

## news in brief



# Connecticut Supreme Court Hears Cases at Yale Law School

THE YALE LAW SCHOOL auditorium was transformed into a courtroom on September 12, 2008, when the Connecticut Supreme Court set up shop to hear arguments in two cases, one criminal and one civil. The Court's appearance at Yale was part of an educational initiative of the Connecticut Judicial Branch begun more than twenty years ago called "Supreme Court on Circuit." The Court travels to universities and high schools across the state in an effort to provide students, educators, and the general public with a greater understanding of the Court and its procedures.

Retired Chief Justice Ellen Ash Peters '54 opened the program with a talk on the history of the Connecticut Supreme Court. Then first-year students, whose attendance was required, and others in the auditorium heard oral arguments in the criminal case, *State v. Lawrence Smith*, and the civil case, *St. Joseph Living Center, Inc. v. Town of Windham*. Each argument lasted about an hour and was followed by a question-and-answer session with counsel and volunteer attorneys.

"The Supreme Court on Circuit program has proven to be a very successful collaboration among law schools and colleges, the bar, and the community," said Chief Justice Chase T. Rogers.

"It provides an opportunity for students to observe first-hand how the appellate process works and to ask questions of the attorneys involved with the cases."

"We were delighted to host the Supreme Court of Connecticut at Yale Law School for its first sitting here in the



Connecticut Supreme Court justices join with Dean Harold Hongju Koh and YLS student escorts after the Court heard two cases at the School in September.

twenty-first century," said Dean Harold Hongju Koh. "Through its faculty, graduates, and history, Yale Law School and the Supreme Court of Connecticut have developed deep organic ties. This sitting, held early in the school year, deepened those ties by offering a wonderful educational

Second Circuit came to the Law School on November 25 for a rare sitting outside Manhattan.

Yale Law School Professor Daniel Markovits '00, former law clerk to Second Circuit Court of Appeals Judge Guido Calabresi '58, gave opening remarks on the

***"It provides an opportunity for students to observe first-hand how the appellate process works and to ask questions of the attorneys involved with the cases."***

opportunity for all interested lawyers, law students, and residents of our region to see our state's highest court in action."

The YLS community and public were privileged to see another esteemed court in action just before Thanksgiving. The United States Court of Appeals for the

historical connection between Yale Law School and the Second Circuit, and the nature of the Second Circuit as a court. Oral arguments in six cases followed.



[www.law.yale.edu/podcasts](http://www.law.yale.edu/podcasts)



PUBLIC INTEREST

YLS Doubles Public Interest Fellowships

EXPANDING ON ITS longstanding commitment to public interest, Yale Law School has doubled the number of public interest fellowships offered through the YLS Public Interest Fellowship Programs.

Public interest fellowships—funding to support students and graduates who choose to explore their commitment to public interest in post-graduate careers—are not new to the Law School. Yale’s pioneering Arthur Liman Public Interest Fellowship and the Robert L. Bernstein Fellowships in International Human Rights, established in the mid-1990s, created a model for public interest fellowships to come. By 2008, the number of such fellowships had increased to fourteen. It jumped to twenty-eight in the spring of 2008 with Dean Harold Hongju Koh’s announcement of a major initiative to enhance the public interest program at Yale Law School and improve financial support for graduates.

“Yale Law School has always served the public interest,” said Dean Koh at the time. “We have particularly pursued two priorities: creating and instilling a culture of public spiritedness that values lifelong public service, and ensuring that money does not become the decisive factor controlling career choices.”

The fellowships are a natural outgrowth of Yale Law School’s clinical programs that have, since the 1970s, expanded opportunities for service while teaching substantive knowledge about many areas of law, ranging from sentencing and mental health to




Students displayed this “thank you” poster in the main hallway after Dean Koh announced expanded public interest opportunities in spring 2008.

children’s and immigrants’ rights. Yale clinical faculty implemented innovative community development programs, and just as clinical offerings are diverse and have varied over the years, so will the fellowships support a wide range of activities.

The 2008–2009 fellowships will support recent Yale Law graduates for a year of full-time public interest work domestically or internationally, with the possibility in limited circumstances of extended funding for up to an additional year. These fellowships will enable graduates committed to public

interest initiatives to gain experience in the public interest field and to create innovative projects to serve the critical needs of underserved populations, as well as to staff ongoing programs. The fellowships also provide organizations with the ability to utilize the skills of Yale Law graduates to help respond to their clients, augment resources for ongoing projects, and do work that the organizations may not otherwise have undertaken.

