



Yale Law Report
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Editor's Note: This issue of the *Yale Law Report*
debuts a new design developed by Jack Design and
the School's Office of Public Affairs during
the 2016-17 academic year.

COVER: Robert Post and Heather Gerken.

Photo by Harold Shapiro.



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One of our alumni recently shared with me his favorite description of our Law School. It was an observation by Grant Gilmore '43, the renowned scholar of commercial law and longtime faculty member. "The golden age of the Yale Law School is never now. It was always in the past... can be again in the future if we only do a few things right. Always close, always striving, never quite there except in memory and hope."

What struck both of us was not the element of nostalgia in the description, but how the last line captures the way in which the restless spirit of this School transforms a longing for the past into a challenge for the future. Always close, always striving. It is one of the things I love most about this place. We have never, not once, been satisfied with being the greatest law school in the country and one of the finest academic institutions in the world.

Memory and hope loom large at this moment. We say goodbye to Robert Post '77, who has presided over this Law School for eight years with grace and honor. And we turn to the future with enormous hope and optimism. We have just admitted the two most diverse classes in our history. Thanks to the generous support of our alumni, Baker Hall will open a year from now and provide us the space we urgently need to keep pace with the growth of our faculty, centers, and clinics.

No other law school boasts a student body or a faculty as strong as ours. Yale houses the most sophisticated and eclectic academic faculty in the country and offers an intellectual experience that is unparalleled. But we are just as strong on the practice side. Eighty percent of our students enroll in clinics, where they do work of unrivaled scope and ambition. Half of our academic faculty either run clinics or do substantial experiential work. Our curriculum embodies the ideal that this School has always cherished—that theory informs practice and practice informs theory.

Consistent with Yale Law School's restless spirit, I can't help but think that as remarkable as this place is, there's more work to be done. That's why this year I'll be embarking on a listening tour to hear from you about where we should go from here. If I don't see you along the way, please write when you have a moment. My email is below. In the meantime, let me close by saying how grateful I am for this opportunity and how humbled I am to serve. As I said to our graduating students when Robert passed the Law School's ceremonial maces to me, I promise not to let you down.

Heather Gerken, Dean and Sol & Lillian Goldman Professor of Law

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OPENING STATEMENT

“There is no better time to be a lawyer, and no better time to think about the future of legal practice and legal education. I am thrilled to take on this role as we build on the Law School’s legacy and train a generation of lawyers and academics to meet the challenges of the twenty-first century.”



Heather Gerken: Yale Law School's Seventeenth Dean

Heather Gerken assumed the deanship of Yale Law School on July 1, 2017, becoming the School's seventeenth dean. Yale University President Peter Salovey made the announcement on February 21, 2017.

Gerken, dean and Sol & Lillian Goldman Professor of Law, is one of the country's leading experts on constitutional law and election law. A founder of the "nationalist school" of federalism, her work focuses on federalism, diversity, and dissent. She is the first woman to serve as the School's dean.

In his announcement to the Yale community, President Salovey called Professor Gerken an "acclaimed educator" who will be an exemplary new dean for the Law School.

Hailed as an "intellectual guru" in the *New York Times*, Professor Gerken's scholarship has been featured in *The Atlantic*, the *Boston Globe*, NPR, the *New York Times*, and *Time*. She has done substantial work on election reform, which has affected policy at a national level. In 2013, her proposal for creating a "Democracy Index"—a national ranking of election systems—was adopted by the Pew Charitable Trusts, which created the nation's first Election Performance Index.

Gerken brings a rich practice experience to the deanship, having worked as an appellate lawyer in Washington, DC, and served as a senior adviser to the Obama campaign in 2008 and 2012. At Yale, she created and runs the country's most innovative clinic in local government law, the San Francisco Affirmative Litigation Project (SFALP). Gerken will continue to run the SFALP clinic during her deanship, becoming one of the rare deans at a top law school to run a clinical program while serving in this capacity.

Gerken is also a renowned teacher who has won awards at both Yale and Harvard. She was named one of the nation's "twenty-six best law teachers" in a book published by the Harvard University Press.

"Yale Law School is a remarkable institution, one that has trained the finest lawyers in the country for generations. It embodies the best in practice and in theory, a rare combination," said Gerken.



Dean and Sol & Lillian Goldman Professor of Law Heather Gerken (center) at the National Press Club in Washington, DC with (from left) Sterling Professor Guido Calabresi '58 (dean, 1985–1994); Sterling Professor Anthony T. Kronman '75 (dean, 1994–2004); Sterling Professor Harold Hongju Koh (dean, 2004–2009); Michael J. Wishnie '93, William O. Douglas Clinical Professor of Law and counselor to the dean; and Sterling Professor Robert C. Post '77 (dean, 2009–2017).

