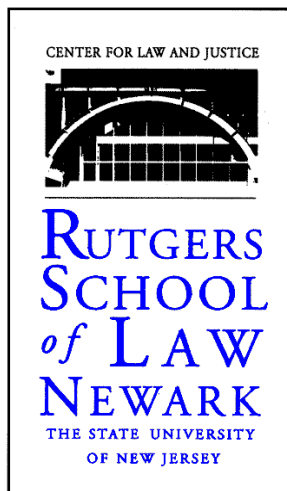


# RUTGERS LAW SCHOOL NEWS

February 2005



## ***Loan Repayment Assistance Program Recognized by Equal Justice Works as One of Strongest in the Country***

The law school's Loan Repayment Assistance Program (LRAP), developed to help graduates who take a public interest job to pay their law school debt, has been recognized as one of the most successful in the country by Equal Justice Works, Washington, DC. Graduates who receive LRAP funding work as public defenders, legal services attorneys, prosecutors, and attorneys general; others work for the National Lawyers Guild, ACLU, Fair Trial Initiative, Association for Retarded Children, and an HIV Law Project.

Following are some of the key findings in the 2004 "Financing the Future" report from Equal Justice Works:

- Rutgers-Newark LRAP disbursements rose 89% between 2000 and 2003, the largest percentage increase of any law school in the country.
- Among public law schools, Rutgers-Newark LRAP spending per enrolled student is at the same level as the University of Virginia Law School and behind only the University of California-Berkeley School of Law and the University of Michigan Law School.
- Rutgers-Newark ranks 11<sup>th</sup> among all 81 public and private law schools that provided LRAP funding to graduates in 2002-2003.

Since its inception in 1999, LRAP has processed 84 awards totaling more than \$353,000. In the last awarding cycle, 30 recipients shared more than \$132,000 in LRAP funds.

*New Jersey Lawyer* (Dec. 27) and the *Star-Ledger* (Dec. 24) reported on the recognition.

## ***New Book by Blumrosens on Role of Slavery in Founding of the U.S.***

*Slave Nation: How Slavery United the Colonies and Sparked the American Revolution* by Emeritus Professor Alfred Blumrosen and the late Ruth Blumrosen has been published by Sourcebooks, Inc. The 384-page hardcover, which represents the culmination of 25 years of study, argues that slavery played an integral role in the Declaration of Independence, the American Revolution, and the adoption of the Constitution and the Northwest Ordinance. The book features an introduction by District of Columbia Congresswoman Eleanor Holmes Norton.

Alfred W. Blumrosen, an expert in employment law and discrimination, is Thomas A. Cowan Distinguished Professor of Law Emeritus. Ruth Blumrosen, who died in January 2004, had been an adjunct professor at the law school since 1980. In 2002, the Blumrosens published *The Reality of Intentional Job Discrimination in Metropolitan America – 1999*, funded by the Ford Foundation.

## ***NJ Bar Swearing in Ceremony Wins CASE Award***

The Council for Advancement and Support of Education (CASE) has presented the law school with a silver award for creating an annual New Jersey Bar Swearing-in Ceremony for its most recent graduates. Evie Task, senior alumni relations officer, accepted the Leadership Award in Alumni Relations (Events Program) at last month's CASE District II annual conference.

Held at the law school in December 2003, the inaugural swearing-in ceremony was sponsored by the Alumni Association and the 50<sup>th</sup> Reunion Class. The CASE award cited the creativity of connecting the 50<sup>th</sup> Reunion Class of 1953 with the school's newest graduates, as

well as the involvement of alumnae/i from the bench and bar. Justice Jaynee LaVecchia, Associate Justice of the New Jersey Supreme Court and a 1979 graduate, administered the attorney's oath, along with '53 alumnus Herman D. Michels, J.A.D. (ret.).

### ***ABA Honors Rutgers-Supported Law School Consortium Project***

The American Bar Association at its midyear meeting presented the Law School Consortium Project with the 2005 Louis B. Brown Award for Legal Access. Dean Stuart L. Deutsch and David C. Condliffe, director of development, serve on the LSCP national advisory board and Clinical Professor Laura Cohen coordinates law school activities related to the project. LSCP seeks to increase access to justice by helping law schools to support the community law practices of solo and small-firm practitioners who provide legal services to low and moderate-income individuals and communities. Membership in LSCP, which was founded in 1997 with funding from the Open Society Institute, has grown to 17 law schools.