The YLS Public Interest Fellowship Program is one of a number of YLS fellowship opportunities available to support graduating students and alumni. Other fellowship programs include the aforementioned Arthur Liman Public Interest Fellowship and The Robert L. Bernstein Fellowships in International Human Rights; the Heyman Federal Public Service Fellowship Program; the Initiative for Public Interest Law at Yale; the International Court of Justice Internship/ Clerkship; the Mary A. McCarthy Fellowships in Public Interest Law; the Robert M. Cover Fellowship Program; the Irving S. Ribicoff Fellowship; the Oscar M. Ruebhausen Fellowships; the Richard A. Bartlett ’82 Fellowship at the American University in Cairo & YLS; the Ruebhausen South Asia Teaching and Research Fellowship; the San Francisco Affirmative Litigation Project Fellowship; and the YLS Fellowships at the Permanent Court of Arbitration (The Hague).

website  [www.law.yale.edu/pifellowships](http://www.law.yale.edu/pifellowships) and [www.law.yale.edu/lawteaching](http://www.law.yale.edu/lawteaching)

Project to Measure China’s Environmental Performance Launched

THE YALE CENTER for Environmental Law & Policy and The Samuel Family Foundation announced the launch of a project to assess environmental management and performance in China. Unveiled at the Clinton Global Initiative annual meeting in New York on September 25, the project involves a partnership between the Chinese Academy of Environmental Planning and Columbia University’s Center for International Earth Science Information Network. It includes the creation of a Pilot 2009 China Environmental Performance Index showing the status of China’s environment at the provincial level.

The initial report will be released in the fall of 2009 and will compare China’s provinces on categories such as air pollution, water quality and quantity, environmental health, climate change, biodiversity, fisheries, agriculture, and forestry. The China EPI will help the Chinese government address the most pressing environmental concerns, set priorities for allocation of resources, and build a practical framework for sustainable development in the future.

website  [envirocenter.research.yale.edu/](http://envirocenter.research.yale.edu/)



Nineteen justices from around the world attended this year’s Global Constitutionalism Seminar in September.

INTERNATIONAL LAW

Twelfth Year for Global Constitutionalism Seminar

YALE LAW SCHOOL hosted its twelfth Global Constitutionalism Seminar in late September, bringing together leading Supreme Court and Constitutional Court

justices from around the world to discuss in strict confidentiality important legal issues of the day. The theme of this year’s seminar was “Constitutional Orders.”

Nineteen justices attended, including Stephen Breyer and Anthony Kennedy of the United States Supreme Court and justices from Canada, Israel, Germany, France, Chile, Australia, and other countries.

They spent four days at the Law School meeting with faculty, students, and each other to consider issues of common interest. Topics selected for discussion this year included judicial dissent, the United Nations and constitutional orders, social conflict and judicial decision-making, constitutionalism and indigenous peoples, and religious status and secular constitutional law.

One of the Law School’s premier international programs, the Global Constitutionalism Seminar was founded in 1996 to promote international understanding of common issues of constitutional law. It has been directed by David Boies Professor of Law Robert Post ’77 since 2006. From 1996 to 2006, it was directed by Paul Gewirtz ’70, Potter Stewart Professor of Constitutional Law and Director of The China Law Center.



FACULTY

Professor Robert Ellickson ’66 Awarded Brigham-Kanner Property Rights Prize

PROFESSOR ROBERT ELICKSON ’66 is the 2008 recipient of the Brigham-Kanner Property Rights Prize, given by William and Mary Law School.

The prize is named in recognition of Toby Prince Brigham and Gideon Kanner for their lifetime contributions to private property rights, their efforts to advance the constitutional protection of property, and their accomplishments in preserving the important role that private property plays in protecting individual and civil rights.

Ellickson is the Walter E. Meyer Professor of Property and Urban Law at Yale Law School. Prior to joining the Yale faculty in 1988, he was a member of the law faculties at the University of Southern California and Stanford University.

He is the author of numerous books, including *The Household: Informal Order Around the Hearth* (see page 16), and *Order Without Law: How Neighbors Settle Disputes*, which was awarded the Order of the Coif Triennial Book Award. He is a fellow of the American Academy of Arts and Sciences and a past president of the American Law and Economics Association.



Justice Assad Mubarak, High Court, Palestinian Authority; Aharon Barak, former president of the Supreme Court of Israel; Justice Anthony Kennedy, U.S. Supreme Court.

Global Constitutionalism photos by Robert Lisak



## CLINICS

## Clinical Education Colloquium to be Held March 5 & 6

ON MARCH 5 AND 6, 2009, Yale Law School will host a major colloquium that celebrates the role of clinical education at Yale Law School. The event, “Forty Years of Clinical Education at Yale: Rights, Remedies, and Legal Services,” marks the 40th anniversary of the founding of the clinical program at the Law School and honors the contributions of clinical professors Dennis Curtis ’66, Frank Dineen, Carroll Lucht, and Stephen Wizner. The opening panel on Thursday afternoon will reflect on what shaped the creation of a clinical program in the late 1960s when it was founded, and will also consider contemporary challenges for clinical education. Dean Harold Hongju Koh and Sterling Professor Emeritus Guido Calabresi ’58 will serve as masters of ceremonies at a dinner on March 5 for Professors Curtis, Dineen, Lucht, and Wizner.

Panels on March 6 will focus on substantive areas of law in which Yale’s clinical programs have worked—including sentencing, detention, and institutionalization; the provision of legal services both within the United States and around the world; and the priorities and effects of international human rights clinics. The closing panel will explore law schools’ commitment to clinical education. The Colloquium is sponsored by the Arthur Liman Public Interest Program and Yale Law School.

