's tried to push Orrick's culture in new directions to help clients, staff, and even the legal profession itself.

"We're really mindful that the current generation of folks in law school are very skeptical about big law and partnership," he says.

Surveys show roughly a third of law students, and even fewer current associates, want to become a firm partner. To make partnership more attractive, Zuklie says firms must create meaningful experiences for their lawyers, including

(cont. on p. 24)



Two Valley Titans Reflect

Larry Sonsini '66 and James McManis '67 overlapped at Berkeley Law, and on a good day you can drive between their Silicon Valley firms in under 30 minutes. But their experiences have been far different.

Sonsini, a founding partner of Wilson Sonsini Goodrich & Rosati in Palo Alto, is a renowned titan in the corporate governance world and his firm has shepherded some of the Valley's biggest IPOs and deals. McManis has been a

OUT IN FRONT: For decades, James McManis '67 (left) and Larry Sonsini '66 have deftly wrangled with legal issues emerging from the tech industry's exponential growth.



BY DESIGN:
Anna Elento-Sneed '83 cultivated a physical office plan — and culture — to maximize flexibility and morale at her Honolulu firm.

different kind of entrepreneur, building a successful litigation firm, McManis Faulkner, that he jokingly refers to as “a little mom and pop business here in San Jose” — the Shire to Wilson Sonsini’s Mordor.

Despite their divergent paths, both have enjoyed a front-row seat to the tech industry’s explosive growth and all the issues it has raised, from patents and intellectual property to how to manage artificial intelligence.

“You want to build a law firm with an eye on sustainability, and I think it all begins with culture,” Sonsini says. “We focused a lot on entrepreneurialism, diversity, and commitment to a particular plan, which was really to serve the technology industry, while emphasizing a culture of autonomy at the same time.

“That’s been our perspective from an early startup phase to an established law firm (now 17 offices across five countries with about 950 lawyers).

When we started 56 years ago, we had to really build on basic principles, and we’re still doing that today.”

McManis, who founded his firm with his wife (a UC Berkeley alumna) running the business side, likens hanging his own shingle to diving into the deep end of a pool.

“You’ve got to hold your nose and jump in, and if you’re going to be successful, you have to work, work, work,” he says. “My wife and I work seven days a week. You’ve got to be an entrepreneur and a risk-taker, and you’ve got to surround yourself with very good people.

“It’s very satisfying as a firm leader to take your values — what I think are good values, anyway — and pass those on to other lawyers. I think I’ve raised a lot of good lawyers.”

With the technology industry becoming a linchpin of society, Sonsini says, companies are increasingly disruptive as the pace of innovation accelerates. He

foresees both the legal and regulatory spheres continuing to ascend in influence — and careful thinking and cooperation being more important than ever.

“I think we can improve our society with it, but there are going to be times that are even more challenging,” Sonsini says. “I think we’re seeing some of that today.”

While Sonsini and McManis are able to reflect on what they’ve built over more than five decades, they also remain highly engaged. Their commitment to Berkeley Law (both have received the annual Citation Award, the school’s highest honor), the practice of law, and propelling Silicon Valley’s legal landscape remains unwavering.

“People say, ‘Jim, get a life!’” McManis says. “And I reply, ‘I’ve got the best life imaginable.’”

— *Gwyneth K. Shaw*

OPEN MIND: For Orrick Chairman and CEO Mitch Zuklie '96, pushing beyond conventional wisdom is integral to his leadership style.



opportunities to further a balance between their work and home lives — and follow their passions inside their jobs.

“The most important thing I do is try hard to be an innovator in workplace culture, to make it so people are attracted to us and want to stay with us,” he says.

Zuklie has also worked to help Orrick, and the profession in general, diversify its ranks. In 2020, Orrick launched its Racial, Social & Economic Justice Fellowship Program, which sends lawyers to work with social justice organizations for a year at their firm salary. Orrick has pledged to fund five fel-

Flying Solo to Exciting New Peaks

es, Ruky Tijani '14 is a lawyer. And a trademark specialist. And an entrepreneur.

But really, as the founder of Firm for the Culture, she's an elevation expert.

Vaulting social entrepreneurs to a place where they can benefit society. Lifting up small businesses tangled in legal quagmires. Raising the status and number of diverse company founders.

“We help clients avoid legal pitfalls when engaging in social impact initiatives, such as creating innovative ways to provide affordable access to healthcare and devising procedures to

increase voter participation, and changing the world in other meaningful ways,” Tijani says. “I'm proud to have a team combining social impact, intellectual property, tech, and creativity to make this happen.”

Firm for the Culture offers trademark, brand protection, and brand strategy services. It also provides low-cost legal education courses to diverse communities and social impact founders in exchange for clients' purchase of its services, much in the way TOMS® Shoes provides free shoes for people in need in exchange for each purchase.

After working as an associate at Quinn Emanuel in Silicon Valley, Tijani

struck out on her own.

“I wanted to help diverse clients who were changing the world but couldn't afford my services at the hourly rate Quinn provided,” she explains.

Using a flat fee model that allows clients to feel comfortable sharing their stories and experiences without fearing a huge invoice after their sessions, Tijani helps them succeed in both their business goals and internal operations. She also follows up with them about their lived experiences, not simply their legal matters.

During the pandemic, when a client who usually replied quickly to email lagged in responding, she reached out and learned that one of the client's closest family members had died from COVID-19.

“When I heard this, I did not think twice about scheduling a client session at no additional cost. Essentially, the

lows in each of the next three years.

Fellow Max Carter-Oberstone, an associate in Orrick's San Francisco office Supreme Court and Appellate Practice, recently joined the San Francisco Police Commission after a stint at New York University's Race and Policing Project.

"That's exactly what we want people to be able to do with this program," Zuklie says. "It strengthens our firm, allows us to add talent and a great partnership, and makes us more relevant to our community, which is awesome."

Another partnership, with an alternative legal services provider focused on innovative talent management solutions, aims to expand access to the firm's ranks.

"If we're going to change the way our profession looks, we need to find a way to identify talent from a much larger pool — and then make sure we're

client and I spent the session discussing ways the client could engage in self-care," Tijani says. "In the end, the client not only successfully registered their trademark, but also took time to work on healing so they could be a better business owner."

Tijani oversees a paralegal and other team members who handle daily operations, and outsources staffing help for bookkeeping, updating systems, and related functions. A 2021 Tory Burch Fellow, she says she's getting the help needed to scale her business exponentially without diminishing the quality of its offerings.

For Tijani, "Having clients who truly trust us is what makes this work so meaningful." — *Andrew Cohen*

STEPPING OUT:

Ruky Tijani '14 leaned on her training and intuition in launching Firm for the Culture.



SOUND STRATEGY:

Daralyn Durie '92, who won three major trials over the second half of 2021, says law firms “have a lot to learn from businesses.”



investing in that larger pool with resources that enable folks to meet their potential and succeed,” he says. “Every day, we’re rethinking our talent model and trying to learn from what other great firms and other great clients are doing.”

Great litigating makes good business

Within a few days of starting law school, Andrés Rivero '86 knew he wanted to be a litigator, thanks largely to the inspiring teaching of renowned Professor Caleb Foote.

“Foote was just a legend. I immediately knew I wanted to do criminal litigation, I wanted to be a federal prosecutor, I wanted to try cases,” Rivero says. “And I did everything you could do in law school to get there.”

That included Berkeley Law’s Moot Court team and James Patterson McBaine Honors Moot Court Competition (he was a finalist but still smarts over not winning), an internship in the San Francisco U.S. Attorney’s Office, and a spring break program through the National Institute of Trial Advocacy.

After law school, Rivero thought about staying in California, or moving to New York. But ultimately, he chose to go home to Miami and his Cuban-American roots.

It turned out to be a smart choice: Between drug trafficking and white-collar crime, 1980s Miami was a federal prosecutor’s dream. After a couple years at a big Florida firm, Rivero

got his coveted job as an Assistant U.S. Attorney in the Southern District of Florida.

After another round at the big firm, he realized that he still loved trying cases, but wanted to do it in a more streamlined, nimble way. He and a partner opened Rivero Mestre in 1998; the firm now has 20 attorneys in Miami and New York.

“I just love having my own law firm,” Rivero says. “It’s strictly litigation, and I still enjoy it. We just finished a federal jury trial that lasted six weeks, and it’s still as much fun as it was when I was 26.”

Over the years, his firm has built a strong stable of clients in Central America, South America, and Florida. Recently, Rivero Mestre began litigating cryptocurrency cases, including a \$600 million suit involving Bitcoin’s inventor that required four years of intense litigation.

“One huge advantage of being in a small setting is that we can do what’s essentially bespoke litigation,” Rivero says. “We’re extremely agile — we changed our model four times in 13 years. We’re willing to turn on a dime.

“I think the most important thing is knowing what you’re about. That lets you shift rapidly when you need to.”

Rivero Mestre is stocked with Spanish- and Portuguese-speaking lawyers, a big cultural advantage in South Florida and Latin and South America. The firm also tossed the

practice of laying out billable hour requirements, which are commonplace at bigger firms.

“I know we’re never going to motivate people with a requirement,” Rivero says. “Without one, we’re really focused on being as efficient as possible for the client.”

With Florida’s regulations potentially changing to allow non-lawyers to run firms, he anticipates another shift in his market. Lean and nimble is a prime position for success, Rivero says — just as smaller animals outlasted the giant creatures of bygone eras.

“I think there will be dinosaurs and there will be rodents,” he says. “I hope to be one of the rodents.”

Designed for maximum impact

The flexibility Rivero prizes also worked in Elento-Sneed’s favor. When she set up ES&A, she went for an office plan that prioritized flexibility, both within the physical space and for employees.

“I wanted to make sure we could have true work-life balance,” she says. “We used technology so that if, for example, you needed to stay home because your kid is sick, you could actually just log in from home and work once the kid was asleep. The technology means that we’re not limited to only being in the office.”

The office itself is a Silicon Valley-style plan, with conference rooms for client meetings and more free-flowing “islands” of bench-like stations for the rest of the time. When the pandemic hit, Elento-Sneed says, “all that happened is we went home.”

“It was pretty seamless, because it’s a setup we were already using,” she says. “The flexible model is great not just for the younger lawyers — it works for the older ones as well, because they have to care for elderly parents.”

“It really does increase productivity. You can concentrate when you need to, and if that means you’re working at 1 in the morning, that’s your schedule. Clients know we’ll work hard for them, and everyone in the firm understands how to do that.”

Small firm, big influence

Like many of the other leaders, Daralyn Durie ’92 didn’t set out to lead a firm.

“The founding came first and the leadership came second,” she says of Durie Tangri, her San Francisco-based intellectual property firm. “We were a group of Berkeley alums who had gone to law school together, and thought it’d be really fun to start a firm together.”

After Durie Tangri was born, Durie and her colleagues started “thinking hard about what a law firm in the 2000s should be.” They borrowed ideas from the startup culture that both surrounded them and forged the core of their patent and intellectual property business.

The ability to start from scratch, without the trappings of a legacy firm, gave them options ranging from the decidedly mundane (no paper file room) to a then-unusual law firm office plan (tiny offices to force collaboration).

How the firm was organized, physically and conceptually, became part of its business model.

“I think law firms have a lot to learn from businesses, including how you invest people in an enterprise and get them to think about their careers contextually,” Durie says. “I feel like a lot of lawyers in more conventional firm settings really think about what they’re doing in a relatively siloed way.”

By contrast, she says, “How we felt when we started is partially because we were all longtime friends. There was a stable



AGILITY 101: Miami lawyer Andrés Rivero ’86 links the success of his firm to its adaptability and willingness “to turn on a dime.”

base there to allow us to think about things in a slightly more exploratory way, and to follow the impulse to do things differently — break the model a little bit.

“That became its own leadership piece.”

There was a learning curve, Durie admits, because the skills that make a great lawyer and the skills of a great leader often seem fundamentally in conflict. A lawyer works to persuade, she says — a jury, a judge, a client — but in pursuit of a decision, rather than a more in-depth analysis.

“At a law firm, you want people to make investments in the firm and in themselves, and figure out how to be the best lawyer they can be. That’s really a much more multi-dimensional thing about the kind of person they want to be, the kind of professional they want to be,” Durie says. “And that requires understanding people’s motivations and desires in a much deeper way.”

Boutique firms like Durie Tangri, which has three dozen lawyers, can offer students an alternative to what some see as a binary choice between private practice and public interest law. Durie, who teaches at Berkeley Law and spends a lot of time with students, says they don’t have to make such a stark choice when smaller firms offer opportunities.

“There are plenty of firms out there, like ours to some extent, where people have made a pretty explicit set of choices and profit maximization isn’t the main driver of their professional life,” Durie says. “You’ve got to interrogate what it is that you want, both in terms of money and what you love to do.”

Parsing the future

These leaders move toward the next horizon — establishing what post-pandemic norms will look like and which temporary adjustments may become permanent. Some will center on flexible or remote work, Rivero says, as employees realize they can live outside of traditional big law hubs.

“That’s something I think young people should consider,” he says. “I love New York, it’s a fantastic city. But there are other cities that are going to be very important in the future.”

Other lessons are more philosophical. Both Durie and Zuklie say law firms have a lot to learn from entrepreneurs about experimenting with new ideas and collaboration. Teamwork is something they took away from their time at Berkeley Law, and continue to emphasize.

“No one individually leads a law firm — it’s definitely a collection of people,” Zuklie says. “I feel really lucky that I do it with an extraordinary group of folks who are fun to work with every day, trying to do incredibly great work for clients, and trying to leave the organization stronger than when we inherited it.

“The most important skill for a leader is listening. And that’s what we try to do.”

Three’s Company

They heard all the warnings: Don’t mix work and friends. Don’t start your own firm without ample experience. Don’t offer new hires too much flexibility.

So how have former Berkeley Law roommates Ryan Shaening Pokrasso, Hash Zahed, and David De La Flor flourished at SPZ Legal? By ignoring them.

“Having these strong friendships that



predate the firm allows for more honest conversations,” De La Flor says. “We all truly want nothing but the best for each other. When you’re growing a business together, knowing you have that support behind you is invaluable.”