Shown are some of the more than 50 2004 graduates who came to the law school this past December to be sworn in to the New Jersey Bar by Justice Jaynee LaVecchia at the 2<sup>nd</sup> annual swearing-in ceremony.

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## FACULTY NOTES

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At the Jan. 5-8 annual meeting of the Association of American Law Schools (AALS), **Professor Bernard Bell** moderated a panel on “Private Matters, Public Causes: Privacy Implications of Electronic Court Filings” and was co-moderator of a panel on “Privacy and Defamation Law in the Digital Age.” In Jan. 10 testimony before the New Jersey Assembly Appropriations Committee regarding Assembly Bill 3493, he discussed the constitutionality of the federal Professional and Amateur Sports Protection Act.

**Emeritus Professor Alfred Blumrosen** spoke at the AALS annual meeting on the procedures and results of his 2002 study on job discrimination.

“Progressive Income Taxation and the Vickrey Cumulative Averaging System” was the title of **Assistant Professor Neil H. Buchanan’s** presentation at the AALS annual meeting panel on Tax Policy for Low-Income Taxpayers. He will present “Taxing Average Income: A Progressive Alternative to the Annual Income Tax” on March 9 at the University of Michigan’s Tax Policy Workshop; on April 1-3 at the Critical Tax Conference at Seattle University Law School; and on April 21 at NYU Law School’s Tax Policy Colloquium.

**Professor Norman Cantor’s** “On Kamisar, Killing, and the Future of Physician-Assisted Death” was the lead article in the *Michigan Law Review’s* August 2004 tribute issue to Professor Yale Kamisar. Cantor participated in the Jan. 28 conference at Stetson University College of Law on Florida’s *Schiavo* case. As a panelist on Terri’s Law: A Discussion of Constitutional Rights, he presented “Deja Vu All Over Again: A Quality of Life Ethic Versus a Sanctity of Life Ethic” in which he discussed parallels between the *Quinlan* and *Schiavo* cases.

In February at Stanford Law School **Professor Tanya Hernandez** presented a paper on “Inter-Group Power Relations in the Courtroom: The Adjudication of Inter-Ethnic Discrimination Claims” and served as a panelist on “Forging Alliances Across Borders: Issues Confronting the Black Diaspora” at a conference entitled Beyond Black Letter Law: Bridging Critical Disparities Confronting Contemporary Black America. On Feb. 26 she will participate in a panel discussion on “Race and Pedagogy” at the University of Florida’s Center for Study of Race & Race Relations Race and Law Curriculum Workshop. **Professor David Troutt** is scheduled to deliver the workshop’s keynote address.

**Emeritus Professor Saul Mendlovitz** discussed “The Prevention, Apprehension and Punishment of Genocide” at the Jan. 16-17 Law and Humanities Conference in San Diego co-hosted by the Law and Humanities Institute and the Thomas Jefferson School of Law.

**Professor James Pope** spoke at the Jan. 27-28 Next Wave Organizing Conference at New York Law School.

**Professor Carol Roehrenbeck**, Associate Dean for Library and Information Services, reports that the Law Library has been designated as the repository for the videotapes of the oral arguments of the New Jersey Supreme Court. Arguments will appear on the Court website for the first 30 days and then will be transferred to the Law Library website. Roehrenbeck chaired the Section on Law Libraries program and business meeting at the AALS annual meeting. The topic was Electronic Repositories. She also chaired a meeting at which she discussed proposed language changes to the ABA/AALS Standards for Approval of Law Schools and Law Libraries. Her position paper on the changes, written for the Section on Law Libraries, will be presented to the ABA/AALS.

On Jan. 19, **Assistant Clinical Professor Carter Strickland Jr.** argued before the New Jersey Supreme Court in *Atlantis Beach Club v. Raleigh Ave. Beach Assoc.*, a case that will affect the public’s right to gain access to and use beaches and tidal lands under the ancient Public Trust Doctrine. The Jan. 24 *New Jersey Law Journal* quoted from Strickland’s argument. Strickland has been assisting the New Jersey Audubon Society in responding to a massive oil spill that spread out over more than 50 miles of the Delaware River and harmed two islands owned by Audubon and used as wildlife refuges.