In addition to the honorees, clinical professors Brett Dignam, Jean Koh Peters, J. L. Pottenger, Jr. ’75, Robert Solomon, and Michael Wishnie ’93 will speak on panels along with many distinguished alumni/ae of the clinical programs.

For more information, see [www.law.yale.edu/liman](http://www.law.yale.edu/liman) or contact Sarah Russell, Director of the Liman Public Interest Program, at 203 432-2230 or [sarah.russell@yale.edu](mailto:sarah.russell@yale.edu).

website  [www.law.yale.edu/liman](http://www.law.yale.edu/liman)



Dean Harold Hongju Koh, Judge Ralph Winter ’60, Robert Todd Lang ’47, Professor Roberta Romano ’80

## CORPORATE LAW

## Judge Ralph Winter ’60 Receives Simeon E. Baldwin Award

JUDGE RALPH K. WINTER ’60 was the recipient of the 2008 Simeon E. Baldwin Award, presented by Yale Law School’s Center for the Study of Corporate Law. The Baldwin Award, established in 2007, is presented by the Center to a Yale Law graduate in recognition of distinguished achievement in law and business.

Ralph Winter is a Senior Circuit Judge for the U.S. Court of Appeals, Second Circuit, having served since 1982. He received a B.A.

degree from Yale College in 1957 and an LL.B. degree from Yale Law School in 1960. He was a member of the Law School faculty from 1962–82. At the time of his appointment to the bench in 1982, he was the William K. Townsend Professor of Law. He continues to teach at Yale Law School part-time and is a past recipient of the Yale Law School Association’s Award of Merit.


In presenting the award to Judge Winter, Professor Roberta Romano ’80, director of the Center for the Study of Corporate Law, recognized Judge Winter’s “foundational contributions to corporate law as a scholar and jurist” and said his pathbreaking 1977 article, “State Law, Shareholder Protection, and the Theory of the Corporation,” “challenged the prevailing understanding of state corporate law as a ‘race for the bottom’ and transformed the debate, by using economic analysis to identify fundamental flaws in the dominant reasoning that failed to recognize the impact of markets on behavior.”

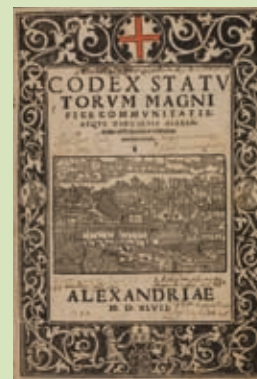
“The 1977 article continues to be read and cited,” she added, “with 10 percent of its over 200 citations having been in 2007–08 publications. This is a rare achievement.”

Professor Romano praised Judge Winter for his success in influencing corporate law not only from the bench but also through his teaching at the Law School.

## Lillian Goldman Library Display Celebrates Former Dean Guido Calabresi ’58

TO MARK THE FACT that Judge Guido Calabresi ’58 graduated from Yale Law School 50 years ago, the Lillian Goldman Law Library recently acquired a significant collection of 60 early Italian law books from the Association of the Bar of the City of New York, joining the Library’s extensive collection of Italian statutes dating from the 14th to 20th centuries. An exhibition highlighting the collection is now on display in the Lillian Goldman Law Library and is dedicated to Judge Calabresi. Titled “The Flowering of Civil Law: Early Italian City Statutes in the Yale Law Library,” the exhibition debuted Alumni Weekend 2008, the occasion of Judge Calabresi’s 50th YLS reunion, and will remain on display in the Law Library’s new state-of-the-art Rare Books Exhibition Gallery through February 2009.

website  <http://blogs.law.yale.edu/blogs/rarebooks/>



The financial crisis and the bailout bill were the subjects of discussion at a panel sponsored by the Law School’s Center for the Study of Corporate Law.

## CORPORATE LAW

## YLS and SOM Professors Discuss U.S. Financial Crisis

AS THE U.S. HOUSE of Representatives was preparing to vote on a revised bill to bail out the financial industry in early October, Yale Law School’s Center for the Study of Corporate Law was convening a panel of experts to share their opinions on the bailout and consider the causes of the financial crisis.

The panel discussion on October 2—“What’s Going on in the Financial Markets?”—included Yale Law School Deputy Dean and Sam Harris Professor of Corporate Law, Corporate Finance, and Securities Law Jonathan Macey ’82, and Yale School of Management Professors Gary Gorton, Andrew Metrick, and William Goetzmann. The complexity of the crisis was underscored early in the program when the four professors split down the middle when asked to vote yea or nay on the bailout bill, the yeas saying something

needed to be done immediately to restore confidence and the nays saying the bill didn’t address the real problem.

“How much do you believe that if we don’t do something serious, there’s going to be a super-duper meltdown?” asked Professor Metrick, saying the answer to that question would determine your position on the vote.

The panel discussion, which filled nearly every seat in Room 127, was one of several events on the financial crisis hosted by the Center for the Study of Corporate Law. The Center also hosted a breakfast for Yale Law School alumni on December 2 in New York City. The program, titled “Assessing the Financial Market Mess: Is There a Subprime Solution?,” featured Yale Law School Professors Ian Ayres ’86 and Jonathan Macey ’82, along with Yale Economics Professor Robert Shiller, who was an adjunct professor at the Law School in the fall term.



