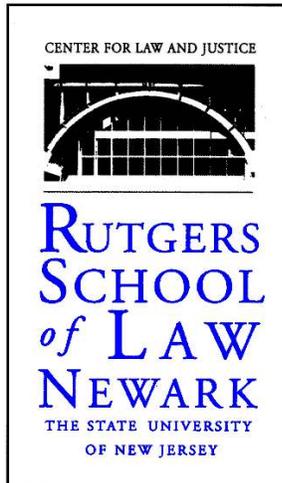


RUTGERS LAW SCHOOL NEWS

April-May 2002



Constitutional Litigation Clinic Challenges Secret Detentions

Students and faculty of the Constitutional Litigation Clinic have won several rounds in a legal challenge to the U.S. Department of Justice's (DOJ) secret detention of immigrants jailed in its terrorism investigation.

The Rutgers clinic filed suit in January on behalf of the ACLU of New Jersey to compel the Hudson and Passaic County, NJ jails to disclose the names of INS detainees held in those jails since September 11th. The suit is based on a 19th century state statute that requires all jails and prisons in New Jersey to keep a public log of inmates, as well as on other open government statutes. The DOJ intervened as a defendant, claiming that the statutes were not applicable to persons placed in those jails by the federal government. On May 20, the New Jersey Appellate Division heard oral argument in the case in the Bergen County courthouse. The Associated Press, *New York Times*, *Star-Ledger* and *Record* carried reports.

Leading the Rutgers Constitutional Litigation Clinic team are **Associate Dean Ronald Chen** and **Clinical Professor Penny Venetis**, supervising four law students. The students have seen the litigation transformed from a straightforward state law case to one in which federalism and international law issues (requested by the court) have entered the discussion. The participation of Clinic students was noted by the *New Jersey Law Journal* (May 20).

Russian Law Professors at Rutgers to Learn Clinical Legal Education

In an international exchange that is part of the Eric R. Neisser Public Interest Program, two law professors from a "sister" school in Russia spent May 6-17 at Rutgers, meeting with faculty and students, and observing the Rutgers clinics in action. Capt. Vitaly Scherbakov and Lt. Oleg Motin are faculty members at the MVD school in Samara, Russia.

Under a three-year State Department grant, Rutgers Law School-Newark has a linkage with three law school programs in Samara. The program provides for the development of legal clinics for the dual purpose of teaching students practice and public interest lawyering skills. The grant covers a series of faculty exchanges and trainings on clinical legal education, which Rutgers pioneered and which is a relatively new concept in Russia. Earlier this spring **Professor Frank Askin** and **Adjunct Professor Marilyn Askin** spent two weeks in Samara observing and advising their clinical programs. **Eric Neisser Program Director** and **Clinical Professor Marcia Levy**, who lived and worked in Russia as a clinical education specialist, secured the grant and directs the exchange program. The visit by the Russian professors was reported in the *Star-Ledger* (May 17).

FACULTY NOTES

Professor Frank Askin participated in a May 21 panel discussion on "Individual Rights in the Aftermath of 9/11" as part of the annual meeting of the New Jersey State Bar Association. An op-ed by Askin entitled "Hard Facts About Soft Money: The Debate Over Campaign-Finance Reform" was published in the May 20 *New Jersey Law Journal*.

As a guest lecturer at Columbia Law School, **Visiting Clinical Professor Laura Cohen** conducted a seminar on client interviewing and counseling for a group of first and second-year law students.

On April 13 the Association of Black Women Lawyers honored **Associate Clinical Professor Cynthia Dennis** as a “rising star” in New Jersey’s legal community.

Professor Suzanne Goldberg spoke at the May 2 opening plenary session of LatCrit VII in Portland, OR, which is the annual conference of Latina and Latino Critical Race Theory scholars. The plenary was entitled “Roundtable Discussion on LatCrit Coalitional Theory and Praxis Within and Beyond the Academy: Learning From and Collaboration With Movements for Social Justice and Political Transformation.”

Professor Tanya Hernandez will present her forthcoming *Cornell Law Review* article entitled “Multiracial Matrix: The Role of Race Ideology in the Enforcement of Antidiscrimination Laws – A. U.S. and Latin America Comparison” on May 31 at the 2002 Law and Society Conference in Vancouver. Hernandez also authored the chapter on “The Buena Vista Social Club: The Racial Politics of Nostalgia” in the book *Latino/a Popular Culture*, which has just been published by NYU Press.

DateAble, a national nonprofit organization that advocates for social opportunities for people with physical and mental disabilities, presented **legal research and writing instructor Barbara Hoffman** with its DateAble Image Award for her publications advocating for the rights of people with disabilities.

An intellectual property law panel at the University of Pennsylvania on April 2 was moderated by **Associate Clinical Professor John Kettle**.

Clinical Professor Randi Mandelbaum was a co-presenter of a May 19 workshop on “Students as Teachers” at the American Association of Law Schools Conference on Clinical Legal Education in Pittsburgh. Mandelbaum will also be a presenter at the Practicing Law Institute’s Fifth Annual Children’s Law Institute, to be held Sept. 4 in New York.

A faculty/student research project proposed by **Professor Gregory Mark** on “Origins of Modern American Corporate Law: New Jersey” has been awarded \$1,500 through the Rutgers Undergraduate Research Fellows Program. This is the first time that a law faculty member has been funded by the program. Mark and his Undergraduate Research Fellow, Meredith L. Huston, will be invited to present the results of their research at a poster session in April 2003.

STAFF & STUDENT NEWS

Associate Dean Fran Bouchoux participated in an April 8 panel discussion on “Access to Higher Education: Beyond Affirmative Action” at Columbia Law School.