Gerken succeeds Robert C. Post '77, Sterling Professor of Law, who became dean in 2009. Under his leadership, Dean Post spearheaded the Baker Hall initiative to bring back dormitory living to the Law School. The construction for the project begins this summer. During his tenure, Post also attracted younger faculty representing a range of academic disciplines to the Law School, expanded clinical and experiential learning, and launched a first of its kind PhD in Law program.

"Yale Law School is very lucky to be able to draw on the energy, brilliance, and leadership of Heather Gerken," said Post. "This is a time of change in the nation and in legal education, and Heather is perfectly situated to take the helm of this extraordinary place. She has the entire confidence of the School."

"We will always be grateful for Dean Post, who stepped into the leadership role when the school most needed him," said Gerken. "He has been an intellectual leader for Yale as it hired its next generation of faculty, and he has done a great deal to strengthen the Law School."

The search committee for the new dean was chaired by Paul W. Kahn '80. Committee members were Stephen Carter '79, Amy Chua, Jonathan Macey '82, Claire Priest '00, James Silk '89, and Kate Stith.

MORE ON YALE LAW SCHOOL'S DEANS:

A Flourishing Law School:
On the Deanship of
Robert C. Post (page 44).

In Conversation:
Robert C. Post and
Heather Gerken (page 50).



Watch the conversation
between Heather Gerken, the
Law School's seventeenth
dean, and Robert C. Post '77,
who served as dean from
2009 to 2017: [law.yale.edu/
post-gerken](http://law.yale.edu/post-gerken)

SCHOOL NEWS



Speakers from the panel, "In and Out of Government," during the Twentieth Liman Colloquium



Harold Hongju Koh,
Sterling Professor of
International Law and
former Dean of Yale
Law School

Holly Thomas '04,
Liman Fellow 2005–
2006, Deputy Director
of Executive Programs
for the California
Department of Fair
Employment and
Housing

Josh Civin '03, Liman
Fellow 2005–2006,
General Counsel,
Montgomery County
Public Schools, MD

Serena Hoy '00,
Liman Fellow
2001–2002, Former
Senior Counselor
to the Secretary,
U.S. Department of
Homeland Security

Tom Jawetz '03,
Liman Fellow 2004–
2005, Vice President
of Immigration Policy,
Center for American
Progress

Marc Silverman '06,
Liman Fellow 2006–
2007, Assistant
U.S. Attorney, U.S.
Attorney's Office
for the District of
Connecticut.



Launching the Arthur Liman Center for Public Interest Law

(above left, from left) Anna VanCleave, director of the Arthur Liman Center for Public Interest Law; Lewis Liman '87; Judith Resnik; and Doug Liman (above right) Ellen Liman and her granddaughters, Gillian and Abigail, along with Judith Resnik, Arthur Liman Professor of Law

After two decades of promoting equal access to justice through fellowships, research, seminars, and programs, the Arthur Liman Public Interest Program has been re-established as the Arthur Liman Center for Public Interest Law. The launch of the Center on April 6, 2017, was announced at the 20th Anniversary Liman Colloquium at Yale Law School, during which seventy-five of the 123 current and former YLS Liman Fellows returned to the Law School to join students, deans, faculty, and the Liman family and friends.

"The lifelong commitment of Arthur Liman to the underserved and his vision of a world where justice is available to all inspired the creation of the Arthur Liman Public Interest Program," said Dean Robert C. Post '77. "After twenty years, Arthur's vision is being furthered with a new Center on solid footing to expand its efforts to support faculty and students responding to inequalities in access to justice."

The colloquium offered a time to reflect on all that the Liman Center has accomplished across two decades. The program has produced impressive results: as of 2016, 90 percent of the 114 law graduates who held Liman fellowships since 1997 remain in public interest, including working for nonprofits, for the government, and teaching. Judith Resnik, the Arthur Liman Professor of Law, said the work that has been done in Arthur Liman's name reflects his creativity, intellectual rigor, and desire to provide more access to justice. During the colloquium, a new fellowship was announced to honor the commitments to public

interest law of Professors Judith Resnik and Dennis Curtis '66 (*see page 31*).

Four of the fellows—spanning the twenty years—provided vignettes of their work. Speaking were the first Liman Fellow, Alison Hirschel '84, on her work for the elderly; Jessica Sager '99, founder of All Our Kin, focused on young children and their families; Jamelia Morgan '13, at the National Prison Project, documented the challenges of the disabled in solitary confinement; and Forrest Dunbar '12, member of the city assembly of Anchorage, Alaska, discussed working on lowering penalties for drug crimes. Sonia Sotomayor '79, Associate Justice of the U.S. Supreme Court, joined Resnik in a lively discussion at the conference about the rewards and challenges of working in the public interest.

