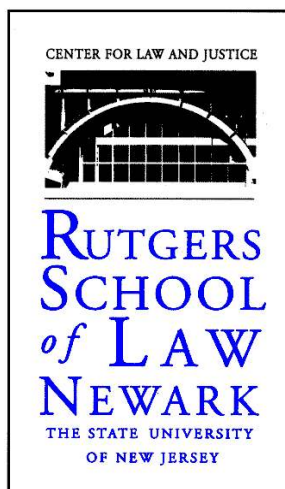


# RUTGERS LAW SCHOOL NEWS

November 2003



## *Nachtigal '76, Berson '68 Accept Distinguished Alumni Awards*

Patricia Nachtigal, senior vice president and general counsel of Ingersoll-Rand Company, Ltd., and a member of its board of directors, and Marc E. Berson, chairman of the Fidelco Group, were honored by the Alumni Association at the Oct. 30 Annual Alumni Recognition Dinner.

Nachtigal, who also holds a master of laws degree in taxation from New York University School of Law, joined IR in 1979 as a tax attorney. She was elected secretary of the company in 1988, vice president and general counsel in 1991, and a

senior vice president in 2000. Nachtigal is currently chair of the Board of Trustees of Rutgers University.

Berson has been chairman of the private investment firm Fidelco Group since 1981. In addition to serving as of counsel to the law firm of Stern, Greenberg & Kilcullen, he is chairman of Fidelco Realty Group; chairman of Kirker Enterprises, Inc.; chairman of Clinical Formula, LLC; and chairman of the Newark Bears Professional Baseball Club. Besides his business enterprises, Berson is involved in numerous philanthropic activities, including the New Jersey Performing Arts Center, the New Jersey Symphony Orchestra, and the New Newark Foundation.

Also honored at the dinner was the late Roxanne Jones Gregory '79, who was posthumously given the Fannie Bear Besser Award for Public Service. The award was presented by her classmate, David L. Harris, partner at Lowenstein Sandler PC. Gregory had been general counsel of the Southern Christian Leadership Conference in Atlanta prior to her death in 2002.



Marc E. Berson and Patricia Nachtigal

## *Judge Michael Chertoff Delivers Miller Lecture*

The Honorable Michael Chertoff of the United States Court of Appeals for the Third Circuit delivered the 2003 Paul S. Miller Distinguished Lecture on Oct. 20 in the Baker Trial Courtroom. Judge Chertoff spoke on "The Relationship Between Security and Individual Rights in Today's Society." From 2001 until joining the Court of Appeals in June 2003, Judge Chertoff was assistant attorney general for the Criminal Division at the U.S. Department of Justice, where he directed the national prosecution effort against terrorism as well as major prosecutions against corporate fraud. The *New Jersey Lawyer* (Oct. 27) and *New Jersey Law Journal* (Nov. 3) covered the lecture.



Judge Michael Chertoff

The Miller Lecture is made possible by an endowment established by Paul S. Miller '62 and his wife, Carol. Miller, retired executive vice president and general counsel of Pfizer Inc., is special counsel at Kaye Scholer LLP. The Millers have also created scholarships at the law school. Dolly Hansen '05 and David Portilla '06 are the current Miller Scholars.

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## CLINIC NEWS

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Fall semester has been very active for professor and student exchanges under State Department and ABA Balkan Law School Linkage Initiative grants.

**Assistant Clinical Professor Jennifer Valverde** spent two weeks during September in Samara, Russia visiting the law school's three "sister" clinics. She conducted a two-day intensive training for clinical professors and students on case theory and alternate dispute resolution techniques using a mock problem developed with one of the Russian professors.

Two fourth-year law students from the University of Novi Sad in Serbia spent the month of October at Rutgers. They participated in all aspects of the clinical programs, including attending hearings in administrative, family, special remand and housing courts; observing meetings with community groups; visiting the Essex County Jail; and taking a river boat trip to review the ecology of the Hackensack Meadowlands. In addition, the students attended non-clinical courses and participated in many law student outings and activities.