After graduating in 2013, Shaening Pokrasso and Zahed took one-year fellowships. Toward the end of his, Shaening Pokrasso felt “dissatisfied” with what he saw as the two traditional options: a lucrative big law job that doesn’t always involve engaging subject matter, or a public interest job that generates more passion but less money.

“It felt like a false dichotomy and that there’s a third option where you can

make good money, have a large impact, feel strongly about your work, and have some balance in your life,” he says.

His parents both own businesses, and Zahed’s father was an entrepreneur. Eager to help startups create social change, they took their own leap and launched Elevate Law and Strategy, later rebranding it SPZ Legal.

There were abundant challenges, especially convincing clients to enlist their services without much experience to offer. They took on small projects, and attended countless events to build their professional network.

“Now we take on much more sophisticated matters and are more intentional

about working with mission-focused companies looking to have a positive impact in the world,” Zahed says.

“While we’ve come a long way since those early days, we’ve kept our hustle mentality and make it a point not to take anything — especially our clients — for granted.”

After De La Flor transitioned from litigation to transactional work in South Florida, his old roommates reached out about moving back to California and joining them on SPZ’s leadership team.

“I knew it would allow me to focus on the type of work I love,” De La Flor says. “More importantly, being able to work with two of my best friends to grow a firm and mold it in our vision was an opportunity I couldn’t pass up.”

Advising on corporate governance, mergers and acquisitions, commercial contracts, and financings, SPZ works with startups worldwide in industries ranging from financial technology to education to consumer goods. Positive results and a fully remote-work model helped the firm add three lawyers and two paralegals from across the country last year.

“I went to law school because I wanted to develop a tool to expand the impact I could have in society,” Shaening Pokrasso says. “Working with social entrepreneurs really fits that ideal. I think they definitely appreciate having a legal advisor who is mission-aligned and sees the world as they see it.”

— *Andrew Cohen*

BACK TOGETHER: Former Berkeley Law roommates and 2013 grads Hash Zahed (left), Ryan Shaening Pokrasso (center), and David De La Flor now lead SPZ Legal.



The Power of Pro Bono

There may be no stronger unifying thread among Berkeley Law's extraordinarily diverse students than their commitment to pro bono work. With more than 28,000 collective hours logged last year, such work is viewed not merely as part of their law school experience, but as an essential one.

That ethos permeates the Berkeley Law landscape, from faculty who dive into wide-ranging pro bono cases to alumni lawyers who help supervise student projects to senior administrators who have significantly increased staffing, resources, and funding for the school's Pro Bono Program.

Bringing vital services to underserved populations, these efforts produce more equitable access to the legal system — be it working to prevent gun violence, protect a tribal community's cultural property, increase access to clean energy, secure housing for low-income tenants, or dozens of other endeavors. Here are some pro bono standouts and how they serve the school's public mission.



ASUNCIÓN HAMPSON-MEDINA '22

Coming from a background with Indigenous and Mexican heritage, Hampson-Medina wanted to serve his communities in law school in ways he never could before. Participating in the Workers' Rights Clinic, working as a project leader at the Native American Legal Assistance Project, and co-chairing the Native American Law Students Association satisfied that wish. "The work, both researching and speaking with clients, is extremely fulfilling and has led me to pursue Indian Law the rest of my career," he says.

Hampson-Medina has relished advocating for communities of color in ways that may change their lives — and those of their future generations. "It is inspiring that we're able to help people in our capacity as students and it makes the law school experience significantly more gratifying," he says. "I chose to come to law school because I wanted to help people, and my experience with pro bono work has only strengthened that sentiment and will remain central to my work throughout my career."



JAMILAH MCMILLAN '24

The national runner-up in BARBRI's One Lawyer Can Change the World scholarship competition, McMillan "witnessed how the criminal justice system disproportionately impacts Black and Brown people" after a family member was incarcerated. She went to law school to pursue a career helping low-income communities get adequate representation. "I thought doing pro bono work would keep me grounded and constantly remind me of my purpose for being here," she says.

McMillan volunteers with Berkeley Law's Tenants' Rights Workshop, which strives to keep area residents safely housed. She also worked with the Berkeley Law Afghanistan Project, which offered legal support to people fleeing persecution in Afghanistan, supported women's legal rights advocates there, and documented evidence of human rights violations. "Helping a client work through the process to submit an Afghan loved one's asylum packet was definitely a meaningful moment for me," McMillan says. "I learned so much about being an advocate."

Pro Bono Program Leaders



**DEBORAH SCHLOSBERG,
DIRECTOR**

Schlosberg has elevated the Pro Bono Program to great heights since becoming director in 2018. More than 90% of Berkeley Law students participate in pro bono work, and have an ever-growing list of options from which to hone their legal talents and help their clients. Having also been a lecturer and the school's director of student advising, she knows how Berkeley Law students are wired.

"They understand that the legal system is one all should be able to access," Schlosberg says. "They arrive here ready to partner with the community and use their growing skills to serve others and the issues they care about deeply." Seeing the program as a bridge to the community — and students who take seriously the trust supervising attorneys put in them to work with clients — she appreciates their proactive approach. "While our students are soaking up the law and learning in their classrooms, they're also taking action," she says. "They're eager and don't want to wait until they graduate to make a difference."



**PROFESSOR DAVID
OPPENHEIMER, CO-FACULTY
DIRECTOR**

Oppenheimer sees pro bono work as a crucial reminder of just how powerful the law can be. As co-faculty director, he helps coordinate myriad hands-on options for students that resonate with their passions and deliver much-needed assistance to those in need. "I think what distinguishes Berkeley is that while many schools have a pro bono requirement, we have a pro bono culture," he says. "That means students who arrive here and don't already know that they want to do pro bono work quickly realize it's part of the Berkeley Law experience."

For Oppenheimer, making that experience available the moment students set foot on campus is a fundamental part of what sets Berkeley Law's Pro Bono Program apart from other top law schools. "Most of our students do enough pro bono work as 1Ls to earn Edley grants (\$6,000 stipends) for their first summer," he says. "That enables them to take unpaid public service summer jobs, provide vital legal assistance, and gain valuable experience."



**SUE SCHECHTER,
CO-FACULTY DIRECTOR**

Serving as co-faculty director with Oppenheimer since 2009, Schechter has relished seeing more resources funneled to the Pro Bono Program in recent years. She provides wide-ranging support for Schlosberg's multi-prong efforts to develop new endeavors and opportunities for students to help them collaborate, learn from each other, and strengthen their initiatives.

As Berkeley Law's Field Placement Program director, Schechter has long seen how students care deeply about access to justice issues. "They were already doing pro bono work on their own; we saw a responsibility to support them as they strive to address pressing legal needs in our communities," she says. "If we do not expose students to the fact that a large percentage of people who need legal services cannot afford a lawyer, what hope is there for the profession and the rule of law? As a public institution, we have a responsibility to educate our students about this crisis and to provide opportunities so they can go out and do the work."

BRITTANY HOSEA-SMALL (OPPENHEIMER); RACHEL DELLETTO (SCHECHTER); DARIUS RILEY (SCHLOSBERG)



EUNICE LEE '22

Lee co-leads the Food Justice Project and Homelessness Service Project. With the FJP, she assists students who were denied CalFresh benefits with the appeals process — conducting interviews, coordinating with a supervising attorney, and relaying legal information and advice. “There are too many barriers involved in navigating different programs and resources that are supposed to be available as social safety nets,” Lee says. “Doing this work and making life easier for someone is the least I could do with this privilege of being a law student.”

With the HSP, Lee helps unhoused and low-income area residents navigate the legal system. Students identify key issues from intake interviews, then direct clients to relevant legal information and resources that may assist them. “Pro bono work is a way to facilitate access to legal resources regardless of socioeconomic status or income, and to do what I can to make sure that people’s basic needs are being met,” Lee says. “That shouldn’t be controversial.”

WILL MORROW '22

Co-directing the Gun Violence Prevention Project, which provides legal and policy research for two major nonprofits, Morrow “became involved because I’ve personally seen the pain that our nation’s gun violence crisis has caused.” Between 2012 and 2020, the father of a close friend was killed in a mass shooting at his business, a grade school classmate lost his stepmother from a reckless police shooting, and a college friend was killed in a random drive-by shooting. “This work provides a tangible opportunity to uplift the humanity of gun violence victims and advocate for legal change to better our communities,” he says.

For Morrow, who also volunteered with the Digital Rights Project, pro bono work offers a chance to delve into pressing and timely legal issues and positively impact historically alienated communities. “I elected to attend Berkeley Law, over other law schools in significant part, because of its sterling reputation for pro bono legal assistance for social justice causes,” he says.



BRITTANY HOSEA-SMALL (BRADLEY)

BROOKE D'AMORE BRADLEY '23

Bradley co-leads Berkeley Law's Reproductive Justice Project, assists the Human Rights Center's legal investigations team, and has monitored social media for election-related voter misinformation for Common Cause. She also participated in a virtual Berkeley Law Alternative Service Trip (BLAST), helping the Georgia Asylum Immigration Network by conducting intake calls with potential clients seeking asylum or T visas, completing Temporary Protected Status applications, and researching country conditions to write reports corroborating witness testimony.

"My father learned from his mother and then passed along to me that if my life were to be of any meaning, it had to be in the service of others," says Bradley, who before law school worked mainly on child welfare and public education systems. "In recognition that my legal education is a privilege that allows me access to and knowledge about inaccessible legal systems, I see pro bono work not as an option for myself but as a requirement."

From nonprofits and government agencies to law firms and businesses, alumni bring Berkeley Law's pro bono ethos into their careers. They spearhead cases, strive to create more equitable access to the legal system, and support the school's vast pro bono efforts. Just one example: alumni at Crowell & Moring, who last year created a fund to help students engage in meaningful client service assisting community organizations as early as their first semester. These four lawyers helped steer that effort.

GREG CALL '85

Call often sees how extensively pro bono legal services are needed, "from immigration and housing to criminal justice and voting rights," and how people frequently can't afford to pursue them. Given that many Berkeley Law graduates become courtroom lawyers, he says, "It offered the opportunity to not only provide financial support, but to also share our experience in courtrooms and hearing rooms."

JENNIFER ROMANO '97

Romano works often with the firm's associates on pro bono matters. Her teams have helped gain asylum for a client at risk of persecution in her home country, enabled a Head Start preschool to hold onto its lease, and converted a sentence for a client convicted to life in prison as a minor. "Some of my proudest legal achievements have come from helping pro bono clients assert their rights in court," she says.

JACOB CANTER '18

As a law student, Canter worked extensively on election law and advocacy. "The projects were impactful and I learned valuable skills," he says. "Berkeley Law was very supportive of these efforts — financially, administratively, and culturally. I still use those skills, and my pro bono interests still run toward work that promotes and protects U.S. democratic processes."

KEVIN CACABELOS '20

Cacabelos and others from his firm led a fall oral advocacy workshop for the Pro Bono Program. "As a student, I always found it valuable to learn from practicing lawyers," he says. "I think it's important for students to know that they have the ability to grow into a fierce advocate, and that they can begin that journey while in law school by serving pro bono clients."

JIM BLOCK (CROWELL & MORING)



TAL RATNER SOLOVEY '22

Ratner Solovey and other students in Berkeley Law's Consumer Advocacy and Protection Society drafted a comment against a proposed U.S. Department of Housing and Urban Development rule. The proposed rule would have made it more difficult for tenants to win discrimination complaints against their landlords, lenders, insurers, and others. Having worked at the the U.S. Department of Justice, Ratner Solovey wanted "to support consumers who don't have the same lobbying power as the groups who would have benefited from the rule change."

He also helped people complete their citizenship applications as part of the San Francisco Pathways to Citizenship Initiative. A particularly memorable moment was when he assisted an elderly woman who only spoke Chinese. "She had a translator who helped us communicate, but when we wrapped up the process she thanked me directly, without the translator," Ratner Solovey recalls. "I was so happy to help her. I'm an immigrant myself, and wanted to help other folks who were on the same journey."



BRITTANY HOSEA-SMALL



ANNABELLE WILMOTT '22

As a 1L, Wilmott proposed the Arts and Innovation Representation project. The following year, Berkeley Law students began researching the suppression of artistic freedom to assist the Artistic Freedom Initiative, and providing direct client services to artists (under attorney supervision) in partnership with California Lawyers for the Arts. “Artistic freedom is a big interest of mine,” she says. “I noticed there were no art-related Student-Initiated Legal Services Projects at the school, and I wanted to address that gap.”

Wilmott also volunteered with Contra Costa Public Defenders and with the La Alianza Workers’ and Tenants’ Rights Clinic. Pursuing a public interest career, pro bono work was a given. “In law school, that work has humanized abstract legal principles,” she says. “It taught me how to be an effective advocate by addressing my own blind spots. It shaped my career by allowing me to diversify my skill set. Most of all, it showed me how I can use the law as a vehicle for change to benefit marginalized communities.”

ELARIA YOUSSEF '22

While co-directing Berkeley Law’s chapter of the International Refugee Assistance Project, Youssef facilitated initiatives aimed at supporting people seeking refuge or asylum. Recently, she co-launched the DA Accountability and Participatory Defense Project, which supports the Urban Peace Movement’s court watch program and other campaigns. “It’s been among my most fulfilling law school experiences,” she says. “We’re able to humanize clients in a system that’s adamant about stripping it away from them.”