Professor Resnik was the founding director of the Liman Program, which is currently directed by Anna VanCleave, who joined the Center after her work as the chief of the Capital Division at the Orleans Public Defenders. In addition to supporting graduates of Yale Law School, who receive yearlong Fellowships working on an array of issues (such as housing, family benefits, employment, immigration, veterans' rights, pretrial detention, prosecution, and incarceration), the Liman Program has funded hundreds of summer public interest fellowships for students from Barnard, Brown, Harvard, Princeton, Spelman, Stanford, and Yale. More information can be found at law.yale.edu/liman.



On April 7, Sonia Sotomayor '79, Associate Justice of the U.S. Supreme Court, was honored by the Law School with an unveiling of an official portrait by artist Jamie Lee McMahan. Remarks were given by Dean Robert C. Post '77, Yale University President Peter Salovey, Rudolph Aragon '79, the Honorable Robert A. Katzmann '80, and Professor William N. Eskridge, Jr. '78.

CLINICS

Two Clinics Win Nationwide Injunctions Against the U.S. Government



Lowenstein Clinic Students Testify on Solitary Confinement

On March 27, 2017, students from the Lowenstein International Human Rights Clinic and the Challenging Mass Incarceration Clinic at Yale Law School testified in Hartford in favor of a bill seeking to reform solitary confinement practices.



The Worker & Immigrant Rights Advocacy Clinic (WIRAC)

WIRAC Wins Travel Ban Case

On January 28, 2017, the Worker & Immigrant Rights Advocacy Clinic (WIRAC) joined the nation's leading civil rights groups in filing the first legal challenge to the Trump Administration's executive order banning refugees and other immigrants from certain countries from entering the United States. The complaint, brought on behalf of two Iraqi men who were targeted for their assistance or connections to the U.S. military and who were approved for resettlement in the United States, was filed in federal court in the Eastern District of New York.

As a result of the legal action, the court issued a temporary stay at the national level late in the evening on January 28, 2017. The case involved the clinic's quick action, with students and faculty working through the weekend when the initial travel ban was issued as the ramifications of the order chaotically unfolded. During the process, the clinic also began distributing sample habeas petition templates they had drafted to assist other lawyers volunteering around the country. The templates were used by

lawyers to file dozens of individual petitions around the country.

In a closely related case, on June 27, 2017, WIRAC sued the Trump administration for withholding critical information concerning its continued profiling of Muslims and other marginalized groups, on an informal basis, with respect to visa processing and immigration enforcement. The filing was on behalf of the Council on American-Islamic Relations Connecticut and Make the Road New York. The lawsuit alleges the administration failed to respond to Freedom of Information Act requests for the records within the time limit required by federal law.

SFALP Clinic Contributes to Lawsuit on Sanctuary Cities

Students in Yale Law School's San Francisco Affirmative Litigation Project (SFALP) were instrumental in filing the first lawsuit against the Trump administration's executive order on "sanctuary jurisdictions." The lawsuit, filed by San Francisco city attorney Dennis

VISITING THE LAW SCHOOL



Marianne Bertrand, professor of economics at the University of Chicago Booth School of Business, delivered the Judge Ralph K. Winter Lecture on April 17, 2017. Her talk was titled, "Breaking the Glass Ceiling: Board Quotas in Norway."



Shannon Price Minter, legal director of the National Center for Lesbian Rights, gave the James A. Thomas lecture on March 6, 2017, titled "Belief and Belonging: Reconciling Legal Protections for Religious Pluralism and LGBT Youth."

Herrera on January 31, 2017, claims that the Trump administration's order directing enforcement action against sanctuary cities and threatening to withhold funding from these cities is unconstitutional and exceeds the President's power. SFALP students played a key role in bringing the lawsuit. The students researched legal theories and participated in strategic decisions alongside the team from the City Attorney's Office, helping to finalize the complaint in the hours leading up to the filing. On April 25, 2017, a federal judge in California temporarily blocked the Trump administration from denying funding to sanctuary cities, a major victory in the case. The order means the administration cannot cut off aid to sanctuary jurisdictions until the judge makes a final ruling or until the decision is appealed.

“

In a single semester, we have gone from drafting and filing a complaint to receiving a nationwide injunction. There is still a lot more work to be done, but this is a very encouraging outcome.”

MAX NARDINI '16, CLINICAL FELLOW FOR SFALP

Rule of Law Clinic Files Amicus Brief

Launched in January, the Rule of Law Clinic filed several briefs this semester responding to actions by the current administration's travel ban, which was issued in the beginning of the year. In February, the clinic filed an amicus brief on behalf of a bipartisan group of high-profile national security officials in the case of *Darweesh v. Trump*, in the U.S. District Court for the Eastern District of New York. The case was initially filed by the Law School's Worker & Immigrant Rights Advocacy Clinic. The brief was

filed on February 16, 2017, and on that same day, the administration announced that it would not proceed with the January 27 executive order, but would instead substitute a narrowed order.