Finally, Professor Oleg Anishchik from Samara State University spent three weeks here meeting with clinical faculty, observing the clinical programs (for both substance and administration), going to court, and laying the groundwork for a joint Rutgers-Samara clinics' training for Russian clinical professors and law students to be held in Samara in May 2004. Professor Anishchik also was a guest speaker for the International Law Society and spoke with students about the Russian legal system and clinical programs.

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## FACULTY NOTES

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**Professor Frank Askin** has been elected to a 27<sup>th</sup> term as one of the four general counsel of the American Civil Liberties Union, which makes him the longest serving general counsel in ACLU history. On Oct. 27, Askin talked about his career as a public interest lawyer at a convocation of political science classes at Bloomfield College. On Dec. 10 in Trenton, he will be on a panel discussing "Dealing With the Media: The Unwritten Rules of the Game," sponsored by the Institute for Continuing Legal Education.

"What Is International Law?" was the topic covered by **Assistant Professor Karima Bennoune** at the International Law Society's first event of the year. In January Bennoune will speak at the AALS annual meeting on Islamic law and on the impact of the Iraq war on international law.

**Professor Emeritus Alfred Blumrosen** and **Adjunct Professor Ruth Blumrosen** will discuss their study on intentional job discrimination at the U.S. Civil Rights Commission in Washington on Dec. 12.

On Oct. 17, **Professor Norman Cantor** participated in a debate at the law school organized by the Jewish Law Students Association. The topic was "Israel Bashing and the First Amendment." Bruce Afran, a coadjutant teacher on the Rutgers-Camden law faculty, was the other participant. The debate was covered by the *New Jersey Jewish News* (Oct. 23). On Nov. 11, Cantor served as a responder at the John Hines Lecture sponsored by the Episcopal Diocese of Newark. He offered a response to the keynote address by Professor Glenn McGee of the University of Pennsylvania Center for Bioethics, whose topic was regulation of genetic research. In addition, Cantor has prepared a brief on behalf of the New York State Association for Retarded Children. The brief comes as part of litigation in which ARC is defending the constitutionality of a recent

New York statute authorizing guardians to make critical health decisions on behalf of those mentally disabled persons who cannot make their own determinations.

**Associate Clinical Professor Esther Canty-Barnes** has been appointed to the New Jersey Children in the Courts Improvement Committee. Canty-Barnes is Director of the Special Education Clinic.

**Assistant Professor Donna Dennis** spoke last month at the annual meeting of the American Studies Association, held in Hartford, CT. The title of her presentation was “Obscenity Regulation and the Construction of Pornographic Communities, 1840-1870.”

**Clinical Professor Sandy Freund** will discuss “How to Effectively Use the Tax Advocate’s Office” at the IRS Working Together Tax Symposium 2004, to be held Jan. 5 and 6 in New Brunswick at Douglass College.

On Oct. 7 **Associate Professor Suzanne Goldberg** spoke about *Lawrence v. Texas* at the Annual Supreme Court Review at Columbia Law School. She was a keynote speaker at an Oct. 18 panel on *Lawrence* at Lavender Law, the annual conference of the National Lesbian and Gay Law Association, and on Nov. 22 she will speak at “Gay Rights After *Lawrence v. Texas*,” a symposium sponsored by the *University of Minnesota Law Review*.

**Professor Tanya Hernandez** was one of the panelists at the Nov. 5 EEOC Community Forum on Equal Opportunities for Women.

**Barbara Hoffman, legal and research writing instructor**, spoke about the employment rights of cancer survivors at an Oct. 23 program sponsored by Gilda’s Club in Hackensack.

**Professor Saul Mendlovitz** organized and moderated an Oct. 20 panel discussion sponsored by Global Action to Prevent War. Mendlovitz is chairman of the organization’s International Steering Committee. The program, held at the United Nations, was entitled “Comprehensive Peacekeeping: The Updated Program Statement of Global Action to Prevent War.” On Nov. 14 he participated in a “Scholars’ Panel on Improving the United Nations: Incrementally? Amendments? A New Charter?” at “What Future for the United Nations?” The program was sponsored by Rutgers Law School, Rutgers Center for Global Change & Governance, the United Nations Association-USA, the World Federalist Association, and several other organizations.