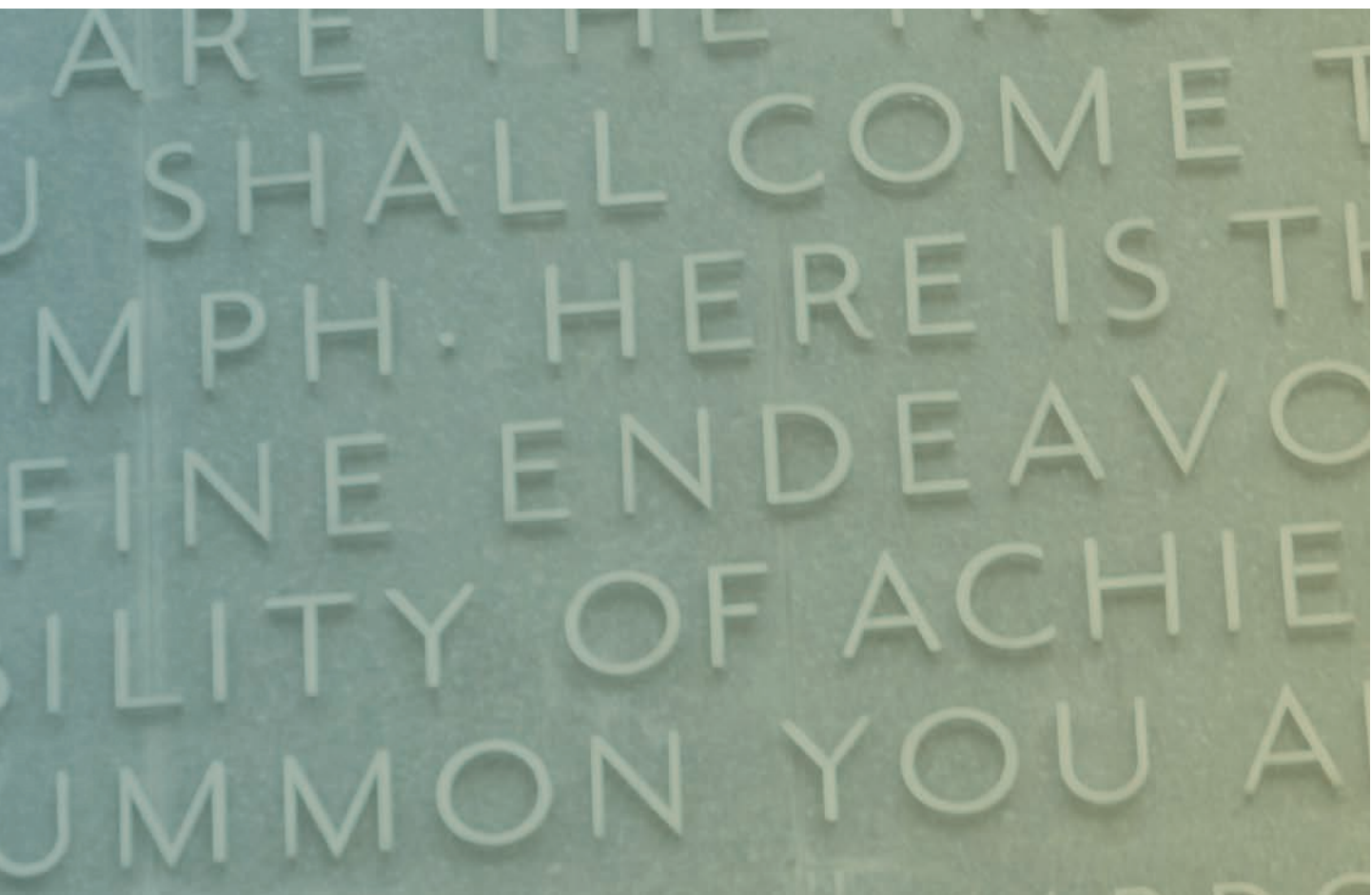
Youssef has also worked with the Death Penalty Clinic and the East Bay Community Law Center’s Clean Slate Clinic. While she’s dismayed by the criminal legal system and American jurisprudence more broadly, that certainly hasn’t dampened her resolve. “I hold the Mariame Kaba quote, ‘Hope is a discipline’ very near to my heart,” she says. “While I understand that the revolution will not be litigated, I remain hopeful that by knowing my place in the movement, I can contribute to envisioning a future that’s oriented toward true justice.”

CHEYENNE SMITH '22

Smith worked with the Youth Advocacy Project throughout their 1L year. As a 3L, they helped launch and lead the DA Accountability and Participatory Defense Project with Youssef. “I’m committed to the abolition of the prison industrial complex and want to contribute the skills I’ve learned in law school to support that movement,” they say.

For Smith, witnessing firsthand the benefits of working directly with community-run organizations has been inspiring and instructive. “Far too often, lawyers center themselves when we should let the community lead movements that center their own needs,” they say. In addition to providing needed legal assistance and knowledge, Smith notes that Berkeley Law’s pro bono approach emphasizes “how to contribute our legal knowledge without inflating our importance in the movement to demand accountability from state actors whose actions devastate Black and Brown communities. I’ll carry these lessons with me throughout my career.”





Leadership Renewed

Dean Erwin Chemerinsky is eager to build on his success during a second five-year term.

BY ANDREW COHEN

“From the very first day of orientation, Dean Chemerinsky made it clear that students and their experience was his No. 1 priority.”

— Jameson Davis, 3L representative for the Student Association at Berkeley Law



At times, the descriptions of Berkeley Law Dean Erwin Chemerinsky seem wholly contradictory. Colleagues joke that he’s a machine, that no human could write so many books, op-eds, and articles; answer so many emails, phone calls, and letters; and lead so many organizations, initiatives, and committees. But they’re also quick to note his humanity, and how it drives a leadership style that fosters mutual respect, high morale, and inspiring results.

On Jan. 5, UC Berkeley announced Chemerinsky’s appointment to another five-year term, enabling him to build on his impressive record since becoming dean in July 2017.

“Erwin combines a superhuman capacity for hard and brilliant work with an extraordinarily humane attitude toward everyone with whom he interacts,” says Professor Molly Van Houweling, Berkeley Law’s associate dean of J.D. curriculum and teaching. “I’ve never met anyone more capable and kind, nor fully appreciated before how rare and wonderful it is for those characteristics to be combined in a leader.”

The most frequently cited American legal scholar according to a study of legal publications between 2016 and 2020, Chemerinsky has been named the most influential person in legal education in the United States by *National Jurist*. In January, he started a one-year term as president of the Association of American Law Schools (see *National Impact*, page 4).

During his four-plus years as dean, Chemerinsky has helped Berkeley Law markedly improve its financial stability and student diversity, expand its faculty ranks and experiential offerings, and increase resources for students and recent graduates pursuing public interest careers.

“It has been a tremendous honor and pleasure,” he says. “Berkeley Law is a unique and special institution. By every measure, it’s an excellent law school and distinguished by an unwavering commitment to public service and an extraordinary

community. Despite some major challenges, I believe the law school has gotten stronger and better over the last four years.”

Excellence across the board

Berkeley Law was a top law school when Chemerinsky arrived after serving as UC Irvine Law’s founding dean from 2008-2017. But it had four deans and interim deans over the previous four years, creating difficulties in administration and coordination among parts of the school.

“The law school had been through some hard times, and a key objective in my first couple of years was to improve morale,” he says. “The culture of any institution is the product of many choices, and concrete steps were taken to enhance transparency, collaboration, and community.”

Chemerinsky instituted biweekly meetings of senior administrators; gave detailed budget presentations to faculty, staff, and students; conducted annual meetings with staff in each department; created faculty-staff committees for crucial tasks; and held regular town halls and faculty events. A survey of climate among staff before the COVID-19 pandemic showed major improvement over what it had been before Chemerinsky’s arrival.

Under his watch, the median LSAT score for Berkeley Law’s first-year class rose from 167 to 169, the faculty added 16 new members with sterling credentials, and the Clinical Program and LL.M. Program expanded significantly.

“The chance to be a part of this diverse, vibrant, and growing scholarly community was an honor for me,” says Professor Abhay Aneja, hired in 2019, who studies how legal institutions affect economic and social inequality. “Even though my research projects tend to be somewhat different in method and subject matter from many on the faculty, Erwin always supports junior scholars who are trying to think about social problems in new ways.”

Vigilant about advancing the school’s public mission, Chemerinsky also steered important increases in scholarships.



WELCOME WORDS: Chemerinsky addresses new LL.M. students during their orientation.



FIRST IMPRESSION: Berkeley Law community members chat with Chemerinsky at his welcome breakfast in 2017.

Financial aid for J.D. students more than doubled from under \$10.8 million the year he arrived to more than \$22 million this academic year.

“From the very first day of orientation, Dean Chemerinsky made it clear that students and their experience was his No. 1 priority,” says Jameson Davis, 3L representative for the Student Association at Berkeley Law. “Throughout the turmoil of the pandemic, he has been as transparent as possible and done everything in his power to make sure that students continued to receive an exceptional education.”

For his new term, Chemerinsky cites several key priorities: putting Berkeley Law on a very stable long-term financial model; resolving space shortages at the school; enhancing its public mission, including expanding in-house clinical faculty; continuing to recruit and retain outstanding professors; improving the student experience; and continuing to bolster the diversity and inclusiveness of students, staff, and faculty.

Financial footing

In the years before Chemerinsky’s arrival, there were several rounds of significant budget cuts and layoffs. During his four years at the helm, there have been no layoffs — and the school has restored most of what was previously cut.

In addition, Berkeley Law has increased funding for public interest fellowships by over \$1.5 million in the last two years. It has also upped expenditures for its Loan Repayment Assistance Program, Pro Bono Program, and graduate student fellowships in its Jurisprudence and Social Policy Program (see *Walking the Walk*, page 15).

The unexpected jolt of the pandemic in March 2020 posed a major threat to Berkeley Law’s finances. Revenue decline from reduced LL.M. Program enrollment, campus budget cuts, and lower UC funding for law school public interest programs created a loss of \$12 million in revenue compared to the prior year.

RACHEL DELETTO

Under His Watch

Erwin Chemerinsky, recently reappointed as dean, has been named the most influential person in legal education in the United States by *National Jurist*. The most frequently cited American legal scholar according to an in-depth study of legal publications between 2016 and 2020, he is also this year’s Association of American Law Schools president.

Chemerinsky’s impact at Berkeley Law since arriving in 2017 extends throughout the school.

- Median LSAT score for the incoming 1L class up **from 167 to 169**
- **16 new faculty members** with sterling credentials hired, including 9 people of color
- J.D. financial aid up from under \$10.8 million per academic year to **over \$22 million**
- Funding for public interest fellowships **up by over \$1.5 million** in the last two years
- Largest percentage of **women students (over 60%)** at any top 20 law school
- Number of Black 1Ls up **from 12 when he arrived to 43 this year**
- **Increased expenditures** for the Loan Repayment Assistance Program, the Pro Bono Program, and graduate student fellowships in the Jurisprudence and Social Policy Program
- A **budget surplus** at the end of the last fiscal year even though Berkeley Law projected a \$3 million deficit the previous summer

Chemerinsky took several strategic steps to mitigate the situation without compromising the school's programs. Although Berkeley Law projected a \$3 million deficit last summer that it planned to cover from reserves, it ended the fiscal year with a small surplus.

"We accomplished this without any staff layoffs or cuts in our educational program," Chemerinsky says. "We project the current fiscal year being substantially better and being on solid financial footing for the years ahead."

Expanded engagement

During the pandemic, Chemerinsky worked to build community in several ways. He created a weekly virtual lecture series on legal issues arising from COVID-19 that regularly attracted more than 150 attendees, which then became a weekly series on race and the law.

Chemerinsky also helped launch a weekly interview series of judges and prominent lawyers that continued through 2020 and continued with less frequency last spring. He held regular town halls — daily for several weeks, then twice a week, and now weekly — making announcements and taking questions.

Chemerinsky writes detailed quarterly letters to alumni and regular written messages to the broader law school community. He also holds tailored town halls with staff, 3Ls, LL.M.s, entering students, and returning students, and schedules a 30-minute meeting with every faculty member at the end of each semester.

"There are so many things to say about Erwin's wonderful leadership," says Berkeley Law Alumni Association Co-Vice President Cara Sandberg '12. "I've particularly appreciated his enthusiastic support of ideas and suggestions from the alumni community. He has empowered us to implement new alumni engagement initiatives and provides helpful support and feedback."

Chemerinsky helped bolster the school's development efforts, resulting in programs that include regional alumni chapters, a Dean's Leadership Circle that requires a multi-year gift, and

ramped-up engagement with current students through the Berkeley Alumni in Residence program.

Last fiscal year, the school set a record with just under \$31 million in pledges and outright gifts. That included a considerable increase in its annual fund from the previous year, and a notable uptick in new donors.

Broader public interest reach

Chemerinsky hired a full-time director of pro bono opportunities for students and two staff members for that office. Over 90% of Berkeley Law students now do pro bono work during law school.

The UC Office of the President cut funding for the school's public interest fellowships from \$1.8 million in fiscal year 2020 to \$1.3 million last year and \$1 million this year. Yet Berkeley Law has increased the size of summer grants to students doing public interest work and the size of post-graduate fellowships.

"We've also changed the income required to qualify for our Loan Repayment Assistance Program to make it more generous for students," Chemerinsky notes. "Berkeley Law has absorbed this additional cost from school funds rather than cut our programs."

The school's Clinical Program has also been a major priority. Chemerinsky elevated the status of all clinical faculty, created the first chairs for that group (see page 55), and improved the clinics' financial model. This has led to a meaningful increase in clinical supervisors and fellows, expanding opportunities for students and legal services for community members in need.

In fall 2020, California Gov. Gavin Newsom signed into law a whopping seven bills spearheaded by the school's clinics and research centers that focused on protecting residents' civil, financial, and environmental rights.

"Erwin has been an extraordinary booster of clinical education at Berkeley Law. It has been such a lift to the program," says Environmental Law Clinic Director Claudia Polsky '96. "He is helping the law school expand clinics substantially to serve more

JIM BLOCK (CHEMERINSKY WITH KAGAN); RACHEL DELETTO



students and more clients, but he also consults in earnest with existing clinical faculty to make sure the expansion is thoughtful. He has additionally identified new funding sources and new subject areas for potential clinics.”

More diversity

Berkeley Law has significantly increased the diversity of its students, faculty, and senior administrators since Chemerinsky arrived. Of the 16 faculty members hired under his watch, nine are people of color. He also created a position in the Dean of Students’ office focused on equity and inclusion, added a staff equity advisor, and is in the process of adding an assistant dean for equity and inclusion.

Within the curriculum, the school has greatly expanded its race and the law offerings and approved a course requirement in that area (see page 3). It also launched a hub on Berkeley Law’s website detailing the school’s activities in this area, and created an ongoing speaker series tackling these issues.

“It’s essential that we be a law school that is diverse and committed to diversity, where all are treated equitably and fairly, and where all feel included and that they belong,” Chemerinsky says. “It is essential, too, that we be an anti-racist law school. Like all aspects of culture, this requires a sustained commitment and many different efforts.”