As other lawsuits were springing up around the country, Professor Harold Hongju Koh and students developed an abridged declaration that ten national security experts signed, which was submitted in a different but similar challenge to the ban in the Ninth Circuit. Days later, the Ninth Circuit unanimously denied the administration's emergency stay motion.

Around the same time, the clinic filed the declaration in a similar case in the U.S. District Court for the Eastern District of Virginia. On February 13, 2017, a judge granted a preliminary injunction against the order, quoting extensively from the declaration.

In March, the clinic filed an amicus brief on behalf of forty senior former national security officials in support of the International Refugee Assistance Project's lawsuit against the president of the United States. The lawsuit, brought in Maryland federal court, challenges a revised executive order that temporarily suspends the entry of certain refugees and travelers from a group of six predominantly Muslim countries.

The Rule of Law Clinic is focused on maintaining U.S. rule of law and human rights commitments in four areas: national security, antidiscrimination, climate change, and democracy promotion.



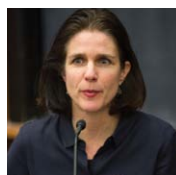
On May 2, 2017, the Southern Center for Human Rights celebrated the retirement and continuing legacy of its president and senior counsel, **Stephen B. Bright**, who served the Center for thirty-five years. Bright is the Harvey Karp Visiting Lecturer in Law at Yale Law School.



The Rule of Law Clinic



Martin Gilens, Professor of Politics at Princeton University, delivered the Storrs Lecture on March 20, 2017, on "America's Ailing Democracy: What's Gone Wrong and What We Can Do About It."



Dr. Rebecca Gomperts, founder of Women on Waves and Women on Web, delivered the Gruber Distinguished Lecture in Global Justice on February 6, 2017. Gomperts and Emily Bazelon '00 discussed "Putting Abortion Pills in Woman's Hands: Ships, Apps, Drones, and the Web."

STUDENT FELLOWSHIPS
YALE LAW SCHOOL
STUDENTS AND ALUMNI
RECEIVED NUMEROUS
FELLOWSHIPS THIS YEAR.

Bernstein Fellows

Conor Casey '17 LLM
 Claire Kim '17
 Sanya Kumar '17 LLM

FASPE Fellows

Nina R. W. Cohen '18
 Ama Ruth Francis '18

Gruber Fellows

Nicole Collins
 [public health student]
 Edwin Garcia
 [forestry student]
 Olivia Horton '17
 Scout Katovich '17
 Zain Rizvi '17

Liman Fellows

Celina Aldape '17
 Rory Coursey '17
 Ryan Cooper '15
 Lynsey Guadiso '17
 JD/MEM
 Carly Levenson '16
 Hava Mirell '16
 Nathan Nash '17
 My Khanh Ngo '17
 Rachel Shur '17

Robina Fellows

Sebastián Guidi '17 LLM
 Iulia Padeanu '17

Skadden Fellows

Will Bloom '17
 Brian Highsmith '17
 Cara McClellan '15
 Julia Solorzano '16
 Dorothy Tegeler '16
 Julie Veroff '15

Soros Fellows

Roxana Moussavian '19
 Matthew Nguyen '19
 Mariana Olaizola '19
 Uzoma Kenneth
 Orchingwa
 [incoming student]
 Xuan Hong Thi Tran
 [incoming student]



Clinic Students
Advocate for
Education Adequacy
Cost Study

Students from Yale Law School's Education Adequacy Project (EAP) testified at a Connecticut Education Committee public hearing on March 1, 2017, to advocate for an education adequacy cost study to help improve access to an equitable education for every child in the state.

CLINICS

Lowenstein Clinic
Recommends Reforms to
Liberia's Concessions System

A paper released on March 14, 2017 by the Allard K. Lowenstein International Human Rights Clinic at Yale Law School addresses significant gaps under Liberian law regarding the oversight of large-scale agricultural concessions. Civil society groups and government actors fear that existing tensions related to agricultural concessions, if left unresolved, could lead to widespread violence. The threat of destabilization is particularly acute given the upcoming presidential election, which will mark the country's first transition between democratically elected administrations since 1944. In the new paper, *Governance of Agricultural Concessions in Liberia: Analysis and Discussion of Possible Reforms*, the Clinic team documents a lack of consultation and compensation under Liberia's complex concessions regime, concluding that this void violates international human rights law. The paper identifies a range of regulatory reforms to implement at each stage of the concession process, from the negotiation of concession contracts and community agreements to their enforcement and renegotiation. The Clinic team of six Yale law students worked for more than a year to understand the complex dynamics underlying Liberia's agricultural sector. To that end, the Clinic team traveled to Liberia twice, where they interviewed twelve government agencies, two legislators, two concessionaires, five non-governmental organizations, and three affected communities.