[www.law.yale.edu/podcasts](http://www.law.yale.edu/podcasts)



**FORMER PRIME MINISTER Tony Blair** was a frequent visitor to the halls and classrooms of the Law School this past semester as he taught a class as part of Yale’s new “Faith and Globalization Initiative.” The Initiative is a collaboration among Yale’s Divinity School, School of Management, and the Tony Blair Faith Foundation. The seminar explores the potential of religious faith to bring the world together.

website  <http://faithandglobalization.yale.edu>

## Conference Honors Mirjan Damaška

A CONFERENCE TO honor the work of Mirjan Damaška was held Friday, October 31, and Saturday, November 1, at Yale Law School. Damaška is Sterling Professor Emeritus of Law and Professorial Lecturer in Law. He teaches and writes in the fields of comparative and foreign law, procedural law, evidence, international criminal law, and continental legal history. He joined the Yale Law School faculty in 1976.

The event, attended by some of the leading legal scholars in the United States and Croatia, celebrated Damaška’s role as a teacher, academic, and colleague. A panel discussion on “Evidence” Friday evening was followed by a reception with the leaders of his first faculty at University of Zagreb, Croatia. Saturday’s panel discussions focused on Damaška’s scholarly work in Comparative Procedure, International Criminal Law, and Theory of Comparative Law.



Self portrait by Mirjan Damaška



## LAW AND MEDIA

Law & Media Program  
Hosts Greenhouse, Lewis

THE LAW AND MEDIA PROGRAM (LAMP) hosted a full slate of speakers this past semester, initiating a LAMP Lunch Series and hosting special lectures by legendary journalists Anthony Lewis and Linda Greenhouse '78 MSJ. Greenhouse, Knight Distinguished Journalist in Residence at YLS and former *New York Times* Supreme Court reporter, spoke about the Supreme Court during a lecture held (quite fittingly) on the first Monday in October. The lecture was co-sponsored by the American Constitution Society and the Arthur Liman Public Interest Program. Greenhouse spoke about the mood of the Court as it entered its new session, and about specific cases she sees as taking the measure of the Roberts Court.



Linda Greenhouse '78 MSJ; (above right) Anthony Lewis

Two-time Pulitzer Prize winner Anthony Lewis spoke to students and faculty during a lunchtime lecture in September. Lewis discussed his most recent book, *Freedom for the Thought That We Hate: A Biography of the First Amendment*. In a discussion and subsequent question-and-answer session full of personal anecdotes, Lewis



spoke about the importance of freedom of the press and the need for more investigative reporting. "We're suffocating in opinion in this country," Lewis said. "I believe in freedom of opinion, but we need facts."

website  [www.law.yale.edu/lawandmedia](http://www.law.yale.edu/lawandmedia)

## Conference to Honor W. Michael Reisman '64 LL.M., '65 JSD

YALE LAW SCHOOL will hold a conference, Realistic Idealism in International Law, on April 24 to honor the work of W. Michael Reisman '64 LL.M., '65 JSD, the Myres S. McDougal Professor of International Law, who has been on the faculty since 1965. Leading international law scholars will come from the United States and around the world to participate in panels on Jurisprudence; The Use of Force; Trade, Investment, and Dispute Settlement; and Human Rights. Dean Harold Hongju Koh will open the conference and Judge Rosalyn Higgins '62 JSD, President of the International Court of Justice, will give closing remarks.

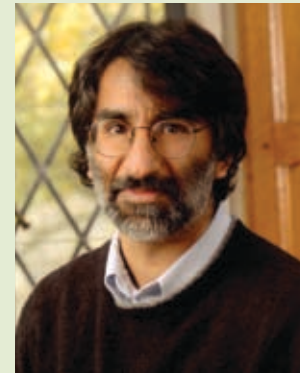
Reisman has been a visiting professor in Tokyo, Hong Kong, Berlin, Basel, Paris, and Geneva. He is a Fellow of the World Academy of Art and Science and a former member of its Executive Council. From 1992–1995, he served as a member and subsequently chairman of the Inter-American Commission on Human Rights. He is the President of the Arbitration Tribunal of the Bank for International Settlements and has been elected to the Institut de Droit International. In addition to being a world-renowned scholar, Reisman is an active practitioner, serving as an arbitrator in countless public international and investor-state arbitrations and as counsel in other arbitrations and in cases before the International Court of Justice. He has published widely in the area of international law and jurisprudence. His publications include hundreds of articles and more than twenty books, the most recent of which are *Foreign Investment Disputes: Cases, Materials and Commentary* (with Bishop and Crawford); and *International Law in Contemporary Perspective* (with Arsanjani, Wiessner and Westerman).

The conference is supported by the Oscar M. Ruebhausen Fund at Yale Law School, and panel discussions are free and open to the public. For more information, visit [www.law.yale.edu/conferences](http://www.law.yale.edu/conferences) or email [pascale.mathieu@yale.edu](mailto:pascale.mathieu@yale.edu).