When he arrived at Berkeley Law, there were 12 Black students in the entering J.D. class of 320 students. The following years, that number increased to 28, 33, and this year 43. Berkeley Law also dramatically increased its Native American and Latinx student enrollment and has the largest percentage of women students at any top 20 law school (over 60%).

“We did a careful study and saw that our problem was yield: we were accepting diverse students, but they weren’t coming to Berkeley,” Chemerinsky explains. “We developed an aggressive program — relying on alumni, faculty, and students — to recruit those we admitted.”



HAPPY TO HOST:

(Left) Chemerinsky shares a laugh with U.S. Supreme Court Justice Elena Kagan during their hour-long interview at Zellerbach Hall in 2019. (Right) Before the pandemic, Chemerinsky hosted catered dinners at his home each year with faculty, students, and staff.

“Erwin has been an extraordinary booster of clinical education at Berkeley Law. It has been such a lift to the program.”

— Claudia Polsky ’96,
director of the
Environmental Law Clinic

Productive partnerships

Chemerinsky has served on several campus leadership committees during his tenure. This past year alone, he chaired the professional school deans’ group and was a member of the deans’ budget committee and return to work committee.

In collaborating with other UC Berkeley deans on a variety of projects and task forces, Chemerinsky has forged meaningful connections with different campus units to help the law school leverage the expertise of the world’s top-ranked public university.

The initiatives focus on areas such as hiring Native American faculty, expanding diversity and inclusion efforts, and combating online disinformation. The latter brings together a small group of deans and other expert leaders, including former UC President and U.S. Secretary of Homeland Security Janet Napolitano, to address society’s growing disinformation problem.


They serve as an advisory group to a journalism class of students from five campus schools, who will produce audio stories they expect to see published nationally. The students are reviewing and categorizing all bills relating to Section 230 of the Communications Decency Act of 1996, which broadly shields platforms from legal liability for the actions of third-party users of their services. The group will provide its findings to Congress in the hope of ensuring the best legislation possible to combat disinformation online.

“Erwin combines his absolute brilliance with a collegiality unlike anything I’ve experienced before,” says Graduate School of Journalism Dean and Pulitzer Prize winner Geeta Anand. “From the day I became interim dean, he’s opened himself up to offering advice on anything and collaborating on the issues most important at this moment in history.

“Despite a crazy schedule, he’s been willing to partner with me on bringing together leaders around campus to address the disinformation disaster on social media. I would not be as strong a leader at the journalism school if not for his wise advice. And I would not be able to collaborate as well across campus if not for his partnership.”

Fast Forward

Powerful Student
Action Figures



“I’ll represent all undergraduate and graduate students across the university’s 10-campus system.”

A VITAL VOICE:

Marlenee Blas Pedral is eager to serve as the UC Board of Regents’ student rep next year.



Marlenee Blas Pedral '23

UC's One and Only

Representation is a lifelong passion point for Marlenee Blas Pedral.

After moving from Mexico to the United States as a child, she spent her early college years advocating for higher education opportunities before gaining citizenship. As associate director of UC Riverside's Center for Social Innovation, she researched the local impact of the U.S. census and co-founded a program to maximize representation for hard-to-count residents. And come July, she'll be the UC Board of Regents' lone student representative for the 2022-23 school year.

Selected from 93 student applicants, Pedral will have full voting and meeting participation privileges during her term. This year, she is busy attending regent meetings and learning more about UC's governing body.

"I'll represent all undergraduate and graduate students across the university's 10-campus system," Pedral explains. "Essentially, my job will be to amplify the student voice and perspective on issues pertaining to the holistic student experience."

While working at UC Riverside, Pedral launched two major initiatives. The UCR Career Closet provides students with professional attire for job interviews and career fairs, and the Butterfly Project — a development and mentorship program — offers undocumented students career counseling, scholarships, and internship opportunities.

At Berkeley Law, Pedral served on the student-led Political and Election Empowerment Project, researching voting laws and redistricting efforts. She was also the school's delegate to the Graduate Student Assembly, UC Berkeley's legislative body for graduate and professional students.

"As a regent, I'm really excited to help make the student experience remarkable as we continue to overcome challenges and work towards building a supportive ecosystem for all students," Pedral says. "The pandemic has presented many challenges for students, and I hope to be an effective listener and a strong advocate."

Her top priorities include promoting educational access for all qualified applicants, innovative solutions that empower students and their success, policies that foster an inclusive campus climate, and affordable student housing.

Born in an Otomi Indigenous community in Mexico and raised in Southern California, Pedral is a first-generation college student. After graduating from UC Santa Barbara, she earned a master's of higher education and administration from the University of Vermont and received a Fulbright Fellowship to Brazil.

While on staff at UC Riverside, Pedral helped develop marketing strategies and best practices for motivating college students to fill out census forms during the pandemic. She helped craft a year-long campaign strategy, oversaw its implementation with six departments, convened campus ethnic and gender programs for a racial data project, led training sessions, wrote op-eds, and promoted the census on Spanish radio stations.

"I look forward to helping the university innovate and move forward in the best interest of the students during this unprecedented time," Pedral says. "I want to be at the table to defend what my parents sacrificed their lives for: access to quality education."

— *Andrew Cohen*



Daryl Yang LL.M. '22

Refusing to Stay Silent

What's it like when your very existence is criminalized? For Daryl Yang, growing up gay in Singapore was painful, scary, traumatic — and galvanizing.

“Though the law against male sodomy is not actively enforced there, its existence hangs over the heads of queer Singaporeans like myself as a constant reminder of our second-class status in our own country,” he says. “This socialized me early on to how the law can serve as an instrument of oppression as much as it can be a liberating force.”

In 2014, Singapore’s Health Promotion Board published some FAQs on youth sexuality that surprisingly

DARLUS RILEY

“I’m really proud to have been a part of the resurgence of student activism in Singapore.”

LOOKING

AHEAD: At an early age, Daryl Yang is fast becoming a top advocate for gay and disability rights.

supported LGBTQ experiences. When the board faced major backlash and a petition to remove the materials, Yang penned an open letter to the Health Ministry describing their importance.

The letter went viral, propelling Yang — then just 20 — into the spotlight. He quickly became one of Singapore’s leading gay rights advocates, and worked extensively with other students to launch an inter-university network of queer student organizations aimed at

making campuses safer and more inclusive.

In addition to being president of Yale-NUS College’s gender and sexuality alliance, Yang organized hundreds of students to lobby for reforms of the National University of Singapore’s sexual misconduct policies. He also co-founded the Community for Advocacy & Political Education, a student-run group, initiating over 20 projects and workshops to inspire civic engagement.

“I’m really proud to have been a part of the resurgence of student activism in Singapore,” he says. “Beyond the specific campaigns that we launched, we’ve fostered a strong community that gives me hope of a more just and equal society.”

Yang is on *Tatler Asia*’s Generation T list of 300 young leaders shaping Asia’s future, and *The Straits Times*’ 30 and Under Young Singaporeans to Watch list. Eager to empower marginalized communities, he wanted to pursue an LL.M. in the United States to tap the country’s deep experience with discrimination and disability law.

“Berkeley is where the disability rights movement was born,” says Yang, interning this semester with the Disability Rights Education & Defense Fund. “I took Disability Rights with Arlene Mayerson and found it so inspiring to learn about cases and laws that she helped to argue and craft as a pioneer of American disability law.

“While many young people in Singapore have become familiar with hot-button issues like gender and sexuality and climate change, disability rights have largely remained on the fringe. This needs to change.”

While he remains an outspoken advocate, Yang values listening as a vital tool for building community and achieving real progress.

“Advocacy without listening is, in my view, performance rather than persuasion,” he says. “Listening is hard, because it requires us to sit with what we find disagreeable, discomfiting, and even disgusting. But I believe that’s exactly what activism is about.”

— *Andrew Cohen*

“Berkeley
has totally
changed
the way I
think about
the world,
and also my
role in the
world.”

SOFT LANDING:
Transfer student Kelsey
Lobisser credits Berkeley
Law’s community for her
recent success.





Kelsey Lobisser '22

Carving Her Place

Coming into law school as a transfer student always has its challenges. Entering Berkeley Law during an unprecedented year of remote learning? That's a much steeper slope.

But for Kelsey Lobisser, the hard moments passed quickly. She had a robust community of nearly 40 fellow transfer students to bond with, and seeing everyone on Zoom eased some of the newbie jitters.

Then she found two communities that helped truly immerse her in law school life: the Moot Court Team and the *Berkeley Business Law Journal*.

"On moot court, most of the other members weren't transfer students. And I saw my teammates six hours a week," Lobisser says. "So you're with them all the time, which was great, because it was a way to build relationships. Competing with Berkeley people made me feel like, 'OK, I belong here, I'm part of this school, too.'"

Lobisser's team also found success, winning the regional American Bar Association Appellate Advocacy Competition and advancing to nationals.

"Representing the school in a competition and succeeding was super gratifying," she says. "It's definitely something I will always remember."

For Lobisser, who came to Berkeley Law with an eye toward litigation and business law, joining the journal was a

perfect complement. She's co-editor-in-chief this year with classmate Savannah Dowling, which helped smooth the transition to in-person learning at last.

"It kind of catapulted me into the school, which I'm really grateful for, because when I came in person we had to start recruiting and there was a lot to do," she says. "And Savannah has been super helpful, since she already knew so much about Berkeley Law.

"I definitely feel a lot more at home now."

Berkeley Law's social justice components were another draw for Lobisser, who already had a passion for public interest work. As an undergraduate, she went on a medical mission trip to Ghana, where she saw firsthand the challenges of grassroots public health work, and also spent a month teaching third grade in Peru.

She credits Berkeley Law for helping her see the intersections between the law, society, and its institutions — and for helping to foster her sense of future direction.

"It's been so formative in making me realize that the law is so much bigger than me," she says. "Berkeley has totally changed the way I think about the world, and also my role in the world."

Lobisser says she'll value the relationships she has built with professors and peers — both virtually and in person — forever.

"Being around such like-minded people who have these amazingly complex and deep thoughts about the world has been incredible," she says. "Going out into the world, I know I have this network of not only knowledge from my classes, but also of people who share that same knowledge and passion."

— *Gwyneth K. Shaw*

Study Hall

Selected Faculty Scholarship

Meaningful scholarship does more than just recite and regurgitate. It charts new terrain, probing topics that have an important effect on our own lives, our communities, and the world at large. From concerns about the growing use of artificial intelligence and the underproduction of new housing to data access inequities in criminal defense investigations and the impact of copyright rulings on software innovation, Berkeley Law faculty members continue to push the envelope and provide vital insights. Here are a baker's dozen of our professors' recent works.

▼ **CHRIS JAY HOOFNAGLE**
WITH SIMSON L. GARFINKEL

Law and Policy for the Quantum Age

Cambridge University Press
We keep hearing that quantum technologies will change the world we know. But what will they actually mean for countries and their citizens? Hoofnagle and Garfinkel explain the genesis of quantum information science, the exciting technologies it has yielded, how they actually work, how nations will likely use them for future national defense, what the legal landscapes will be for these nations, and how companies may or may not profit from quantum technologies.



Influential, Inspiring, Instrumental

Berkeley Law's powerhouse faculty ranks sixth nationally in scholarly impact, according to the latest version of a study that tracks citations as a measure of professors' influence.

Also, in a recent survey of *U.S. News & World Report* voters conducted as part of the same study, a whopping 15 Berkeley Law professors were rated among the top 15 scholars in their fields between 2016 and 2020. They include

Dean Erwin Chemerinsky — the most-cited law professor in the nation and third on the list of most impactful law professors — and Orin Kerr, who ranks No. 1 in criminal law and procedure and fifth on the most impactful list.

"It's wonderful to see Berkeley Law professors at the top of so many fields," Chemerinsky says, adding that it "reflects our having a tremendously prolific and influential faculty."

Berkeley Law

Top 50 Law Faculties for Scholarly Impact

#6

Berkeley Law

▼ **RACHEL STERN**

WITH BENJAMIN L. LIEBMAN,
MARGARET E. ROBERTS, &
ALICE Z. WANG

Automating Fairness? Artificial Intelligence in the Chinese Courts

*Columbia Journal of
Transnational Law*

Chinese courts now lead the world in using automated pattern analysis to standardize decision-making and monitor judges. Stern and her co-authors



explain why and the risks for China's legal system — including increased inequality among court users, new blind spots in being able to track officials and citizens, and reduced judicial authority — and caution that worldwide assaults on such authority and surging interest in algorithmic governance could join forces.

▼ **RUSSELL ROBINSON**

Mayor Pete, Obergefell Gays, and White Male Privilege

Buffalo Law Review

Robinson says that contrary to media claims, Pete Buttigieg's stronger than expected showing in the 2020 Democratic presidential race was a breakthrough for some white gay men — but not for the overall LGBTQ community. He describes how Buttigieg's appeal to white heterosexuals may signal a growing chasm between the 'G' and all others who identify within the acronym, and that their



◀ **PAMELA SAMUELSON**

WITH MARK A. LEMLEY

Interfaces and Interoperability After *Google v. Oracle*

Texas Law Review

apathy and even disdain for his candidacy suggests that intersectionality should drive future LGBTQ rights.

Samuelson and her co-author confront a key issue the U.S. Supreme Court did not address in its major *Google v. Oracle* decision: are computer interfaces copyrightable at all? Arguing that they aren't, the authors say the Federal Circuit's decision to the contrary is "an aberration that should not undermine a quarter century of consensus." They describe how denying copyright protection in this realm is crucial for software innovation and technology industry competition.



**Most Impactful
Law Professors**

#3

Erwin Chemerinsky



#5

Orin Kerr



**Most-Cited Law
Faculty in the U.S.**

#1

Erwin Chemerinsky



**Most-Cited
Tax Faculty**

#7

Alan Auerbach

► **ERIC BIBER**

WITH GIULIA GUALCO-NELSON,
NICHOLAS MARANTZ, & MOIRA
O'NEILL

**Small Suburbs,
Large Lots: How
the Scale of Land-
Use Regulation
Affects Housing
Affordability,
Equity, and the
Climate**

Utah Law Review

Biber and his co-authors say that local control of land-use regulation is inequitable and inefficient, leading to a persistent underproduction of housing. Calling for more state intervention to ensure that housing's larger-scale benefits are properly considered, the paper explains why more housing production will increase socioeconomic mobility — as well as reduce greenhouse gas emissions in major coastal cities currently facing negative impacts on their economy and environment.