“The Paradox of Progress: Three Decades of the *Mount Laurel* Doctrine” was the title of the paper presented by **Professor John Payne** at the 10<sup>th</sup> annual conference of the Society of American City and Regional Planning History. The conference was held in St. Louis on Nov. 8.

**Associate Dean Carol Rohrenbeck** was one of the speakers at the Oct. 27 program sponsored by the American Association of University Professors on “Academic Freedom & National Security in a Time of Crisis.” The program was simulcast on all Rutgers campuses. She covered “Administrative Responses to Academic Freedom Post 9/11.”

“Education Reform U.S. Style: The Court Made Me Do It” was the topic of a Nov. 18 seminar presented by **Professor Paul Tractenberg** for faculty and graduate students at the School of

Educational Foundations and Policy Studies of the Institute of Education, University of London. Tractenberg has been a Visiting Fellow at the Institute of Education this calendar year.

**Assistant Professor Mark Weiner** discussed the Civil Rights Act of 1964 at the annual meeting of the German-American Lawyers Association, held in Berlin, and gave a presentation on *Brown v. Board of Education* at the University of Hannover law school. On Dec. 5 he will address the constitutional law workshop at the University of Texas-Austin Law School.

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## STAFF & STUDENT NEWS

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**Associate Dean Fran Bouchoux** facilitated a program on gender bias for the Vincent Hannemans Inn of Court in Atlantic City on Oct. 1 and for Women Lawyers in Union County on Oct. 22. Also in her role as vice chair of the New Jersey Supreme Court Committee on Women in the Courts, she helped to organize a program entitled “Survival, Empowerment, and Growth: The Legal Landscape,” which was held at Seton Hall University Law School on Oct. 23. On Oct. 16, Bouchoux was a panel participant for the *Rutgers Race & Law Review* Symposium on Affirmative Action.

**Susan Lyons '04, documents/reference librarian**, organized the annual conference of the Documents Association of New Jersey, which took place Nov. 8 at the Rutgers Alexander Library in New Brunswick. The topic was “Breaking the Boundaries: Exploring International Documents.” Lyons and reference librarian **Renee Cullman** will present a workshop on Internet Legal Research for NJICLE on Nov. 25.

**Marnie Glaebberman '02**, who has been working as a career counselor in the Office of Career Services while Barbara Martin, Assistant Director of Career Services, has been on maternity leave, has been appointed the first Director of Public Service Initiatives for the National Association of Law Placement in Washington, DC. Glaebberman was previously a project director with Doctors of the World USA. In addition to her J.D. from Rutgers-Newark, she holds a masters in public health and a B.A. from Rutgers University.

Running in the New York City Marathon on Nov. 2, **Daniel Byrd '04** raised money for the Ubuntu Education Fund, a non-profit organization that helps provide educational resources for township schools in South Africa. Byrd asked friends to donate a per mile pledge to the fund, which was started by a college friend. Byrd finished the marathon in 4:13:38 or roughly one minute before P. Diddy (aka Puff Daddy).

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## RUTGERS-NEWARK LAW IN THE NEWS

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The *New Jersey Lawyer* (Oct. 20) ran two articles on “The Threat to Justice: Packing the Federal Courts,” the Oct. 11 First Monday program sponsored by the Eric Neisser Public Interest Program.

The *Star-Ledger* (Oct. 11), Associated Press (Nov. 6), *New Jersey Law Journal* (Nov. 10) and *New York Lawyer* (Nov. 12) noted that the plaintiffs in a lawsuit challenging the Solomon amendment include the Rutgers Gay and Lesbian Caucus as well as individual students.