W. Michael Reisman

## Appointments



↑ **Akhil Reed Amar '84**, newly designated as Sterling Professor of Law, is a scholar of constitutional law, the Bill of Rights, and criminal procedure.

Amar is a co-editor of a leading law casebook, *Processes of Constitutional Decisionmaking*, and is the author of several books, including *The Constitution and Criminal Procedure: First Principles, The Bill of Rights: Creation and Reconstruction*, and, most recently, *America's Constitution: A Biography*.

Amar has written widely on constitutional issues for such publications as *The New York Times*, *The Washington Post*, *The Los Angeles Times*, *The Wall Street Journal*, *Time* magazine, *The New Republic*, and *Slate*. He is also a contributing editor to *The American Lawyer*. His many law review articles and books have been widely cited by scholars, judges, and lawmakers. The justices of the U.S. Supreme Court have invoked his work on more than twenty cases, and he has testified before Congress on a wide range of constitutional issues.

A 1980 graduate of Yale College, Amar earned his J.D. in 1984 from Yale Law School and served as editor of *The Yale Law Journal*. Before joining the Yale faculty in 1985, he clerked for now-U.S. Supreme Court Justice Stephen Breyer when Breyer was a judge on the First Circuit Court of Appeals. Amar teaches constitutional law at both Yale College and Yale Law

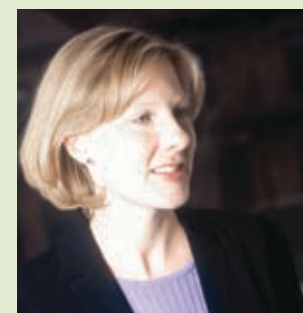
School. His undergraduate course is among the most popular college offerings.

In 1994, Amar received the Paul Bator Award from the Federalist Society for Law and Public Policy, and in 1995 the National Law Journal named Amar one of 40 "Rising Stars in the Law." Two years later, *The American Lawyer* placed him on its "Public Sector 45" list. His book on the Bill of Rights earned Amar the American Bar Association's Certificate of Merit and the Yale University Press Governor's Award. He received an honorary degree from Suffolk University in 1997.

Amar has delivered endowed lectures at more than two dozen colleges and universities.

In addition to his teaching and research, the Yale law professor has also been a consultant to the television show *The West Wing*.

A Sterling Professorship is one of the University's highest faculty honors.



↑ **Heather Kristin Gerken**, the inaugural J. Skelly Wright Professor of Law, is one of the country's leading experts on voting rights and election law, the role of groups in the democratic process, and the relationship between diversity and democracy.

Gerken is perhaps best known for her idea of a "Democracy Index," which she proposed in *Legal Times* in 2007. Gerken's proposal calls for states to be ranked based on how well

they run their election systems, focusing on such issues as how long voters spent in line, how many ballots were discarded, how often voting machines broke down and other considerations. Both Barack Obama and Hillary Clinton introduced election reform bills that were inspired by Gerken's index.

Gerken is currently working on a book outlining her Democracy Index, as well as another on the trans-substantive concept of "second-order diversity" in American public law. Her writings have appeared in numerous law journals, among other publications. Gerken has been a frequent commentator on election law and voting rights, appearing on *CNN News*, *Larry King Live*, and other programs.

Prior to coming to Yale, Gerken taught at Harvard University, where she was the first junior professor in the history of Harvard Law School to receive the Sacks-Freund Award for Teaching Excellence, given annually to an outstanding instructor at the school. She began her career at Harvard in 2000 and was promoted to a full professorship in 2005.

Gerken earned her B.A. from Princeton University and her J.D. at the University of Michigan Law School. She then served as a law clerk for Judge Stephen Reinhardt of the U.S. Court of Appeals for the Ninth Circuit, and for Justice David H. Souter of the U.S. Supreme Court, before entering private practice in Washington, D.C.

The J. Skelly Wright Professorship of Law was established in 2008 by a gift from the estate of Helen Patton Wright in honor of her husband, James Skelly Wright, who earned an honorary LL.D. from Yale in 1961. Wright was a judge on the U.S. District Court for the Eastern District of Louisiana from 1948 until 1987. The professorship grew out of a teaching fellowship that was established

in 1989 to honor the judge by inspiring students with the ideal of public service.



↑ **John Fabian Witt '99**, the George Welwood Murray Professor of Legal History at Columbia University, will join the Yale Law School faculty in July 2009. Witt's research and teaching interests focus on the history of American law.

His first book, *The Accidental Republic: Crippled Workingmen, Destitute Widows, and the Remaking of American Law*, argued that experiments in accident law at the turn of the 20th century shaped 21st-century American accident law by laying the foundations of the American administrative state and triggering a hotly contested legal transformation from the principles of free labor to new categories of insurance and risk.

Witt's second book, *Patriots and Cosmopolitans: Hidden Histories of American Law*, explored the constitutional foundations of American nationhood through examination of the little-known stories of five Americans, including a bohemian Greenwich Village suffragist and a black Baptist minister from rural South Carolina.

His articles have appeared in the *Columbia Law Review*, the *Harvard Law Review*, *The New York Times*, *Slate*, *The Washington Post*, and elsewhere. Witt is currently writing a book on the laws of war in American history.