► **SAIRA MOHAMED**

WITH TODD BUCHWALD, BETH
VAN SCHAACK, DAVID BOSCO,
SANDRA LYNN HODGKINSON, &
ALEX WHITING

**Report of the
ASIL Task
Force on Policy
Options for U.S.
Engagement with
the International
Criminal Court**

*American Society of
International Law*

The Task Force report sheds light on U.S. policy toward the International Criminal Court and offers recommendations for constructive engagement. Despite questions about the ICC's ability to combat impu-



◀ **KENNETH AYOTTE**

WITH CHRISTINA SCULLY '21

**J. Crew, Nine
West, and the
Complexities of
Financial Distress**

Yale Law Journal Forum

Using bankruptcies at J. Crew and Nine West as case studies, Ayotte and Scully argue the assumption that corporate finance contracts are written optimally — leaving little place for bankruptcy law — is an idealized view. They say the companies' stories demonstrate how contracting parties can't imagine and contract to prevent all possible loopholes that other sophisticated parties might exploit, and that any theory of debt should recognize this inherent complexity.



nity and deliver justice, the report explains why the Biden Administration should invest in supporting the court — and why tensions in the U.S. relationship with the court should not dilute a fierce commitment to preventing atrocities and protecting human rights.



**Most-Cited Critical
Theories of Law
Faculty**

#7

Ian Haney López



**Most-Cited
Constitutional Law
Faculty**

#1

Erwin Chemerinsky



**Most-Cited Law
& Economics
Faculty**

#5

Robert Cooter

▼ **REBECCA WEXLER**

Privacy Asymmetries: Access to Data in Criminal Defense Investigations

UCLA Law Review

Wexler criticizes “privacy asymmetries,” privacy statutes that allow courts to order disclosures of sensitive information when requested by law enforcement — but not when requested by the defense.



Because defense counsel are solely tasked with investigating evidence of innocence, she says this risks unnecessary harm to criminal defendants, and to learning the truth, and that selectively suppressing these investigations places an added unfair burden on the defense.



▲ **OSAGIE K. OBASOGIE**

Excited Delirium and Police Use of Force

Virginia Law Review



◀ **CHRISTOPHER KUTZ**

Resources for the People — but Who Are the People? Mistaken Nationalism in Resource Sovereignty

Ethics & International Affairs

Debates on ownership of natural resources often pit those who urge an equality of global claims against those who say national peoples are the proper owners. Kutz instead takes aim at a more practical question: how the resources should be distributed. Using data focused on the Gulf States, he argues that natural resources should benefit all residents of a state in which they’re found, not merely all citizens, while control should be vested in a democratic citizenry.

Law enforcement and medical examiners often use “excited delirium” — described as a psychiatric illness marked by a sudden onset of extreme agitation, confusion, and aggression — to explain and justify the deaths of people who purportedly display such behavior while in police custody. Noting how leading medical authorities do not recognize such a condition, Obasogie unpacks how it is linked to racism and fraudulent forensic science and the dangers that poses.



Most-Cited Intellectual Property Faculty

#2

Robert Merges

#3

Pamela Samuelson

#5

Peter Menell



Most-Cited Immigration Faculty

#7

Jennifer M. Chacón

▼ AVANI MEHTA SOOD

What’s So Special About General Verdicts? Questioning the Preferred Verdict Format in American Criminal Jury Trials

Theoretical Inquiries in Law

U.S. criminal juries typically deliver their decisions through

a general verdict, conveying only their conclusions of “guilty” or “not guilty,” rather than revealing through a special verdict whether each element of the charged crime was proven beyond a reasonable doubt. Sood challenges the underlying assumptions of this default verdict format — questioning if it truly optimizes the integrity, fairness, and constitutionality of criminal jury decision-making.



◀ JONATHAN SIMON '87

Dignity and Its Discontents: Towards an Abolitionist Rethinking of Dignity

European Journal of Criminology

Simon probes the U.S. Supreme Court’s 2011 prisoners’ rights decision in *Brown v. Plata*, assessing whether it actually moved courts to better protect their human rights. He explores the public’s rising interest in reforming the criminal legal system, the Black Lives Matter movement’s role in prison abolition discourse, and to what extent abolition and other goals of the racial justice movement now supplant “human dignity” as the main driver to eradicate mass incarceration.



▶ JENNIFER M. URBAN '00
WITH MARGOT E. KAMINSKI

The Right to Contest AI

Columbia Law Review

As artificial intelligence (AI) is used increasingly to make vital decisions, from university admissions to loan determinations to vaccine distributions, it also raises a growing number of concerns about discrimination, accuracy, fairness, and accountability. Urban and

Kaminski argue for an individual right to contest AI decisions — noting how the European Union recognizes such a right — that is modeled on due process but also adapted for the digital age.



Most-Cited Law & Technology Faculty

#6

Paul Schwartz



Most-Cited Legal History Faculty

#10

Christopher Tomlins



Most-Cited Criminal Law & Procedure Faculty

#1 #15

Orin Kerr

Franklin Zimring



ALL-STAR CAST: (from left) Abbye Atkinson, Laurel E. Fletcher, Orin Kerr, Katerina Linos, Jeffrey Selbin, Elisabeth Semel, and Steven Davidoff Solomon.

Seven Up: The New Faculty Chairs

Seven Berkeley Law professors were recently awarded faculty chairs, recognizing their contributions to scholarship and legal education.

“A chaired position is the highest honor a university can bestow on a faculty member,” Dean Erwin Chemerinsky says. “These professors embody the very best of academia and of Berkeley Law: They are terrific teachers, superb scholars, and wonderful colleagues.”

The professors — Abbye Atkinson, Laurel E. Fletcher, Orin Kerr, Katerina Linos, Jeffrey Selbin, Elisabeth Semel, and Steven Davidoff Solomon — reflect the faculty’s depth and breadth. With expertise ranging from international law and human rights to the intricacies and pitfalls of corporate and consumer law, their impact is felt across the academic and policy landscape, from top law reviews to the halls of power in Washington, D.C., Sacramento, and beyond.

Semel, Selbin, and Fletcher — directors of the Death Penalty Clinic, Policy Advocacy Clinic, and International Human Rights Law Clinic, respectively — are Berkeley Law’s first clinical faculty to receive chairs. The honor is part of a larger effort to guarantee clinical and teaching faculty a similar level of the employment security enjoyed by their tenure-track colleagues, and to recognize their influence on students, the school, and the outside world.

“I think it signals that the university values the special contributions of our law school clinics to the teaching, service, and research mission of Berkeley,” Selbin says.

Linos focuses on international employment and migration law. She is co-faculty director of the school’s Miller Institute for Global Challenges and the Law and host of the new “Borderlines” podcast, which explores global problems in a world fragmented by national borders.

Atkinson studies how credit and debt operate in marginalized communities, with an emphasis on the imbalance between obligation and opportunity that credit and debt represent. She teaches Contracts, Poverty Law, and a seminar on Debt, Discrimination, and Inequality.

Solomon is one of the nation’s most prominent corporate law experts, and his articles consistently make *Corporate Practice Commentator’s* annual poll of the field’s best papers. He’s also been a regular *New York Times* contributor on corporate law trends, and is a faculty co-director of the Berkeley Center for Law and Business.

Kerr, a renowned scholar of computer crime, criminal procedure, and criminal law, was voted the nation’s fifth most-influential law professor and ranked the second most-cited legal academic born after 1970. He has more than 100,000 Twitter followers and is a faculty co-director of the Berkeley Center for Law & Technology.

“It is such a privilege to be on this faculty,” Atkinson says. “I learn so much each day from my colleagues and from our students. Berkeley Law is a special place in which to exist, so to receive this chair on top of just getting to be and grow here every day feels like an embarrassment of riches.” — *Gwyneth K. Shaw*



Most-Cited Law & Social Science Faculty

#9

Jonathan Simon '87



#15

Sean Farhang



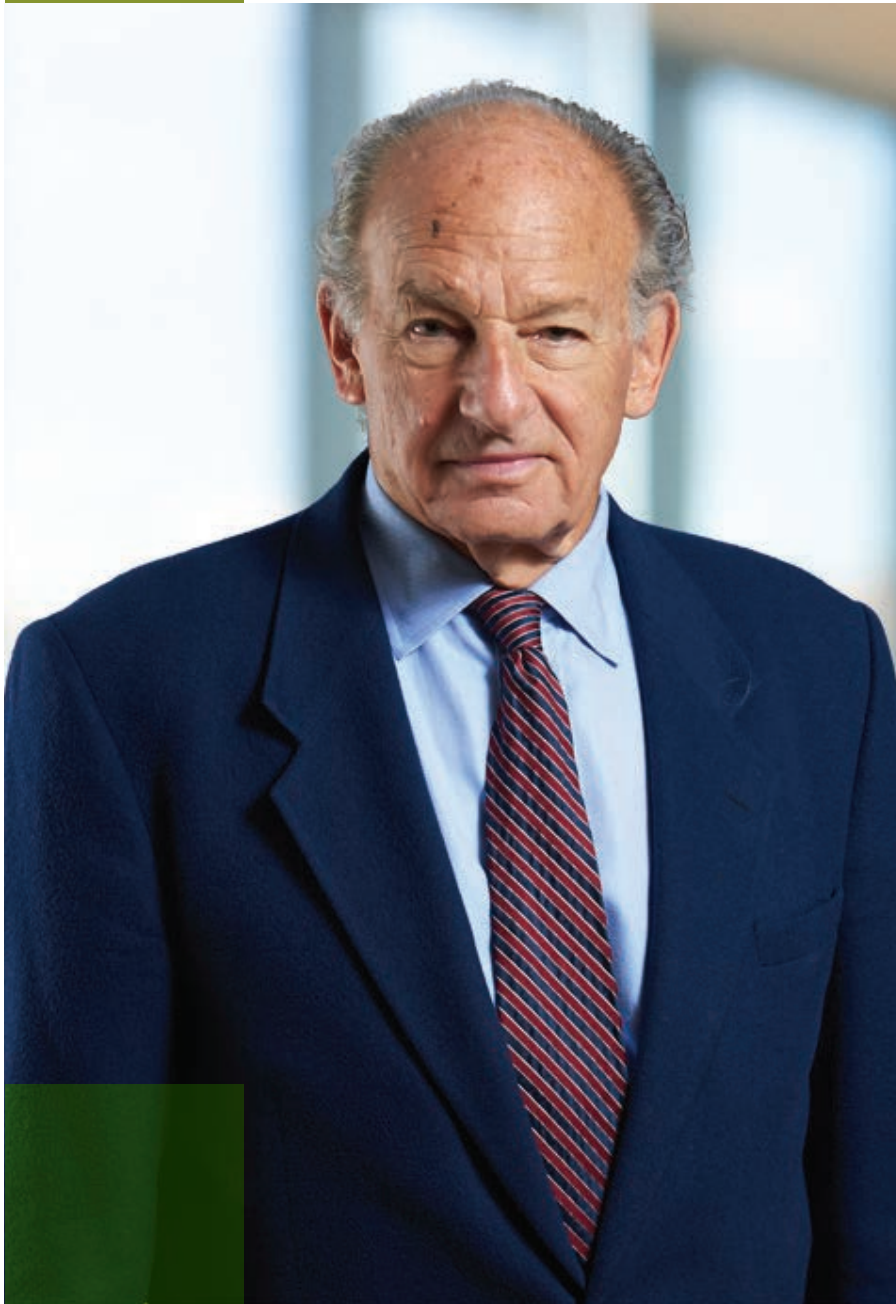
Most-Cited Corporate & Securities Regulation Faculty

#8

Steven Davidoff Solomon

Donor Dedication

California native Charles Miller '58 entered UC Berkeley in 1952 and left six years later, B.A. and J.D. in hand. The experience propelled him to a coveted clerkship with U.S. Supreme Court Justice William O. Douglas and a premier job at Covington.



The state's policies at the time meant Miller earned two degrees at a very low cost. It's moved him to give to the school for six decades — one of a cadre of stalwart donors who have made contributing annually to Berkeley Law a longtime habit.

Whether you graduated last year or in the last century, they say, annual giving helps pay forward the benefits of your own law school experience.

"I owe my entire career to that education, which cost me nothing," Miller says. "To me, the idea of giving back to the university is a no-brainer. And I give as much as I can, as often as I can."

William Hoffman '69 made his first donation to Berkeley Law in the spring of 1970, while stationed at Langley Air Force Base in Virginia. Having served in the Reserve Officers Training Corps as a UC Berkeley undergraduate, he was granted an educational delay from service in Vietnam to attend law school and then called to active duty right after passing the California Bar Exam.

"I realized that I'd had a world class education at the finest public institution on the face of the Earth, and *I had no debt whatsoever*," Hoffman says.

Times have changed, but the Berkeley Law experience remains, he says. So year after year, he gives.

GRATEFUL: Longtime supporter Charles Miller '58 credits Berkeley Law for his rewarding career.

“Every dollar matters enormously and I am tremendously grateful to those who support our wonderful law school.”

— Dean Erwin Chemerinsky

“It was incumbent on me to return the favor by supporting UC Berkeley for all it had done for me,” Hoffman says. “I owe everything I am to Cal, and I intend to give as much as I can, as long as I am able — and, after I’m gone, through my estate.”

Dean Erwin Chemerinsky, recently appointed to a second five-year term, has made fundraising and stepping up outreach to alumni key priorities since he arrived in 2017. The school raised just under \$31 million last fiscal year, a record, with a significant increase in new donors.

The reality is that tuition, and a small amount from the state, don’t begin to cover the school’s costs, Chemerinsky explains.

“Everything we do — training the next generation of lawyers, producing excellent scholarship, fulfilling our public mission, being a top law school — depends on the support of our alumni,” he says. “Every dollar matters enormously and I am tremendously grateful to those who support our wonderful law school.”

It’s not just older alumni who make giving to Berkeley Law an annual tradition.