Appellate Court Rules
Veterans Can Pursue
Class Actions Over VA Delays

On April 26, 2017, the Federal Circuit ruled that veterans seeking to challenge delays at the VA may aggregate their claims and file a class action. The ruling in *Monk v. Shulkin* overturns decades of precedent at the U.S. Court of Appeals for Veterans Claims (CAVC) which denied individual veterans the ability to proceed on behalf of others facing similar challenges to obtaining their benefits. According to the Government Accountability Office, more than 427,000 veterans face an average delay of three years appealing the denial of benefits before they receive a decision, and about 81,000 veterans face an average delay of five years. Conley Monk, a Vietnam veteran from New Haven, Connecticut, had been waiting more than a year when he requested that the CAVC order the VA to process his appeal and the appeals of those veterans similarly situated. The CAVC denied the request, stating that it lacked the authority to hear class actions, according to the clinic. The Federal Circuit overturned the denial.

The case is being handled by the Veterans Legal Services Clinic at Yale Law School.

“

...veterans should be able to join together and claim the benefits to which they are entitled...

JOHN GIAMMATTEO '17, A LAW STUDENT INTERN AT THE YALE LAW SCHOOL VETERANS LEGAL SERVICES CLINIC

CLINICS

Veterans Clinic Files Nationwide Class-Action Lawsuit on Behalf of Army Veterans

The Veterans Legal Services Clinic filed a lawsuit in April on behalf of two Army veterans in a federal class-action lawsuit that seeks relief for the thousands of veterans of Iraq and Afghanistan who developed post-traumatic stress disorder (PTSD) and other mental health conditions during their military service and received less-than-Honorable discharges. The lawsuit argues that the cost of a continuing refusal to reckon with the reality of mental illness in the military is more than unjustly denied benefits. Students said this issue has resulted in a generation of lost promise and opportunity for countless soldiers suffering the invisible wounds of war from their sacrifice for their country.

Clinic Files Amicus Brief on Debt Collection

The Mortgage Foreclosure Litigation Clinic at Yale Law School, along with the Public Good Law Center (affiliated with the UC Berkeley School of Law) and the Economic Justice Project of Notre Dame Clinical Law Center, filed an amicus brief with the U.S. Supreme Court in *Henson v. Santander Consumer USA*. The case concerns whether the Fair Debt Collection Practices Act (FDCPA) covers entities that regularly attempt to collect debts that they purchased in default. Santander Consumer USA is accused of purchasing defaulted debts and demanding payment from Petitioners even though it knew the original creditor had waived the debts as part of a class-action settlement. The amicus brief supports the Petitioners, relying on the Clinic's experience with debt collection to argue that reading the FDCPA narrowly would allow lender misconduct to escape scrutiny, in contravention of congressional intent.

Clinic Proposes Changes to Sealing Rules in Government Searches and Surveillance

In April, the Media Freedom and Information Access (MFIA) Clinic delivered to the Chief Judge of the District of Connecticut a report summarizing the results of its six-month investigation into the public availability of search warrant and electronic surveillance records in Connecticut's federal courts. The investigation uncovered systematic sealing practices that are inconsistent with the public's legal right to inspect judicial records. The MFIA report proposes a number of changes to current court rules to address these

shortcomings and ensure that the public has access to information it is entitled to know about the activities of federal law enforcement officers in this state.

The MFIA investigation was spearheaded by Yuri Melnyk '17 and Andy Udelsman '17, who studied the local rules governing the sealing of court records, interviewed assistant U.S. attorneys and employees of the Clerk of Court's office, and analyzed the sealing of court files going back more than fifteen years. The students also surveyed the rules and practices in other jurisdictions to see how Connecticut's federal court stacked up.

Yale Law Students Decide Cases in the Arbitration Project Clinic

When students from the Arbitration Project clinic step into a conference room in Hartford for a hearing, they are not representing a client on one side of the table. Instead, the students hear arguments from both sides, and unlike any other clinic at the Law School, they actually decide the case.

"We are deciding the cases as fair and balanced arbitrators," explained Jeremy Aron-Dine '18, one of two student co-directors for the clinic. "It's different than a lot of legal work in that your job in the room is to get the right answer. It's a different sort of goal."

The Arbitration Project began several years ago as an extracurricular activity available to law students, and just this year became an official clinic. Led by Professor Ian Ayres '86, an expert in contracts, the clinic works through a partnership with the Connecticut Department of Consumer Protection (DCP), which provides Connecticut residents with an avenue to resolve certain kinds of disputes.

Currently, the clinic is mainly responsible for handling the New Car Lemon Law Program and the Lottery Delinquency Assessments Program for the DCP. With the lemon law program, students have the power to award consumers a new car if they prove the burden of their case. With the lottery delinquency hearings, students hear cases involving stores that sell winning lottery tickets and have not remitted the state's portion of winnings.

“

It's different than a lot of legal work in that your job in the room is to get the right answer. It's a different sort of goal."