## CONFERENCES

## Governing After 2008 Among Fall Conference Topics

IN ANTICIPATION OF the November elections, about one hundred students, faculty members, policymakers, and scholars from across the political spectrum gathered for a daylong conference September 27 to discuss the future of governance in the United States.

Hosted by the *Yale Law & Policy Review*, in collaboration with the Yale Law Democrats, the Yale Law Republicans, and



(From left) YLPR Conference Editor Kathleen Claussen '10, Editor-in-Chief Zachary D. Kaufman '09, and Conference Editor Aaron Zelinsky '10

the Yale chapters of the Federalist Society and the American Constitution Society, "Governing After 2008" examined what the outcome of the 2008 presidential election might mean for the country and where the U.S. should focus its policymaking in the years ahead.

Panel discussions centered on "Fighting Poverty: Root or Branch?"; "Multilevel Governance: The Role of State and Local Actors"; and "Accountability and Principled Governance." Among the distinguished panelists taking part were Justice Scott Brister of the Supreme Court of Texas and Justice Denise Johnson of the Vermont Supreme Court.

Zachary D. Kaufman '09, editor-in-chief of the *Yale Law & Policy Review*, said the 2008 presidential election presented "an historic opportunity for the Yale Law School community to examine the future path of government in the United States."

Audio excerpts from the three panels are available online at the conference website, [www.yale.edu/ylpr/governingafter2008](http://www.yale.edu/ylpr/governingafter2008), along with photos from the event.

The Information Society Project at Yale Law School hosted the third Access to Knowledge Conference (A2K3) September 8–10 in Geneva, Switzerland. The conference brought together hundreds of decision-makers and experts on global knowledge to discuss the urgent need for policy

reforms and to address crucial topics related to global knowledge policy, including innovation systems, digital education, Internet governance, climate change, public health, and human rights.

Other notable fall conferences included The Future of Sexual & Reproductive Rights co-sponsored by the Law School's Law and Media Program, the Pregnancy Discrimination Act Symposium sponsored by the *Yale Journal of Law and Feminism*, and the Yale Law School Forum on Multidisciplinary Legal Research sponsored by the Yale Law School J.S.D. program.

## Election Night



THE YLS COMMUNITY gathered on election night to watch the returns during an event sponsored by the Office of Student Affairs, Yale Law Democrats, Yale Law Republicans, and Student Representatives. Thanks to a special YLS Election Night Blog, even those who were in far-away states canvassing and campaigning were able to join in the New Haven festivities. Students sent pictures, text messages, and emails from polling places throughout the day.

## Visiting the Law School

Harvard University economics professor **Effi Benmelech** discussed "Vintage Capital and Creditor Protection" at the Bert W. Wasserman Workshop in Law and Finance on September 16. On October 2, **Robert Daines '92**, Pritzker Professor of Law and Business at Stanford Law School, gave a Wasserman talk titled "Rating the Ratings: How Good are Commercial Governance Ratings?" And **Jonathan Karpoff** discussed "Do Short Sellers Detect Overpriced Firms? Evidence from SEC Enforcement Actions" at the Wasserman Workshop on November 18. Karpoff is the Norman J. Metcalfe Endowed Professor in Finance at the Foster School of Business, University of Washington. The Wasserman Workshop is sponsored by the Law School's Center for the Study of Corporate Law.

The Honorable **Margaret Marshall '76 [1]**, Chief Justice of the Supreme Judicial Court of Massachusetts, spoke about "Leading Indicators: State Courts in the Global Marketplace of Ideas" at the Robert P. Anderson Memorial Lecture on September 22. Chief Justice Marshall is the second woman to serve on the Supreme Judicial Court of Massachusetts in its more than 300-year history and the first woman to serve as Chief Justice. The Anderson Memorial Lecture was established by former law clerks and friends in memory of Robert P. Anderson '29, Senior Judge for the U.S. Court of Appeals for the Second Circuit.

**Richard Mendelson**, attorney and managing partner at Dickenson, Peatman & Fogarty in Napa, California, gave a Dean's Special Seminar on "Wine Law in America" September 23 and 25. His talks were titled "A Focus on Constitutional Law" and "Intellectual Property" and included tastings of Cabernet-based wines and Chardonnays.

Former Attorney General of the United States **John Ashcroft [2]** spoke on "Leadership in Challenging Times" on October 30. Ashcroft served as Attorney General from 2001–2005, during the first term of President George W. Bush. His lecture was sponsored by The Yale Law Federalist Society.

Professor **Tomiko Brown-Nagin '97 [3]** delivered the James A. Thomas Lecture on November 3, speaking about "Re-Envisioning the Civil Rights Movement: Courts, Communities, and Legal Liberalism." Brown-Nagin is a professor of law and history at the University of Virginia and the F. Palmer Weber Research Professor in Civil Liberties and Human Rights. She is also the Charles Warren Visiting Professor of American Legal History at Harvard Law School.