Then transplanted East Coasters Vivek ’11 and Lily Rao ’11 met on their first day of law school, in Professor Paul Schwartz’s Torts small section — echoing the experience of Lily’s parents, Kate Bartlett ’75 and Chris Schroeder ’74, who also paired up while students at Berkeley Law.

“Berkeley is a wonderful place to study law,” Vivek says. “It helped us grow as people as much or more than as thinkers. Berkeley attracts some fantastic, well-rounded people who have become life-long friends.”

The Raos have donated every year since graduating. Especially now, living in



FROM DAY ONE: 2011 grads and annual donors Lily Rao (left) and Vivek Rao (right) met on their first day of class.

Boston with their two young children, it helps them feel invested in and connected to the continuing life of the school.

“We got a lot out of our time at Berkeley Law, and it’s an institution we want to see thrive, especially because it’s a public school with a deep tradition of supporting public service,” Lily says. “We make our annual gift without an ounce of hesitation — it feels natural.”

To Miller, the equation is simple.

“Whatever your Berkeley education cost, the value of what you got out is greater than what you invested. And it’s something that has benefited you for your entire life,” he says. “Therefore, Berkeley Law should be a primary source of your own philanthropy, so that others can have the same benefits you have had.” — *Gwyneth K. Shaw*

Leadership Circle

The recently established Leadership Circle is a community of alumni whose financial support helps Berkeley Law educate the most promising and diverse group of law students, recruit and retain top faculty, and advance its public mission. Circle members make five-year gift commitments of at least \$5,000 annually to one or more of the school's operating funds.

J.D. tuition covers only about 60% of Berkeley Law's annual operating costs, and market forces constrain future increases. As a result, further improving the alumni giving participation rate (which rose to 20% this past year) will be vital to sustain the school's excellence.

Circle members are invited to exclusive annual events with Dean Erwin Chemerinsky in their home region and on campus. Those interested in joining are invited to meet with him and our Development & Alumni Relations staff to discuss membership in more detail.

Current Members

Sasha Abrams '04 & Paul D'Albora
 Rajesh '94 & Sujata Aji
 Carly '06 & Ryan Alameda
 Karen Boyd '96
 Michael Canan '66
 Michael Charlson '85 & Susan Austin
 Benson Cohen '04
 Gail '86 & Doug Dolton
 Alan Fu '04 & Lei Chen
 Mark Gergen & Susan Whitman
 Donald Greenberg '67
 Jeffrey '88 & Maria Harleston
 Yury Kagan '01
 Dan '93 & Hana Lang
 Monique Liburd '08
 Allan Marks '90 & Mara Cohen
 Rich '74 & Marjorie McCracken
 Alan Watenmaker '72 &
 Maryanne Laguardia
 Patrick LL.M. '19 & Linda Yip

Driven by the Future

For Ruth Greenspan Bell '67 and her husband Joseph Bell, there's a motivational thread weaving through their successful careers, civic engagement, and generous philanthropy: striving to make things better for the next generation.

That mindset drove their recent five-year, \$500,000 pledge to Berkeley Law. It creates three new funds for the Center for Law, Energy & the Environment (CLEE) and the Thelton E. Henderson Center for Social Justice: One for scholarships and one each for CLEE and Henderson scholars programming.

"The current contribution combines

our beliefs about equitable access to education, the need to level up social justice, and our concerns about the climate and environmental health of the planet that our children and grandchildren must inhabit," Ruth says.

A vital part of Berkeley Law's top-ranked environmental law program and influential with California policymakers,



HIGH HOPES: Ruth Greenspan Bell '67 (right) and her husband Joseph Bell recently created three new funds for scholarships and programming at two Berkeley Law centers.

CLEE produces creative solutions to challenges focused on climate and energy, clean water, oceans, and land use.

“This generous gift will allow Berkeley to continue its tradition of attracting the very best environmental law students in the country,” says Professor and CLEE Faculty Director Daniel Farber, adding that it will broaden financial support, mentorship opportunities, and career guidance.

The Henderson Center trains students to become effective, lifelong social justice advocates by connecting them to professors, lawyers, activists, and others to unravel issues of law, power, equity, subordination, and privilege.

“A gift like the Bells’ allows us to deepen and widen our reach — to more students, and in more ways, for years to come,” says Executive Director Savala Nolan ’11.

A leading voice on environmental issues and a public policy expert at the Woodrow Wilson International Center for Scholars, Ruth previously directed the World Resources Institute’s U.S. Climate Policy Objective.

“Much of my work challenges conventional wisdom in the climate policy and governance world,” Ruth says. “CLEE and the Henderson Center are Berkeley Law’s vehicles for addressing those issues and training a new generation, so supporting them makes perfect sense.”

Joseph, who spent his 2L year at Berkeley Law, is pro bono senior counsel at Hogan Lovells and co-chairs the Natural Resources Governance Institute advisory board. For years, he and Ruth hosted Berkeley Law’s annual reception for admitted students from the Washington, D.C. area — and saw the school competing for top applicants who needed financial aid against peer schools with larger endowments.

“Although its resources are limited and Berkeley grads are only beginning to recognize their philanthropic need to step up and support the school, the law school has increased its diversity and the related financial commitment,” Joseph says. “We admired and wanted to be part of that.”
— *Andrew Cohen*

Planting the Seeds

Three recent initiatives will further expand Berkeley Law’s far-reaching public interest and pro bono work.

The summer after his 2L year, while interning for Illinois Congressman Ralph Metcalf, John Burris ’73 worked with a commission on abuse by Chicago police. “Interviewing victims was an eye-opening experience and planted the seeds for my future career,” he says.

A half-century later, Burris is a renowned civil rights lawyer who has spent decades representing such victims — including Rodney King, Oscar Grant, and Mario Woods — and confronting systemic police brutality. Now, the new John L. Burris Summer Public Interest Fellowship Fund will support Berkeley Law rising 3Ls in internships at public interest organizations or government entities focused on police accountability and/or racial bias, inequity, and injustice.

The fund received a \$100,000 gift from Cotchett, Pitre & McCarthy, which partner Justin Berger ’06 helped coordinate, and a \$50,000 gift from Burris himself. The first fellowships will be awarded this summer.

“John Burris represents the very best of our profession,” Berger says. “He gives back every day to those who have no voice.”

Burris’ work has helped generate substantive change in police department training and discipline, improve transparency, reshape tactical approaches to better protect civil liberties, and increase public awareness of police bias and abuse of power.

“I wanted to enhance Berkeley Law’s public mission by expanding its reach into sections of the population it might not otherwise reach,” says Burris, former president of the school’s Black Law Students Association (now Law Students of African Descent). “I’ve noted through the years the absence of police practice lawyers coming from Berkeley Law. I hope that this endowment exposes students to aspects of the law that aren’t generally available for summer scholarships.”

Another fellowship, supporting rising 3Ls working in child advocacy and created through a gift from the Bernard E. & Alba Witkin Charitable Foundation, is the Bernard E. Witkin Summer Public Interest Fellowship Fund. Recipients intern with nonprofits that pursue justice for children, enrich the lives of underprivileged youth and families, or advance public policy in that area.

Last summer, fellows Jennifer Holloway ’22 and Cheyenne Smith ’22 worked at the National Center for Youth Law in Oakland and the Maryland Office of the Public Defender’s Youthful Defendant Unit in Baltimore, respectively.

In addition, the new Crowell & Moring Pro Bono Program Fund — fueled by alumni lawyers at the firm — supports Berkeley Law’s pro bono projects (see page 35). — *Andrew Cohen*



POLICE PRACTICE: John Burris ’73 inspired a new fund — and a new outlet — for Berkeley Law students to pursue public interest work.

STRONG TIES:

Bequests left by Richard Sherman '74 and E. Patricia Herron '64 will both have a far-reaching impact at their alma mater.



A Profound Connection, A Cemented Legacy

Richard Sherman '74 always credited Berkeley Law as a driving force behind his successful career as a litigator and, later, an executive who made quite an impact on friends and clients.

“My father’s legacy is broad, and the law school connection was profound,” says his daughter, Carol Zaist '99.

He was particularly touched by the Richard M. Sherman Distinguished Professorship of Law endowed chair in 2005, a gift for his 50th birthday and held ever since by Professor Pamela Samuelson. Sherman, who died in July, made one last bequest after decades of financial largesse: another generous gift for the chair.

Zaist says many of Sherman’s closest friends were fellow alumni, and his gratitude toward the school sparked decades of supporting it — in ways that went far beyond donations. Sherman diligently recruited alumni to Irell & Manella, which he joined shortly after passing the bar exam, and delighted in helping bright students apply to law school and to UC Berkeley.

He stayed with Irell & Manella for decades, rising to managing partner of its Newport Beach office and a stint on its executive committee. Sherman was also executive vice president and general

counsel of The William Lyon Company and its related companies for five years, as well as general counsel and senior vice president of AirCal, a regional airline acquired by American Airlines.

Zaist says the chair is the perfect legacy of his dedication to Berkeley Law.

“He loved meeting the people that the professorship brought into our lives,” she says, noting Dean Erwin Chemerinsky, many in the Southern California legal community, and even prominent figures who visited, including U.S. Supreme Court Justice Sonia Sotomayor. “It was another way for him to show his gratitude to the law school.”

Lasting support from a legal trailblazer

E. Patricia Herron '64 had a pathbreaking career and kept a strong connection to Berkeley Law throughout her life. In 2011, the school’s alumni association granted her its highest honor, the Citation Award.

Over half a century of giving, Herron created the E. Patricia Herron Scholarship, which gives up to \$10,000 to a student

committed to women’s issues. Herron, who died last year, also made a final bequest: more than \$500,000 to support Berkeley Law’s Thelton E. Henderson Center for Social Justice.

Herron began her career as an educator, working as a teacher and administrator at Catholic University (where she earned a master’s degree), Wells College, and Contra Costa College.

After graduating from Berkeley Law, she joined Knox & Kretzmer as an associate, and rose to partner as the firm eventually morphed into Knox, Herron and Masterson. In 1977, she became the first woman judge on the Contra Costa County Superior Court, and served for a decade.

When Herron left the bench, she spent many of her later years as a private judge — and pursued interests outside the courtroom, including founding and running a Sonoma Valley vineyard, Barricia.

Henderson Center Executive Director Savala Nolan '11 says it’s fitting that Herron made a bequest to the hub of the school’s active, diverse, and ever-growing social justice community.

“We’re thrilled to receive this generous support from Patricia Herron,” she says. “It’s inspiring to know that people like her see the value in building students’ capacity to be effective social justice advocates for the long haul.” — *Gwyneth K. Shaw*

Moved By Success

Phillip Fletcher '83 fondly recalls his time at Berkeley Law, from the stellar legal education to a major personal element: He met his wife Elena, then a UC Berkeley undergraduate, in the law library.

"The experience I had was terrific," he says. "I never had a bad professor. They were all inspirational."

Fletcher and his wife gave to the school regularly after graduating. Then, a pandemic wedding invitation in Paso Robles brought the Washington, D.C., couple to California, and they decided to visit their old haunt for the first time in years.

It was exhilarating.

"Coming back and just walking around and listening to students and faculty in the courtyard was incredibly exciting," Fletcher says. "Every conversation I overheard was engaging and you could just sense the vibrancy of the school."

Fletcher gives credit to Dean Erwin Chemerinsky for the electric atmosphere, and has increased his annual giving accordingly.

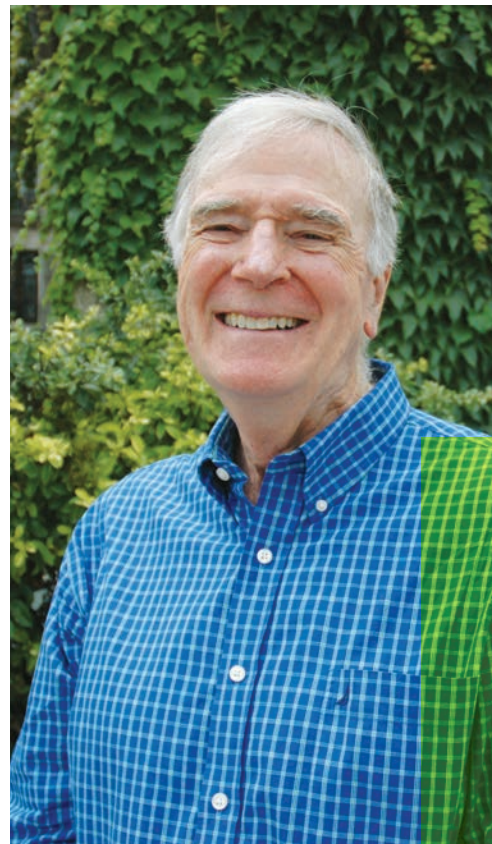
"I'm a huge fan," he says. "Dean Chemerinsky is a rock star."

Michael Canan '66, who had made

donations from time to time, feels similarly. He looks forward to the dean's emailed updates for alumni and was recently moved to make a five-year gift commitment.

"His enthusiasm for the law school is exciting and invites a response," Canan says. "Years ago, I remember former dean Christopher Edley saying that Berkeley Law was especially important because it was more concerned about relevant social issues in our society than other top law schools. This concern shines through in messages from Dean Chemerinsky and from notes about law student activities beyond classes."

Fletcher says that he's also influenced by the higher financial burden on today's students. During his Berkeley Law years, tuition was relatively low — thanks to state support that has since declined precipitously — which he credits for helping him build his career easily. Fletcher is



HELPING HAND: For Michael Canan '66, Berkeley Law's public mission resonates strongly.

retired from Millbank, where he specialized in global project finance, particularly in the energy and natural resources sector, and spent 24 years practicing in London.

"Giving back over time to help people enjoy the benefit I had makes total sense," he says. "It's the only fair thing to do."

Canan, who specializes in qualified retirement plan and employee benefits work, is now with GrayRobinson. He'd recommend contributing to Berkeley Law to any retired alumni who feel they can afford it.

"Speaking to retired law school graduates, particularly as we get older, I think making commitments that extend beyond our immediate lives and families helps keep us in touch with the world," Canan says. — *Gwyneth K. Shaw*

REENERGIIZED: Phillip Fletcher '83 and his wife Elena credit Dean Erwin Chemerinsky's leadership for invigorating the law school and sparking their increased giving.