JEREMY ARON-DINE '18 ON THE ARBITRATION PROJECT



Solomon Center Team Challenges Short Comment Period for New Healthcare Regulation

A team of students and faculty from the Yale Law School, the Yale School of Medicine, and the Yale School of Public Health submitted comments to the U.S. Department of Health & Human Services (HHS) responding to a proposed rule to modify regulations concerning the Health Insurance Marketplaces provided under the Patient Protection and Affordable Care Act (ACA). With the support of the Solomon Center for Health Law & Policy, several students authored a public comment arguing that the 18-day comment period required by the agency was impermissibly short under the Administrative Procedure Act.

CONFERENCES

Conference Discusses Intersection of Tech and Law

On March 31 and April 1, Yale Law School hosted the sixth annual robotics law and policy conference—



WeRobot 2017. Organized by Kate Klonick, PhD in Law candidate and resident fellow at The Information Society Project (ISP), the conference brought together more than two hundred people to discuss the future of robots, artificial intelligence, algorithms, and the law. We Robot fosters conversations between the people designing, building, and deploying robots and those who design or influence the legal and social structures in which these robots will operate. The conference included scholarly contributions by academics and practitioners and technological demonstrations.

Jack Balkin, Knight Professor of Constitutional Law and the First Amendment and director of the ISP, gave opening remarks about how we are moving toward an algorithmic society, where the most important decisions are made by automatic processes. In this society, regulating how people interact through those processes becomes crucial, said Balkin, while we hope that our “algorithmic overlords” are understanding.

Panelists discussed automatic enforcement of sports, cognitive engineering and the law, autonomous weapons, and artificial intelligence in labor.

Jewish Law Conference Held March 5

For the first time in almost twenty years, Yale Law School hosted a conference on Jewish Law on March 5, 2017. Titled “Jewish Law in the Modern State,” the conference addressed the intersection of Jewish practice and Western law; Robert Cover and Jewish legal theory; and the meaning of citizenship.

Speakers and panelists included Ambassador David Saperstein (President Obama’s ambassador for religious freedom), professor William Forbath ’83 (Texas Law), Alyza Lewin (counsel in the Zivotofsky case), Professor Michael Helfand ’07 (Pepperdine), and Yale University Professors Elli Stern and Steven Fraade. Panel moderators included Yale Law School’s Anthony Kronman ’75, Sterling Professor of Law, and Eugene Fidell, Florence Rogatz Visiting Lecturer in Law.

The organizers believe that studying Jewish law can provide a new lens through which to understand a variety of legal topics from family and international law to statutory and constitutional interpretation.

MFIA Panel on Conflict of Interest

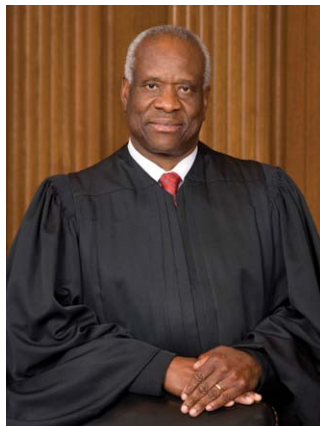
More than forty journalists and media lawyers attended a free-form discussion with legal experts on the federal conflict of interest laws and the Trump Administration in January. The experts convened in Washington, DC, in the offices of Levine Sullivan Koch & Schulz, LLP. The luncheon was organized by the Media Freedom and Information Access Clinic.



San Francisco Affirmative Litigation Project Celebrates Ten Years

Alumni of the San Francisco Affirmative Litigation Project returned to Yale Law School on March 25 as part of SFALP’s tenth anniversary celebration, which coincided with the conference, “Bending the Arc: Strategies to Advance Democracy, Human Rights, and the Rule of Law in the New Administration.”

Justice Thomas Honored at FedSoc Conference



On February 10–11, 2017, Yale Law School hosted the Yale Federalist Society's conference titled, "Celebrating Justice Thomas: 25 Years on the Supreme Court," in honor of U.S. Supreme Court Associate Justice Clarence Thomas '74. The conference brought together leading jurists, academics, and lawyers to reflect on Justice Thomas's contributions to the law.

"For a quarter century, Justice Clarence Thomas has shaped the jurisprudence of our nation. Ever since his arrival at Yale in 1971, he has committed himself to developing an unflinchingly principled vision of the law," said Paul Henderson '17, president of the Yale chapter of the Federalist Society. "As a Supreme Court justice, he remains unwavering in his defense of the Constitution, faithfully holding fast to what it does and does not require. Justice Thomas's career demonstrates the

remarkable potential of a fiercely independent and determined individual."