“History’s Lessons for the Right to Counsel” by **Professor George C. Thomas** was published in the 2004 *University of Illinois Law Review*. He was invited to write for the *Michigan Law Review*’s August 2004 tribute issue to Yale Kamisar. His article was entitled “Miranda’s Stories.” On Nov. 13, Thomas presented “Discretion in Criminal Law: the Good, the Bad, and the Mundane” at the University of Louisville Louis D. Brandeis School of Law. On Jan. 11 he presented “A World Without Crime” at Fordham University Law School.

**Professor Paul Tractenberg** participated in the Dec. 13-15 bilateral (US/UK) conference on urban education reform, held in London. It was sponsored by the Goldman-Sachs Foundation.

*Black Trials: Citizenship from the End of Slavery to the Beginning of Caste* by **Associate Professor Mark S. Weiner** was reviewed by the *Washington Post* on Jan. 5 and profiled in the Nov. 1 *Rutgers Focus*. In December Weiner presented “*Brown v. Board of Education* and the Therapeutic State” to a faculty seminar at the University of San Andreas in Buenos Aires. In

January he presented “Black Trials and American Citizenship” as the Martin Luther King Remembrance Lecture at the Maxwell School of Public and International Affairs, Syracuse University.

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### STAFF & STUDENT NEWS

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**Elizabeth Beebe** has been promoted from director of career services to assistant dean of career services. Beebe joined the law school in January 2003 from Emory University School of Law, where she had been executive assistant dean for student affairs. She holds a J.D. from Emory.

**Anita Walton** has been promoted from director of admissions to assistant dean of admissions. Before joining the law school in 1999, Walton spent 14 years as Director of Student Services and Director of Admissions at Cardozo School of Law. She holds an M.B.A. from Suffolk University.

**David Condliffe**, director of development, participated in the “ABCs of Major Gifts” panel at the AALS annual meeting.

Development assistant **Terri Hilger** received a business/accounting certificate after completing several courses in a program sponsored by Rutgers University Human Resources.

“New York’s Failure to Protect All Victims of Domestic Violence” by **Adrienne Lockie**, director of the Domestic Violence Advocacy Project, was published in the winter 2005 *American Journal of Family Law*.

**Kevin Reiss**, head of digital services, was inducted into Beta Phi Mu, the National Honor Society for Library and Information Science.

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### RUTGERS-NEWARK LAW IN THE NEWS

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The **Constitutional Litigation Clinic’s** challenge to the use of electronic voting machines in New Jersey was cited by Katha Pollitt in her Nov. 8 column in the *Nation*.

**Professor Frank Askin** was interviewed by WNYC for a Feb. 2 report on Judge Michael Chertoff’s confirmation hearing to head the Department of Homeland Security, by the *Record* for a Jan. 24 column on problems in the state’s election system, by the *New York Times* (Jan. 21) on a lawsuit against New Jersey Transit, the *Trenton Times* (Jan. 16) on the impact of religion on politics in New Jersey, and by the *Los Angeles Times* (Dec. 14) on an election dispute in San Diego.

The *New Jersey Law Journal* (Dec. 20) reported on **Professor Bernard Bell’s** comments at a hearing of the state Law Revision Commission. The *New York Times* (Dec. 25) and radio station WUSS (Dec. 9) interviewed him about the effort to legalize sports betting in New Jersey.

*New Jersey Lawyer* (Dec. 27) and the *New Jersey Law Journal* (Jan. 3) noted that **Associate Dean Ronald Chen** argued before the state Supreme Court on behalf of the ACLU in a successful appeal of the use of peremptory challenges of potential jurors based on their wearing

of religious clothing. The *Star-Ledger* (Jan. 26) quoted Chen on a state Supreme Court ruling that involved legal ethics in a commercial real estate dispute.

A Jan. 17 *Connecticut Law Tribune* article cited **Professor Sherry Colb's** Jan. 11 FindLaw column "Makeup Requirements for Female Employees Violate Anti-Discrimination Law."

An article by the news service Jewish Telegraphic Agency on Judge Michael Chertoff's nomination as Secretary of the Department of Homeland Security included comments by **Dean Stuart L. Deutsch**. Both the *Washington Post* (Jan. 31) and Senator Susan Collins, in questioning Chertoff during his Senate committee confirmation hearing, quoted from Chertoff's 2003 Miller Lecture at the law school. *New Jersey Lawyer* (Dec. 27) quoted Deutsch on the drop in the percentage of women in law school and the *Star-Ledger* (Jan. 23) on lawyers who leave the profession.