Class Notes

All in the Alumni Family

Your Classmates Want to Hear From You!

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By Email

classnotes@law.berkeley.edu

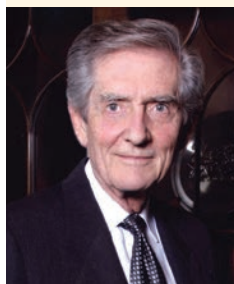
By Mail

University of California, Berkeley
School of Law
Development & Alumni Relations
224 Law Building
Berkeley, CA 94720-7200

1955

J. Clifford Wallace,

U.S. Ninth Circuit Court of Appeals judge emeritus, received the 2022 Bolch Prize for the Rule of Law. Given annually by the Duke University School of Law's Bolch Judicial Institute, the award honors extraordinary dedication to the rule of law and advancing its principles around the world. Clifford has led multiple efforts to improve the administration of justice in the federal courts and advised judiciaries worldwide to strengthen judicial processes, improve court structures, and help solve logistical and legal challenges.



1967

James McManis (see page 22) was recognized by *The Best Lawyers in America* for the 26th consecutive year in

several categories: Bet-the-company litigation, commercial litigation, criminal defense – white-collar, First Amendment litigation, intellectual property litigation, and municipal litigation.

1968

Bob Rhodes' article "Florida Growth Management Odyssey: Revolution, Evolution, Devolution, Resolution" was included in a *Journal of Comparative Urban Law and Policy* festschrift publication honoring his longtime friend, former University of Florida and Georgia State law professor Julian Juergensmeyer. The article examines Florida's growth management efforts, including Bob's tenure in state government, and offers thoughts for future action. Bob is "mostly retired" in Jacksonville and welcomes classmates to reconnect at rmrhodes@bellsouth.net.

1978

Louise Ing (Hawaii), **Mike Martinez** (Washington, D.C.), and **Holly Fujie** (California) held a mini class reunion

at the National Asian Pacific American Bar Association Convention in Washington. They celebrated Louise being named a NAPABA Daniel K. Inouye Trailblazer, the organization's top honor. She's the fifth 1978 alum to receive it — joining Fujie, the late Edwin Lee, Colbert Matsumoto, and Eric Yamamoto — believed to be the most of any law school class.

1979

Clothilde "Cloey" Hewlett was appointed commissioner at the California Department of Financial Protection and Innovation. She was executive director and chief legal officer at the Cal Alumni Association since 2016, and previously a partner at both Nossaman and K&L Gates.

1981

Maurice Sanchez was confirmed as associate justice on California's Fourth District Court of Appeal, Division 3, the first Latinx and first person of color to serve on the court. He had been an Orange County Superior Court

judge since 2018, and before that worked in private practice and as in-house counsel for Hyundai Motor America and Mazda Motor of America, Inc.

1982

Heidi Hamilton was named general counsel and chief compliance officer at Urban Resource Institute in New York City. The nation's largest provider of domestic violence shelter services, URI also offers shelter services for homeless families and myriad trauma-informed prevention, intervention, and education programs that reach 40,000 people a year.

Lori Kornblum was appointed to a judgeship on Wisconsin's Court of Appeals, District II. She had been a private practice lawyer focusing on disability law, children's welfare, and guardianships, and spent over 20 years in the Milwaukee County District Attorney's Office.

1984

Paula Boggs gave commencement speeches in May to the graduating classes of 2020 and 2021 at Southwestern University in Georgetown, Texas.

David Louie '77

Still More Mountains to Climb

With a glittering resume lit up by major leadership roles, David Louie has long occupied a shiny spot on Hawaii's legal landscape. So why toil for two years writing a book about his time as the state's attorney general?

"There is a Zen koan which says, 'When you reach the top of the mountain, keep climbing,'" Louie explains. "This encapsulates the experience of many who seek to make our communities better. When one accomplishment is achieved, they look for another issue to try and solve, another mountain to climb."

That ethos inspired him to become a National Asian Pacific American Bar Association regional governor and the Hawaii State Bar president. As attorney general from 2011 to 2014, he was the state's top law enforcement officer — providing advice, counsel, and representation to the governor, legislature, and state agencies.

"The highlight of my legal career," says Louie, who details memorable moments in his book, *From the Desk of the Attorney General*.

Overseeing litigation that challenged Hawaii's constitutional amendment and statute barring same-sex marriage, he worked to pass new legislation that legalized it. He testified at legislative committee hearings on the bill, and successfully defended the new law in court.

Louie also negotiated a resolution of 30-year-old Native Hawaiian claims for monies owed by the state to the Office of Hawaiian Affairs for revenues from historic lands — taken by the U.S. from the overthrow of the Hawaiian monarchy — settling the claims by providing \$200 million of prime lands in Honolulu.

And he negotiated the terms of a 665-acre conservation easement on coveted hotel and residential development lands in Oahu, eliminating significant development

and preserving the land as wild forever.

"It was a steep learning curve," he says. "I was surprised at the breadth and depth of the legal issues confronting Hawaii, but I really enjoyed the challenge of handling them — especially those with significant implications."

Now a partner at Kobayashi Sugita & Goda in Honolulu, Louie handles complex commercial litigation, construction defect litigation, general liability insurance defense, and lobbying matters. With a dizzying list of past and present civic volunteer roles and organizational affiliations, he has also been a faculty member and lecturer for many continuing legal education seminars.

Even now, more than four decades after graduating, Louie regularly harkens back to his time at Berkeley Law.

"There were so many students who wanted to help change the world for the better," he says. "Social justice, environmentalism, and reform of institutions were frequently discussed, all within the tradition of excellence of thought promoted by Berkeley. It was a time of great optimism and hope ... I've been inspired by people like my parents and many friends in law school who made significant contributions in public service."

— *Andrew Cohen*



The school awarded her an Honorary Doctor of Laws, and last fall the *Puget Sound Business Journal* named her a Board Director of the Year.

Christopher Kerosky, an immigration law specialist at Kerosky & Gallelli, has been hired as a professor at Empire College School of Law in Santa Rosa, California. He previously served as a U.S. Department of Justice Civil Division trial attorney and on the Sonoma County Human Rights Commission.

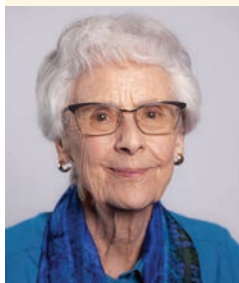
1985

Donna Brady joined Ballard Spahr's Los Angeles office. She has over 30 years of experience working on innovative procurement, contracting, and finance for infrastructure project development within a broad range of facilities, including transportation, water, and energy.

1986

Donna Peizer is the author of *Somewhere Different Now*, a young adult/historical fiction novel published by Atmosphere Press. Set in post-World War II rural Colorado, the book explores the racism

of that era as experienced by two teenage girls, one Black and one white. The *U.S. Review of Books* says, "This is professional writing at its best." See DonnaPeizer.com for more information.



1988

John Adkins, who oversees the San Diego Law Library, won the 2021 Witkin Award for Excellence in Public Service. He has been president of the Council of California County Law Librarians, a national board member for the American Association of Law Libraries, and a commissioner on the California Access to Justice Commission.

Wendy Strimling

retired as Monterey County's assistant county counsel at the end of 2021.

1989

Markéta Sims was promoted to directing appellate attorney for indigent services at the

Los Angeles County Bar Association, where she has appellate coaching, mentoring, and knowledge management responsibility for the over 300 attorneys of the juvenile and adult conflict panels. In 2020, she was named the Pacific Juvenile Defender Center's Juvenile Defender of the Year.

1991

James Abrams (see page 65), a partner at Fox Rothschild, received the Meritorious Service Award from Legal Aid at Work, a nonprofit that helps low-wage workers, their families, and communities through free legal clinics, litigation assistance, and policy advocacy, among other services. He is the organization's treasurer and serves on its board of directors and on its executive, finance, and audit committees.

Luis Li joined Wilson Sonsini Goodrich & Rosati's Los Angeles office as a partner in the firm's national litigation practice. A fellow of the American College of Trial Lawyers and noted white-collar defense attorney, he has twice earned *California Lawyer* Attorney of the Year selections and been named among the *Daily Journal's* Top 100

Lawyers, among other honors.

1997

Jess Bravin was reappointed to the Ethics Commission in Takoma Park, Maryland. The commission administers the municipal and state ethics laws for covered city officials.

1998

Paul Karl Lukacs and **Daniel M. Hattis '99** have been prosecuting consumer class actions at their Seattle-area boutique firm, Hattis & Lukacs, since 2017.

1999

Niloofar Bina Shepherd has been promoted to deputy general counsel - litigation & employment at Creative Artists Agency, which represents talent in entertainment and sports. She says her global work spans the spectrum across the agency's dynamic businesses, and that "I still routinely draw on my Berkeley Law experiences and relationships."

2000

Michael Murphy, a partner at Ervin Cohen & Jessup, was named to the *Los Angeles Business Journal's* "Leaders of

Influence: Thriving in their 40s" list. The list highlights the top business professionals in Los Angeles who demonstrate success inside business and throughout their communities.

2005

Michael Burns published his first book, *The Flat Tire Murders: Unsolved Crimes of a South Florida Serial Killer*, in October. A Miami native, Michael interviewed several retired Dade County detectives who still maintain that Ted Bundy committed at least two of these 1975 murders in South Florida. The book is available through Amazon and Barnes & Noble.

2006

Shawn Bayern, professor and associate dean at Florida State University College of Law, published his most unusual book to date: *Autonomous Organizations*, from Cambridge University Press. It shows how modern business-entity law is flexible enough to give legal personhood to software and robots.

2007

Daniel Dobryowski was named by the

National Association of Corporate Directors to its NACD Directorship 100 as one of the corporate governance community's most influential leaders. He was honored for his work on governance of technology risk as the head of governance and trust at the World Economic Forum.

Michael Pasahow has joined the global law firm Faegre Drinker as counsel in the benefits and executive compensation practice group (San Francisco office). He had been senior corporate counsel at the employee stock ownership plan advisory firm Menke & Associates, Inc.

2009

Greta Williams was named co-partner-in-charge of Gibson, Dunn & Crutcher's Washington, D.C., office. Her practice focuses on executive employment disputes, class actions, trade secrets, and non-compete matters.

2010

Randall Yates, former Oklahoma Assistant Solicitor General, joined Crowe & Dunlevy in the firm's Oklahoma City and Tulsa offices. He is a director in the Tulsa office and part of the appellate, litigation &

James Abrams '91

Lawyering Outside the Lines

When James Abrams '91 arrived at Berkeley Law, he was a decade older than many of his classmates and had already built a career in real estate and banking. He knew what he wanted out of law school — in fact, many of his earlier colleagues were surprised to hear he wasn't already a lawyer.

What Abrams, who already had a master's degree from UC Berkeley's Goldman School of Public Policy, found at the law school was an amazing group of students.

"There were scientists, people who had been in business and government, and other really smart people who had come straight through from undergrad," he says. "It wasn't a cookie-cutter type of thing.

"I learned a lot from my colleagues, and I stay in touch with a lot of them today."

Abrams also appreciated the pairing of practical teaching with the theoretical underpinnings of the law. He recalls one semester in which he took Securities Regulation from Silicon Valley guru Larry Sonsini '66 (see page 22) and a business law class from legendary Professor Richard Buxbaum LL.M. '53 "to give you the underlying theory, and you need both."

He's drawn on all of it over a blockbuster real estate finance career, for many years at a boutique firm and at Fox Rothschild since it absorbed that firm in early 2021. Abrams delights in the intricacies of deals and the unexpected challenges, and is full of fun tales about solving tricky problems.

There was the creation of an easement to make possible the rooftop sculpture garden at the San Francisco Museum of Modern Art. Another easement (which dated to the early 20th century), over a part of what is now the Hetch Hetchy water system, was discovered during negotiations for renewal of a parking and access ground lease, and had to be brought current.

Abrams has helped Napa and Sonoma Valley vintners navigate their financing and deals with



adjacent property owners when different operations might otherwise collide. He also represented the lender on the first secured loans for the private development of the former Presidio military post and for the SFJAZZ Center.

"In my practice, you need a broad knowledge: real estate, finance, a little bit of environmental law — I have to be cognizant of all of it, but that's what makes it interesting," he says. "I've been blessed by having a lot of very interesting clients, and working on some prominent things where there was no form that you could pull off the shelf and fill out. You had to think and find a new way to do things."

As a former hiring partner at his last firm, Abrams saw how Berkeley Law relishes and cultivates that skill in its students.

"They were the ones I liked to interview most, and who worked out the best as associates," he says. "Berkeley grads really stood out for being more well-rounded, more mature, more inquisitive. I think that was part of the admissions process, then and now." — *Gwyneth K. Shaw*

In Memoriam

John M. Roberts '49	Thornton C. Bunch Jr. '63	Frank Sieh '70	Marion P. Avery	Kenneth A. Kragen
Byron F. White '51	Anthony J. Klein '63	Gregory J. Hobbs Jr. '71	Marilynn S. Bartlett	June L. Kripp
Frederic L. Harvey '53	Thomas P. O'Donnell '63	Thomas G. Smith '71	Laurie Becklund	Helen B. Landers
Richard H. Hoffelt '55	Janet McMillan	Donald J. Weintraub '71	Alberta D. Benson	Lila J. Marvin
Harry W. Low '55	Otterman '63	David M. Hellman '72	Lynn J. Besser	Alan C. Mendelson
Robert D. Parmalee '56	Thomas Silk Jr. '63	Mark A. Tenenbaum '72	Russell T. Bigelow	Gwynnee Reed Moffitt
Clarence W. Brizee Jr. '57	Clyde M. Blackmon '64	Isabel Marcus '75	Barbara S. Bryant	Mervin Morris
George L. Schroeder '58	Joel Carey '64	Shelley H. Surpin '76	Nell Senson Cliff	Harold H. Mumby
Judge John D. Harris '59	Donald O. Germino '64	Paul R. Trudell '76	John E. Costain	Samuel Reece
Theodore B. Lee '59	E. M. Risse '65	Lawrence A. Cox '77	Ruth M. Cowan	Thomas H. Reynolds
James A. Callaway Jr. '60	Harvey I. Wittenberg '65	Kevin M. Harris '84	Joseph Ehrman	Robert D. Shaner
John C. Porter '60	John L. Afton '66	Eleanor M. Herberg '84	Sharon L. Fine	Lucinda Sikes
Phil Hammer '61	John W. McTigue '66	Jeffrey D. Dillman '89	Theodore H. Geballe	Dorothy M. Snodgrass
Thomas J. Klitgaard '61	Peter A. Haberfeld '67	Marcia H. Rioux '93	Robert Hamilton	Stephen D. Sugarman
Richard D. Lamm '61	Alden B. Tueller '67	Dirk Tillotson '95	Richard Harris	William R. Timken
Frank H. Lang Jr. '61	Kenneth K. Summers '68	Jason Temple '10	Marian Lind Hayashi	Marjorie Traub
Geoff Van Loucks '61	Michael K. Tandy '69	—	Susan F. Hunt	Elizabeth M. Wied
Donald W. Jordan Jr. '62	David S. Weissbrodt '69	Lillian Alex	R. Elizabeth Kanowitz	Margaret A. York
W. Jackson Willoughby '62	Peter A. Lee '70	Rex D. Andrews	Mary A. Knox	

Shining Lights Who Educated and Enriched Our Community

Stephen Sugarman



A widely beloved Berkeley Law professor for nearly 50 years, Sugarman died on Dec. 26, 2021, after a four-year battle with kidney cancer.