Former dean and Sterling Professor Emeritus of Law Judge Guido Calabresi '58 delivered opening remarks at the conference. Over the following two days, four panels discussed Justice Thomas's contributions to various fields of law, including administrative law, civil rights, foreign relations, and criminal law. Conference panelists included Philip Hamburger '82, Maurice and Hilda Friedman Professor of Law at Columbia Law School; Elbert Lin '03, solicitor general of West Virginia; Judge William H. Pryor, Jr. of the U.S. Court of Appeals for the 11th Circuit; and Kate Stith, Lafayette S. Foster Professor of Law at Yale Law School.

For the closing event, Justice Thomas participated in an open conversation that spanned his humble beginnings in rural Georgia to his remarkable ascent to the highest court in the nation. The Justice then spent time taking questions and posing for photographs with the many students in attendance.

The *Yale Law Journal Forum* will publish seven essays from symposium presenters. The collection currently includes contributions from Nicole Garnett '95 and William Consovoy, Gregory Maggs, Marah Stith McLeod '06, the Hon. William Pryor, Jr., and Kate Stith.

CORPORATE LAW

Roundtable Examined Future of Finance and Capital Markets



Jerome Powell, a member of the Board of Governors of the Federal Reserve System, delivered the keynote address on March 3, 2017, at the Weil, Gotshal & Manges Roundtable at Yale Law School, organized by the Yale Law School Center for the Study of Corporate Law. This year's roundtable was titled, "Blockchain: The

Future of Finance and Capital Markets?" Blockchain is a technology that enables the creation of a distributed ledger in which transactions are encrypted and recorded chronologically.

Panels discussed Increasing Payment Efficiency, Post-Trade Clearing and Settlement, Smart Contracts, and The Central Bank Perspective.

▶ Watch video of the panels at law.yale.edu/blockchain.



(from left) Jerome Powell, keynote speaker at the Weil, Gotshal & Manges Roundtable at Yale Law School; Roberta Romano '80, Sterling Professor of Law and director of the Yale Law School Center for the Study of Corporate Law; and Nancy Liao '05, associate research scholar in law and John R. Raben/Sullivan & Cromwell Executive Director, Yale Law School Center for the Study of Corporate Law

VISITING THE LAW SCHOOL



Risa Goluboff '00, dean of the University of Virginia School of Law, gave a lecture on February 21, 2017, titled "Vagrant Nation: Police Power, Constitutional Change, and the Making of the 1960s."



Simon Levin, James S. McDonnell Distinguished University Professor in Ecology and Evolutionary Biology at Princeton University, gave the Raben/Sullivan & Cromwell Fellow Lecture on January 30, 2017, on "Evolutionary Perspectives on Business Strategy."

THE JUSTICE COLLABORATORY

YALE LAW SCHOOL

THE JUSTICE COLLABORATORY PANEL INCLUDED:

Ronal Serpas, former police superintendent in New Orleans

Ron Davis, former director of the U.S. Department of Justice and Office of Community Oriented Policing and former police chief of East Palo Alto

Jim Johnson, former undersecretary for enforcement at the U.S. Department of Treasury

Dean Esserman, former police chief of New Haven and Providence, Rhode Island

Law Enforcement Leaders Examine the Direction of Criminal Justice Policy

The Justice Collaboratory at Yale Law School hosted a panel of national law enforcement leaders for a discussion of criminal justice policy and strategy under the new administration on April 13, 2017.

On the day of his inauguration, President Trump published the issue brief “Standing Up For Our Law Enforcement,” promising to restore “law and order” to the United States without acknowledging a decade of empirical research on ways to promote public safety and reduce the crime rate. In response, Law Enforcement Leaders to Reduce Crime and Incarceration, a project of the Brennan Center for Justice at NYU School of Law, produced the report “Fighting Crime and Strengthening Criminal Justice.” The document outlines the “preferred policies,” of two hundred current and former police chiefs, sheriffs, federal and state prosecutors, and attorneys general from all fifty states. The report urges Congress and the new administration to focus its criminal justice strategy on five target areas for intervention: prioritizing efforts to fight violent crime; enacting federal sentencing reform; increasing mental health and drug treatment; bolstering community policing; and expanding recidivism programs in prison.



Video of the conference is available at law.yale.edu/lawenforcement.

23rd Annual ReLaw Conference Held in February

This year's ReLaw Conference on February 17–18, 2017, featured thirty panel sessions addressing a wide range of topics, with panels such as:

- ♦ Narrative as a Tool Against Mass Incarceration
- ♦ Native Peacemaking and Restorative Justice
- ♦ Building the Solidarity Economy for a Post-Capitalist Future
- ♦ #HereToStay: Organizing Immigrant Communities
- ♦ Queer Futures After *Obergefell*
- ♦ Beyond Prisons: Building Non-Carceral Responses to Gender-Based Violence
- ♦ Challenging Concentrated Corporate Power
- ♦ Disruptive Public Defense

Environmental Law Conference Addressed Changing Climate

The fifth annual New Directions in Environmental Law conference on February 24–25, 2017, was titled “Environment, National Security, and Human Rights,” and discussed practical policy recommendations and legal frameworks to address the impacts of a changing climate. Rhea Suh, president of the Natural Resources Defense Council, delivered the opening address. Former assistant secretary of the Army, Katherine Hammack, delivered the keynote address.