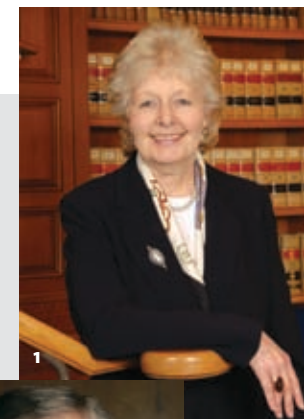
Professor **Samuel Bowles** gave the Arthur Allen Leff Fellowship Lecture **[4]** on November 10. His lecture was titled "Good Government and Human Behavior: New Evidence on Enduring Questions." Professor Bowles is Research Professor and Director of the Behavioral Sciences Program at the Santa Fe Institute and Professor of Economics at the University of Siena, Italy.

**Jean-Marie Guéhenno** from the Department of Peacekeeping Operations at the United Nations delivered the Sherrill Lecture on December 15. His lecture was titled "Peacekeeping: Testing the Limits of the Concept of an International Community."

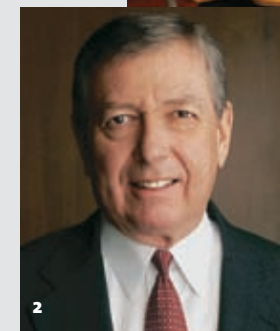
On October 7, pioneering climate change litigator **Stephen Susman** of Susman Godfrey discussed his role in blocking construction of several coal-fired power plants in a landmark case that pitted 37 cities against Texas utility TXU **[5]**. The event, co-sponsored by the Yale Center for Environmental Law & Policy, included a screening of *Fighting Goliath: Texas Coal Wars*, a film that chronicles Susman's work and is narrated by Robert Redford.

website

To watch streaming video or download podcasts of selected events, visit [www.law.yale.edu/news](http://www.law.yale.edu/news).



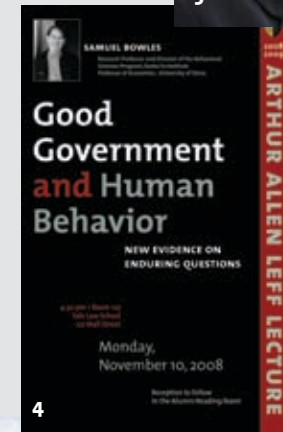
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A Panel discussion on "Accountability and Principled Governance." (from left) Steven Aftergood, Federation of American Scientists; Professor Eric Pan, Heyman Center on Corporate Governance at Cardozo School of Law; Art Taylor, Chairman and CEO, BBB Wise Giving Alliance; Moderator and YLS Clinical Professor of Law Michael Wishnie '93



# student prizes 2007–2008

**Charles G. Albom Prize**

*Awarded annually to a student who demonstrates excellence in the area of judicial and/or administrative appellate advocacy in connection with a Law School clinical program*

Kumar Garg ’08  
Ronald Newman ’08  
David Noah ’09  
Neil Weare ’08

**Burton H. Brody Prize**

*Awarded for the best paper on constitutional privacy*

Nathaniel Gleicher ’09  
“John Doe Subpoenas: Toward a Consistent Legal Standard”

**Chubb Competition Prize**

*Awarded for excellence in legal draftsmanship*

Rebecca Freeland ’10  
“Initial information on workers’ cooperatives and relevant questions regarding possible use of this entity form in New Haven”  
Michael Tan ’08  
Sameer Ahmed ’09

“Opposition to Defendants’ Motion to Dismiss in the cases of *Barrera v. Boughton* and *El Badrawi v. Department of Homeland Security*”

**Barry S. Cohen Prize**

*Awarded for the best paper on a subject related to literature and the law*

Lindsay Nash ’10  
“Mending Wall: Playing the Game of Neighborhood Ordering”

**Edgar M. Cullen Prize**

*Awarded for the best paper by a first-year student*

Benjamin Taibleson ’10  
“Remedies Paper”

**Thomas I. Emerson Prize**

*Awarded for a distinguished paper or project on a subject related to legislation*

Frederick Liu ’08  
“Chevron as a Doctrine of Hard Cases”  
Jacob Scott ’08  
“Codified Canons and the Common Law of Interpretation”

**Ambrose Gherini Prize**

*Awarded for the best paper in the field of International Law, either public or private*

Matthew Bloom ’08  
“A Comparative Analysis of the United States’s Response to Extradition Requests from China”

**Margaret Gruter Prize**

*Awarded for the best paper on how ethology, biology, and related behavior sciences may deepen understanding of law*

Sarah Mehta ’09  
“Limits of Intellectual Property Rights: Tribal Rights and Traditional Medicine in India”  
Dov Fox ’10  
Christopher Griffin ’10

“The Collateral Impact of the ADA on Disability-Selective Abortion: An Empirical Analysis”

**Jerome Sayles Hess Fund Prize**

*Awarded to the student who demonstrates excellence in the area of International Law*

Matiangai Sirleaf ’08

**Jewell Prize**

*Awarded for the best second-year student contribution to a Law School journal other than The Yale Law Journal*

Patrick Kabat ’09

“Til Naught But Ash Is Left To See”  
*Yale Journal of Health Policy, Law and Ethics*

**Quintin Johnstone Prize in Real Property Law**

*Established by the CATIC Foundation*

*Awarded to a second- or third-year student at the Law School who has demonstrated excellence in the area of real property law*