A prolific scholar and influential figure in education, tort, and insurance law, he played a major role in litigating the case that equalized public education funding among California school districts.

Last spring, the *California Law Review* published a special issue to commemorate Sugarman's brilliant career, which includes more than a dozen books and countless articles. Soon after, colleagues, family, friends, and students gathered virtually for a salute.

Dean Erwin Chemerinsky said no one was more influential in education law over the last half century. Professor and former dean Christopher Edley Jr. said Sugarman's school funding work benefited "literally millions of lives."

A relentless Berkeley Law community

builder, Sugarman served two stints as associate dean and was a tireless participant in committee and other work.

Those wishing to make a donation in his name can contribute to the Stephen Sugarman Memorial Public Interest Endowed Fellowship at Berkeley Law.

Lucinda Sikes



Described by Dean Chemerinsky as "the heart and soul of our legal writing program," Sikes died unexpectedly on Sept. 19, 2021. She spent 20 years teaching in the program, mentoring scores of students over that time.

A UC Berkeley graduate, Sikes worked at CALPIRG, went to Harvard Law School, then became a lawyer at U.S. PIRG. She lobbied for consumer safety legislation, and her testimony in Congress about toy-related injuries helped pass the Consumer Product Safety Improvement Act of 1990.

Sikes worked for eight years at the Public Citizen Litigation Group as an appellate

litigator, fueling key legal precedents on government transparency, before joining Berkeley Law in 2001.

Dirk Tillotson '95



Killed during a home invasion on Oct. 1, 2021, Tillotson was a noted education activist and a fierce advocate for students of color. Leading an organization called Great School Choices, and writing on his blog Great School Voices, he championed education equity in Oakland.

Tillotson worked to improve Black students' literacy rates, standardized test scores, and graduation figures — and to give them more school choice. He also served on the board of a charter school network operating six Oakland schools, and led its student outcomes committee.

During the pandemic, Tillotson hosted "Access Denied," a web series on the digital divide and how to ensure that all youth get internet access at home.

trial, and Indian Law & gaming practice groups.

2011

Jonathan Baum joined Steptoe & Johnson as a partner in the firm's white-collar defense group (San Francisco office). A Berkeley Law lecturer on legal ethics and professional development, Jonathan is a former speechwriter and consultant to the Bill & Melinda Gates Foundation and the ONE Campaign, which advocates for increased aid to Africa.

Tam Ma won UC Berkeley's annual Mark Bingham Award for Excellence in Achievement by Young Alumni, which honors recent grads who have made a significant contribution to their community, country, or the world at large. Deputy legislative affairs secretary for California Gov. Gavin Newsom, Tam has used public policy as a catalyst for social change.

2012

Nicholas Fram was promoted to partner at Munger, Tolles & Olson. A litigator in the firm's San Francisco office, he focuses on high-stakes complex commercial litigation, internal investigations, and mass torts.

Shoaib Ghias has been elected partner at Goodwin Procter. He has worked in the firm's Boston and San Francisco offices since 2013 and is a member of its life sciences and technology corporate practice.

Mary Kaiser was elected to the partnership of Morrison & Foerster. Based in Washington, D.C., and part of the firm's litigation department and antitrust group, she represents domestic and multinational companies in all aspects of antitrust and competition-related matters.

Larisa Kingston Mann J.S.P. published the book *Rude Citizenship: Jamaican Popular Music, Copyright, and the Reverberations of Colonial Power*, which started as her J.S.P. dissertation. An assistant professor of media studies and production at Temple University, Larisa reveals how a culture of collaboration lies at the heart of Jamaican creative practices and legal personhood.

Juan Perla was promoted to partner at Curtis, Mallet-Prevost, Colt & Mosle in New York City. Focused on international and

appellate litigation, he's been a lead associate on several recent high-profile matters, including *United States v. Vaello-Madero*, argued in the U.S. Supreme Court.

Dora Pulido has been promoted to counsel at Seward & Kissel. She advises private companies, investment management firms, and business owners and managers on business transactions, equity financings, and general corporate matters.

Vikram Swaruup

was appointed chief deputy attorney general for the District of Columbia's Office of the Attorney General, and now supervises its daily operations and the work of its nine legal divisions. He had served as senior counsel to the attorney general, and established the office's civil rights practice as its first lawyer investigating and prosecuting cases under the District's Human Rights Act.



Amanda Urquiza has been elected partner at Wilson Sonsini Goodrich & Rosati. She works on corporate and securities law matters with a focus on public company representation, corporate governance, and public offerings.

2013

Mica Klein was promoted to partner at Perkins Coie. A member of the firm's Seattle office, Mica counsels owners and developers on public and private construction transactions.

Rob Landicho has been promoted to counsel at Vinson & Elkins. He focuses on international commercial arbitration, investor-state arbitration, and U.S. commercial litigation while also providing counseling on foreign investment planning.

2014

Juan Carlos Sanchez was elected to partnership at Robbins Geller Rudman & Dowd, the country's largest class action firm. Based in San Diego, he represents pension funds in litigation against some of America's biggest companies, striving to restore losses to their funds and other investors through prosecution for securities fraud.

2015

Rico Paolo Quicho LL.M. is the founding partner of Quicho Law Offices, whose extensive litigation practice includes intra-corporate disputes, commercial litigation, corporate rehabilitation, data privacy, and media. Former dean at the University of Makati School of Law, Rico is also a professor at San Beda College-Alabang School of Law.

2016

Yuichi Inase LL.M. was elected to partnership at Morrison & Foerster. Based in Tokyo, he tackles a broad range of litigation matters (including commercial and intellectual property cases and dispute resolution) and corporate matters (including compliance and regulatory issues, with a focus on the technology and e-commerce industries).

2017

Anupama Reddy LL.M. was chosen as one of the *National Law Journal's* Rising Stars of the Plaintiffs Bar. An associate at Joseph Saveri Law Firm, she works mainly on antitrust class actions that allege anticompetitive conduct such as price-fixing and monopolization.

2019

Madeleine Bech joined Alto Litigation as an associate attorney. She has represented clients in commercial, trade secret, and intellectual property disputes, and maintains an active pro bono practice focused on advocating for people in the criminal justice and immigration systems.

Kevin Marshack joined Farella Braun + Martel in San Francisco as an associate. He is a corporate and transactional lawyer who advises clients across a wide range of industries.

2020

Ishan Shivakumar LL.M. was appointed as an assistant district attorney at the Manhattan District Attorney's Office.

2021

Fatemah Albader LL.M. was named to Emory University's 40 Under 40 list of the school's prominent alums. An assistant professor at Kuwait International Law School, she is a strong advocate for human rights in the Gulf region whose publications have confronted honor killings, citizenship rights, and women in parliament.

Lydia Galbreath '17

Serendipity Knocks

Lydia Galbreath knows it's not supposed to happen like this.

Most general counsel roles come later in a law career. New attorneys often get assigned to low hanging fruit like document review and due diligence. Young Black women rarely lead a startup legal team.

So exactly how did Galbreath become general counsel at Bitwise Industries — which builds tech economies in underestimated cities and helps marginalized people access opportunities in the tech industry — less than three years out of law school?

As a corporate associate at Gunderson Dettmer, Galbreath worked with Bitwise as a client and became a legal advisor to the company, which a few months later invited investors and others to "A Day at Bitwise."

"I went and it was the best decision I made," she says. "I actually got to see the company behind the deal papers in person. I landed at honestly the most welcoming, inclusive space. All of it blew my mind."

After more transactions together, Bitwise's CEO reached out to discuss the company's first legal hire. For Galbreath, it reflected the same nontraditional approach tech startups are using more throughout their operation.

"It's an environment for someone looking to be innovative and gritty across the company," she says. "This tends to be young lawyers looking to find their stride while developing their skills."

Bitwise has developed and leased over 100,000 square feet of space in downtown Fresno. The city's first rooftop conference center is underway, moving closer to a campus for housing hundreds of companies and thousands of new tech jobs. Similar plans are afoot in Bakersfield, Merced, Oakland, and Toledo, Ohio.

In addition to real estate, Bitwise focuses on technology consulting and workforce training, expanding businesses' knowledge of diverse talent, and training people to develop real-world tech skills while building on-ramps for those who

are traditionally left out of the industry.

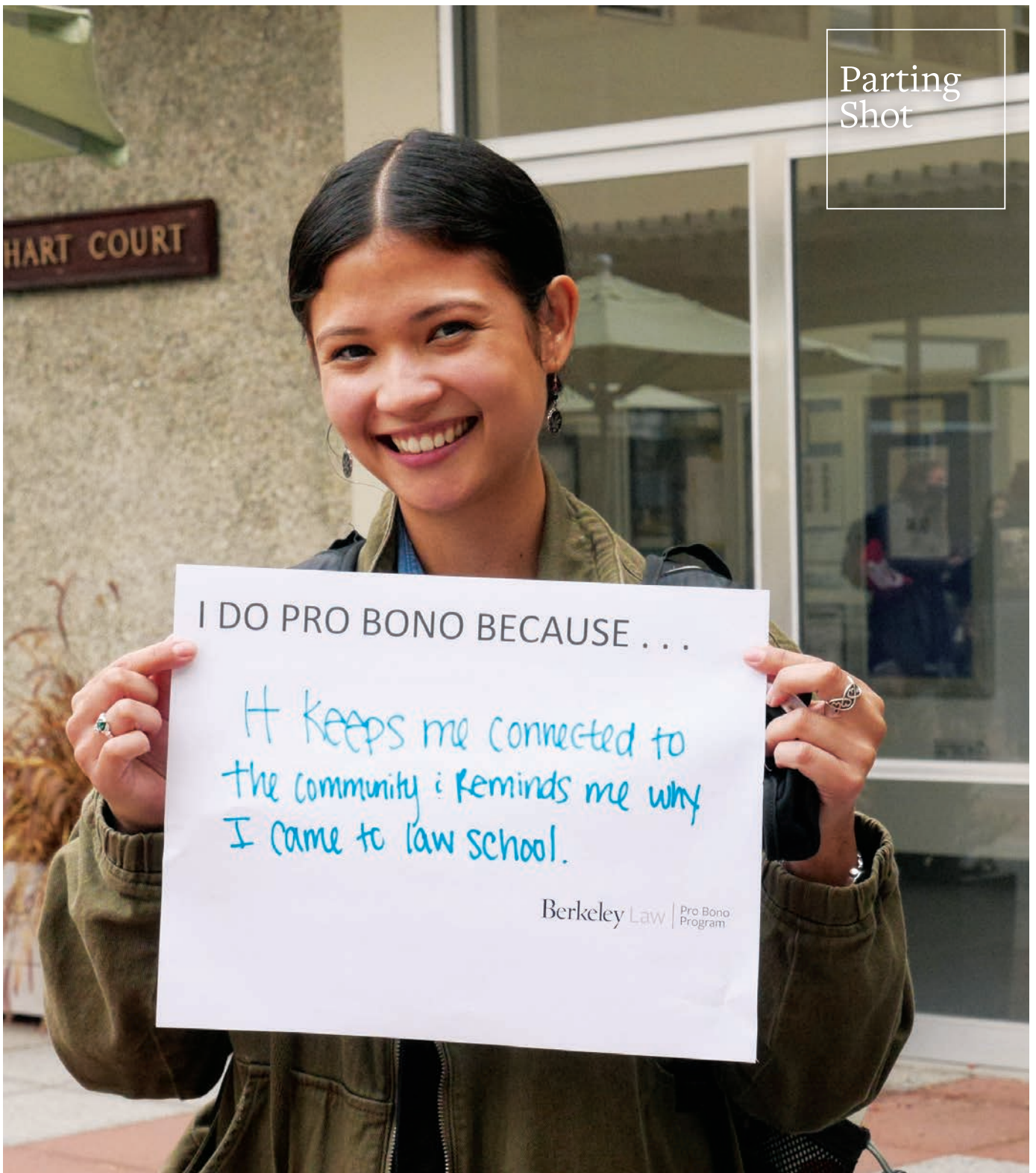
"I'm able to be a leader to so many people throughout the company," Galbreath says. "I didn't realize on this journey how many people I'd impact and how many colleagues I can provide advice for, be it translating things to laymen's terms or closing a deal."

Last semester, she shared insights with Berkeley Law students through the school's Leadership Lunch Series. During her own student days, Galbreath was president of Law Students of African Descent and active with the Startup@BerkeleyLaw program.

While the tech world's lack of diversity remains a frustration, Galbreath does see progress.

"When you're given a seat at the table, you have to ensure that first you speak up and that others are listening to what you're saying," she says. "Part of that comes with confidence. I think if we keep pushing the status quo, we'll be able to keep moving forward." — *Andrew Cohen*





More than 90% of our students — including 2L Jenna Mowat, shown here at a lunch giveaway for leaders of the school’s Student-Initiated Legal Services Projects and Berkeley Law Alternative Service Trips — engage in pro bono work before they graduate.

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