**Assistant Clinical Professor Lisa Garcia** of the Environmental Law Clinic talked to the *Star-Ledger* (Jan. 27) concerning state environmental officials' recommendation that the developer of a proposed medical waste processing plant in Linden withdraw his permit application. A neighborhood organization that opposes the plant is a clinic client.

The *New York Times* (Jan. 24) interviewed **Associate Clinical Professor Susan Kraham** about new state regulations aimed at reducing groundwater pollution.

A *Washington Post* (Feb. 1) article on the use of New York State's terrorism law to prosecute gang members and a *Record* (Dec. 30) look at the year's major business-to-business disputes included comments by **Professor Gregory Mark**.

**Professor John Payne** was interviewed for a *New York Times* (Feb. 6) story about a lawsuit filed by Montgomery Township against the state over the township's stalled effort to acquire 230 acres of state-owned abandoned property.

The *Star-Ledger* (Feb. 11) included a comment by **Professor Paul Tractenberg** on a call for allowing poor families to use vouchers to send their children to private schools.

The February issue of *Corporate Legal Times* cited **Clinical Professor Penny Venetis** and the Constitutional Litigation Clinic's successful *Jama* case, which established for the first time that corporations and their employees can be sued under the Alien Tort Claims Act for acts committed in the U.S.

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## EVENTS

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The **Alumni Association** is hosting a reception in New York City on Feb. 17 and the 40th reunion of the Class of 1964 will take place on May 21. For more information contact Evie Task, senior relations alumni officer, at 973-353-1617 or [alumnimail@kinoy.rutgers.edu](mailto:alumnimail@kinoy.rutgers.edu).

**"Lawyer-Legislators,"** a panel discussion featuring a bipartisan group of state legislators, will take place from 5 - 7 pm on Feb. 23. Topics to be discussed by members of the State Senate and General Assembly include the role of lawyers in the legislative process. The ABA's Law Student

Division at the law school is sponsoring the event. Associate Dean and Professor Bernard Bell will be the moderator.

The annual **PILF** (Public Interest Law Foundation) **auction** will be held on March 3. Proceeds from the auction go to stipends for students who take unpaid summer positions with public interest organizations.

James W. Reed, professor of history at Rutgers University and former dean of Rutgers College, will discuss “Reproductive Rights Before *Roe v. Wade*” at 6 pm on March 9 in a lecture sponsored by **Law Students for Choice**.

On Feb. 24 Associate Professor Mark S. Weiner will read from his critically acclaimed new book, *Black Trials: Citizenship from the Beginnings of Slavery to the End of Caste*, as part of a special event sponsored by the Law Library. The 6 pm reading and book signing followed by a cocktail reception will help launch the **Friends of the Law Library** program. Associate Dean Carol A. Roehrenbeck will describe the benefits of membership in the new program, which is offered at a variety of participation levels. Roman Mitchell of the Rutgers-Newark music department will play several selections, including an original composition. On display outside the library are several materials from its rare and traditional collections that are related to Professor Weiner’s book.

To RSVP for the event, contact Elaine Giordano at 973-353-3121.

On March 25, **Mari Matsuda**, Professor of Law at Georgetown University, will deliver a presentation entitled “The Last Public Place: Saving public education and the fight for democracy in America.” The law school is co-sponsoring her visit with the Rutgers-Newark Women’s Studies Program. Professor Matsuda, an activist, scholar and writer, was the first Asian-American woman to receive tenure at a U.S. law school. The lecture will take place at 11:15 am in the Baker Trial Courtroom.

The 37th anniversary **Minority Student Program** banquet is scheduled for April 7.

**Justice Roberto A. Rivera-Soto**, Associate Justice of the New Jersey Supreme Court, will present the 23rd Annual Chief Justice Joseph Weintraub Lecture on Tuesday, April 12. The 6 pm lecture will be followed by the Annual Alumni Judges Dinner. For more information, contact Evie Task at 973-353-1617 or [alumnimail@kinoy.rutgers.edu](mailto:alumnimail@kinoy.rutgers.edu).