On April 3, **Kenneth Padilla, Assistant Dean and Director of the Minority Student Program**

& Externships, accepted a Rutgers University Human Dignity Award honoring the MSP for its extraordinary achievement and commitment to promoting diversity at Rutgers and in society. Padilla has been elected to the Board of Directors of the Puerto Rican Bar Association of New York.

Second-year law student **Rob Francin** has joined the library professional staff as acquisitions/serials librarian. In other library news, its new “Cyber Café,” which is outfitted with six computers with flat screen monitors, is the only computer lab on campus where students are allowed to have beverages. In addition, the law library now provides computers and printers that students can use to prepare and print resumes.

The **Law Library** hosted more than 100 students from New Jersey and five other states for the annual Bridge the Gap program, which prepares summer associates to research legal issues for their firms. Many New Jersey firms require that students take the one-day refresher course. **Professor Carol Roehrenbeck** and **librarian Marjorie Crawford**, who lectured on federal and state legal resources, participated in the program.

The achievements of **Nia Brown**, **David Swarts** and **Elisa Westfield** are noted in the university’s *News Source: Class of 2002*, which alerts media to some of the most exceptional graduates of the more than 12,000 receiving a Rutgers degree this month. The three law school grads are featured at <http://ur.rutgers.edu/commencement/nwkprofiles-m>.

RUTGERS-NEWARK LAW IN THE NEWS

Dean Stuart Deutsch and **Associate Dean Fran Bouchoux** commented for a *New Jersey Law Journal* article (May 13) on the bar exam.

The Associated Press (April 11) interviewed **Professor Frank Askin** about New Jersey Supreme Court Justice Peter Verniero and about the retirement of Justice Gary Stein (April 17).

Associate Dean Ronald Chen was quoted in a *New York Times* article (May 5) about the penchant for secrecy of the Bush administration. The article cited Chen’s arguing the ACLU case challenging the secret detention of immigrants in New Jersey jails. In addition to the *Times*, the case has been covered, and Chen and Clinical Professor Penny Venetis quoted, by the Associated Press, the *National Law Journal*, the *New Jersey Law Journal*, the *Star-Ledger* and the *Record*.

Chen was also quoted in the *Star-Ledger* (April 14) on the Catholic Church’s pedophilia scandal, the retirement of New Jersey Supreme Court Gary Stein in the *New York Times* (April 18), the notification of residents of a New Jersey town about a paroled murderer living in their community (*Home News Tribune*, April 19), and the Big Game lottery controversy in the *New York Times* (April 27) and the *Record* article (May 1).

Professor Gary Francione commented for the *New Scientist* (May 1) on research involving placing rats under human command through the use of brain electrodes.

Associate Clinical Professor John Kettle was interviewed on April 26 about rival winning ticket claims for the Big Game lottery by WNBC-TV Channel 4 and New Jersey Network.

Professor Gregory Mark commented on the work of New Jersey law firms in a *Star-Ledger* article (April 28). An April 22 *Record* article about school drug sweeps also quoted Mark.

Dawne Smith, Director of Career Services, was quoted in a *New Jersey Law Journal* article (May 6) about the trend among law firms to reduce funding of health-care premiums and other cost-cutting moves. The *New Jersey Law Journal* also covered a job fair held at the law school on April 16 in which 14 major New Jersey firms participated.

The *Asbury Park Press* (April 27) interviewed **Professor George Thomas** on the New Jersey Supreme Court's upholding of an appellate decision limiting the right of police to search persons arrested for a minor offense.

The *New York Times* included comments by **Professor Paul Tractenberg** in its April 18 article about the retirement of Justice Stein. An April 30 *Times* editorial referred to *Abbott v. Burke* as "the most important equal education ruling since *Brown v. Board of Education*." Tractenberg has been a major part of the school funding case for more than 30 years.

Clinical Professor Penny Venetis was quoted in the *Record* (April 12) on the Constitutional Law Clinic's representation of students wrongfully accused of living outside their district.

The *New Jersey Law Journal* (April 15) published a lengthy article on the April 10 **Weintraub Lecture**. The *New Jersey Lawyer* (April 22) ran a photo of Chief Judge John Bissell, U.S. District Court for the District of New Jersey, who delivered the lecture, holding the framed picture of the Weintraub Court that Dean Deutsch presented to him.

The *Star-Ledger* on April 16 ran an extensive feature on **Urban Legal Clinic** students' representing defendants in a Special Remand Court session held at the law school. On April 6 the *Ledger* reported on cases handled by the school's **Innocence Project for Justice** on behalf of inmates who claim to have been wrongfully convicted. The article resulted from the April 4 "Actual Innocence" symposium, which featured a number of experts on the topic of wrongful convictions and DNA evidence.

The **Environmental Law Clinic's** role in a lawsuit over the state Department of Environmental Protection's designation of land on which an endangered wood turtle was found as "an exceptional wetland" was noted in the *Star-Ledger* (April 15).

EVENTS

U.S. Senator Jon Corzine (D-NJ) will deliver the keynote address during commencement exercises at the New Jersey Performing Arts Center on May 31. Bagpiper Jim Tansey (Class of 2001) will lead the procession of more than 200 graduates as well as administrators, faculty and staff from the law school to NJPAC.

The Alumni Association sponsored a cocktail reception on May 22 at The Tropicana in Atlantic City in honor of **Richard J. Badolato ('65)**, Connell Foley LLP, who was inducted as the 104th president of the New Jersey State Bar Association later that evening. On June 4, the Alumni Association will host a reception for area alumni at the Marriott Forrestal Village in Princeton.