Michael Murray ’09

“Private Management of Public Spaces: Nonprofit Organizations and Urban Parks”

**Florence M. Kelly ’37 Family Law Prize**

*Awarded to the student who demonstrates exceptional interest or achievement in the area of family law*

Kristina Baehr Scurry ’08

**Khosla Memorial Fund for Human Dignity Prize**

*Awarded to the student who best demonstrates an active engagement in advancing the values of human dignity in the international arena*

Bidish Sarma ’08

**Raphael Lemkin Prize**

*Awarded for a paper in the field of international human rights*

Jessica Karbowski ’09

“Human Rights Labeling: A WTO Complaint Strategy to Harness the Power of Consumer Preference”

**Stephen J. Massey Prize**

*Awarded to the student who best exemplifies, in work on behalf of clients and in other community service, the values of the Jerome N. Frank Legal Services Organization at Yale Law School*

Matthew Bloom ’08  
Michael Tan ’08  
Tianna Terry ’08

**Judge William E. Miller Prize**

*Awarded for the best paper concerning the Bill of Rights*

Richard Re ’08

“Reconceptualizing *Booker*: How to Prevent Legislatures from Circumventing the Right to Jury Trial”

**C. LaRue Munson Prize**

*Awarded for excellence in the investigation, preparation, and (where permitted under the Legal Internship Rule) presentation of civil, criminal, or administrative law cases, under a Law School clinical program*

A. Nicole Hallett ’08

Paul Hughes ’08

Simon Moshenberg ’08

Marisol Orihuela (Gamboa) ’08

**John M. Olin Prize**

*Awarded for the best paper on law, economics, and public policy*

Lucy Wang ’08

“Non-Illusory Losses: Why Pain and Suffering Damages Should (Just) Be About Pain and Suffering”

**Joseph Parker Prize**

*Awarded for the best paper on a subject relating to legal history or Roman law*

Patrick Kabat ’09

“Chasing the Cheshire Cat? John Austin and the Trial of Federalism in Victorian England”

Krishanti Vignarajah ’08

“The Political Roots of Judicial Legitimacy: Explaining The Enduring Validity of the Insular Cases”

**Israel H. Peres Prize**

*Awarded for the best student Note or Comment appearing in The Yale Law Journal*

Laura Moranchek Hussain ’07

“Enforcing the Treaty Rights of Aliens”

**Edward D. Robbins Memorial Prize**

*Awarded to the best third-year student contribution to a law journal*

*other than The Yale Law Journal*

Matthew Bloom ’08

“A Comparative Analysis of the United States’s Response to Extradition Requests from China”

**Benjamin Scharps Prize**

*Awarded for the best paper by a third-year student*

Richard Re ’08

“Reconceptualizing *Booker*: How to Prevent Legislatures from Circumventing the Right to Jury Trial”

Jacob Scott ’08

“Codified Canons and the Common Law of Interpretation”  
Krishanti Vignarajah ’08

“The Political Roots of Judicial Legitimacy: Explaining The Enduring Validity of the Insular Cases”

**Colby Townsend Prize**

*Awarded for the best paper by a second-year student*

Mika Morse ’09

“Young Citizens: A Case Study of Institutionalizing Children’s Participation in Community Decision-Making”

**William K.S. Wang Prize**

*Awarded to recognize superior performance in the introductory corporate law course*

Charles Kersten ’09

Jeremy Licht ’09

**Francis Wayland Prize**

*Awarded to the student showing greatest proficiency in preparing and presenting a case in negotiation, arbitration, and litigation*

Justin Cox ’08

Sonia Kumar ’08

Deborah Marcuse ’08

Jacob Scott ’08

**BARRISTERS’ UNION PRIZES**

**John Fletcher Caskey Prize**

*For the best presentation of a case on final trial in the Thomas Swan Barristers’ Union*

Jennifer Pavane ’10

**John Currier Gallagher Prize**

*For the student showing most proficiency in the presentation of a case on final trial in the Thomas Swan Barristers’ Union*

Erika Maki ’10

**MOOT COURT PRIZES**

**Thurman Arnold Appellate Competition Prize**

*Awarded annually for the best student argument in advanced Moot Court competition*

Joshua Johnson ’09

**Benjamin N. Cardozo Prize**

*Awarded for the best brief submitted by a student in Moot Court*

Raechel Anglin ’08

Joshua Johnson ’09

**Potter Stewart Prize**

*Awarded each term to the student team that presents the best overall argument in Moot Court*

**FALL 2007**

Enrique Schaerer ’08

Michael Krouse ’08

**SPRING 2008**

Sumon Dantiki ’09

Joshua Johnson ’09

**Harlan Fiske Stone Prize**

*Awarded for the best oral argument by a student in Moot Court*

Michael Krouse ’08

**YALE LAW JOURNAL**

**Michael Egger Prize**

*Awarded on recommendation of the Board of Officers for the best student Note or Comment in The Yale Law Journal on current social problems*

Eisha Jain ’07

“Realizing the Potential of the Joint Harassment/Retaliation Claim”