Conference attendees discussed how environmental change can be a “threat multiplier” as human lives, national security, and international peace and stability are all at risk from a changing climate. From access to the most basic human resources to refugee crises to disaster risk and resilience, climate change challenges conventional notions of human rights and geopolitical security.

The conference was co-hosted by the Yale School of Forestry and Environmental Studies and Yale Law School.

Bernstein Symposium on Human Rights and Religion Held in March

The Robert L. Bernstein International Human Rights Symposium on March 23 and 24, 2017, addressed the complex relationships between human rights and religion. According to organizers, the resurgence of interest in the role of religious belief and practice in global affairs “is one of the most interesting developments of the opening years of the millennium.”

Larry Cox, Co-Director of Kairos: The Center on Religious, Rights and Social Justice, gave the keynote address, titled “Why Human Rights Needs Religion.” Panels during the symposium focused on the history of human rights, religion as a human right, and the way in which religious communities encounter human rights. Richard Amesbury, professor of theological ethics at the University of Zurich, delivered closing reflections.

The Bernstein Symposium occurs annually and is sponsored by the Orville. H. Schell, Jr. Center for International Human Rights at Yale Law School and the Robert L. Bernstein International Human Rights Fellowship Program.

CAREER DEVELOPMENT

Career Snapshots at **five** and **ten** years after graduation

The Law School's Career Development Office produces a range of reports on the employment statistics of students and alumni, including annual reports on the careers of alumni five and ten years after graduation. Below are highlights from the reports for the classes of 2006 and 2011.

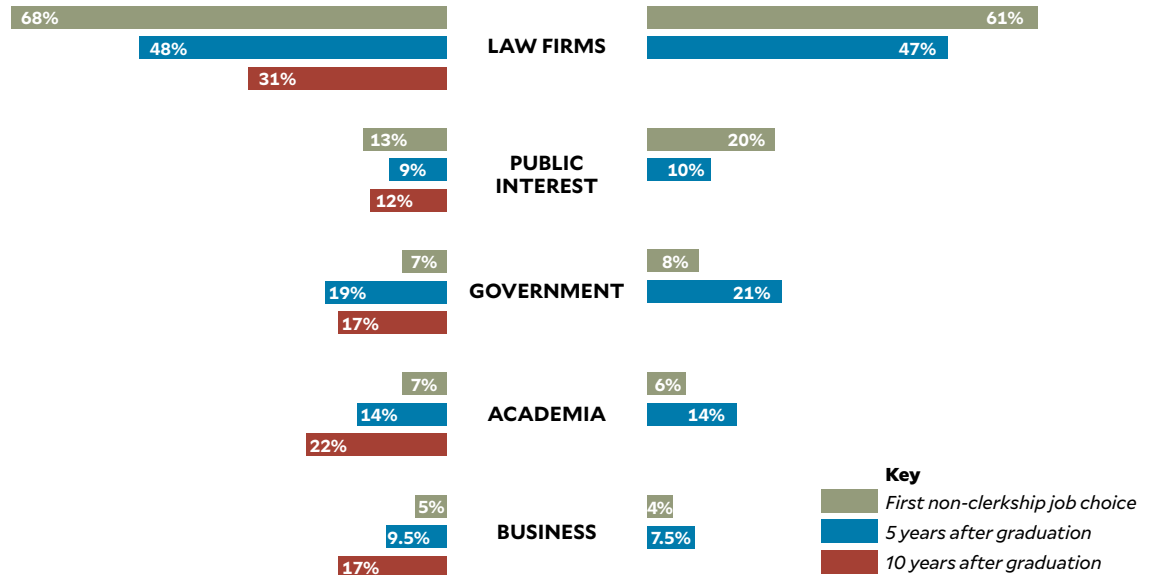
Full versions of the reports, along with other employment data, are available at law.yale.edu/jobstats.



Class of 2006

PROGRESSION OF EMPLOYER TYPE

Class of 2011



Class of 2006

JOB SATISFACTION

84%
five years out

94.5%
ten years out

report being **satisfied or very satisfied** with his/her job

2000+ HOURS WORKED

75%
five years out

61.5%
ten years out

percentage that reported working **two thousand or more hours** per year

Class of 2011

JOB SATISFACTION

87%
five years out

percentage of class that reports being **satisfied or very satisfied** with his/her job five years after graduation

in comparison, 82% of the Class of 2010 reported being satisfied or very satisfied five years out, and for the Class of 2009, that figure was 83%

REGION

28%
five years out:
DC

23%
five years out:
New York

18%
five years out:
California