A *Star-Ledger* article (Oct. 21) about unpublished court opinions included comments by **Associate Dean Ronald Chen, Professors Frank Askin and John Leubsdorf, and Clinical Professor Penny Venetis.**

The Associated Press (Oct. 15) quoted **Professor Frank Askin** on the U.S. Supreme Court's decision to hear the pledge of allegiance case. For a *Record* article (Oct. 21), he cited the Constitutional Litigation Clinic's advocacy against the practice of gated communities' refusing to allow door-to-door campaigning by political candidates. Askin was interviewed by CBS-TV (Oct. 7) about the launch of a drive to recall Newark's mayor and commented on the New Jersey recall statute for the *Star-Ledger* (Oct. 30)

**Associate Clinical Professor Tom Borden** spoke to the *Trenton Times* (Oct. 23) about plans by the McGreevey administration to pursue planning reforms chiefly through regulations rather than legislation, and to the *Asbury Park Press* (Nov. 14) about a lawsuit filed against a volunteer wildlife surveyor by the developers Lacey Town Center LLC. The Environmental Law Clinic is representing environmental groups that are challenging a state permit issued to the developers.

On Oct. 22 WCTC-AM interviewed **Professor Norman Cantor** on the Florida right-to-die case.

A *New Jersey Law Journal* article (Oct. 13) about the lawsuit challenging the Solomon amendment featured comments by **Dean Stuart L. Deutsch.** The Nov. 3 issue of the *Hispanic Outlook in Higher Education* contained comments on the U.S. Supreme Court's *Grutter* decision by Deutsch and **Professor Tanya Hernandez.**

**Professor Jon Dubin** was interviewed for the Oct. 13 Associated Press article on the *Barnhart v. Thomas* case. *Newsday* and the U.K.'s *Guardian Unlimited* were among the newspapers carrying the article. Dubin, who is Director of Clinical Programs, was interviewed by the Associated Press and Newhouse News Service after the U.S. Supreme Court decision was announced on Nov. 12.

The *Record* (Oct. 10) interviewed **Professor Howard Latin** about a lawsuit by the parents of a girl paralyzed in a drunken driving accident charging the National Football League with causing the accident by promoting excessive drinking at football games.

**Professor John Leubsdorf** was quoted by the *New York Times* (Oct. 19) on the increase in the number of complaints against New Jersey lawyers; by the *ABA Journal eReport* on a lawsuit challenging a New Jersey rule that prohibits disclosure of complaints filed against lawyers; and by the *Star-Ledger* (Oct. 24) on the recusal by the presiding judge in a graft trial.

A *Star-Ledger* article (Oct. 28) on the newspaper's Best Homemade Wine in New Jersey contest, quoted **Associate Dean Marie Melito,** whose uncle won a bronze medal in the competition.

**Professor George Thomas** was quoted by the *Star-Ledger* (Oct. 24) on the defense's plan in a sexual assault case to challenge the state's rape shield law.

The *Bridgeton News* (Nov. 14) included a comment by **Assistant Clinical Professor Carter**

**Strickland Jr.** on a lawsuit filed by the Environmental Law Clinic against the city of Millville planning board on behalf of several environmental groups. The *Press of Atlantic City* (Oct. 30) reported that Strickland notified Cape May County officials that the Environmental Law Clinic would not appeal a decision approving a plan to expand the campus of Atlantic Cape Community College.

The *Trenton Times* (Oct. 23) quoted **Visiting Assistant Clinical Professor Judith Weinstock** about the lawsuit filed by the Environmental Law Clinic to stop the construction of a concrete manufacturing plant near a playground and park in Wrightstown.

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## EVENTS

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The **Minority Student Program** will hold an Alumni Reception at the law school on Dec. 3 from 6-9 pm. For more information, contact Elvirra Gallashaw at [egallashaw@kinoy.rutgers.edu](mailto:egallashaw@kinoy.rutgers.edu) or 973-353-3047.

The **Alumni Association** and the Class of '53 are sponsoring a swearing-in ceremony for the Class of 2003 at 2 pm on Dec. 14. Members of the Class of '53 will administer the oath. Class of '03 members who plan to attend should notify Evie Task at [alumnimail@kinoy.rutgers.edu](mailto:alumnimail@kinoy.rutgers.edu) or 973-353-1617.