

Yale Law Report

THE ALUMNI MAGAZINE OF YALE LAW SCHOOL
WINTER 2019

20th Anniversary of the Center
for the Study of Corporate Law

Alumni Weekend 2018

Pauli Murray Portrait Unveiling



INTRODUCING BAKER HALL

Yale Law Report

WINTER 2019

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ON THE COVER: Baker Hall, designed by Pirie Architects, was dedicated in September 2018. Photo by Ian Christmann.

Robert C. Post '77, Christina Baker, Robert C. Baker '59, Dean Heather Gerken, and Yale President Peter Salovey at the ribbon cutting for Baker Hall on September 20, 2018. (See page 5 to learn about the ribbon cutting and page 34 for more about living and learning in Baker Hall.)





Dean Gerken (second from right) with Sushma Soni '90, Illyana Green '19, Dahlia Mignouna '16, and Jade Chong-Smith '16 at a diversity reception held in D.C. last July.

Dear Graduates and Friends of Yale Law School:

It has been a momentous year both here in New Haven and around the country, to say the least. Like so many of you, we have been grappling with the controversies that have arisen this year. But we have also kept our eye on the long-term needs of the Law School, moving forward on two important efforts to secure its future.

To begin, I'm delighted to announce that we just opened our new building. Baker Hall is the first physical expansion of our campus since 1931. What was once merely a dream to return residential living to the Law School, is now a glorious reality — a dynamic, immersive space where our students can learn and live together. In addition to offering two-and-a-half floors of residential space, this massive new building supplies relaxed areas for socializing, much-needed new classrooms, and space for our clinics and centers. Baker Hall offers an elegant, modern partner to our beloved Sterling. If you have hadn't a chance to see it, come visit soon.

In addition to investing in our physical capital, we are investing in our human capital. The Law School is building an alumni networking platform to connect our students and alumni to one another. While this will serve as an important resource for everyone in our community, it will be especially important to the three extraordinarily diverse classes now roaming our halls. A remarkable 27% of the 1L class of J.D. students is the first in the family to go to a professional school of any sort; almost one in ten members of the 1L class are the first in the family to go to college. These students are gifted by any measure, but many arrive at law school without professional networks. Our aim is to build those students a network of their own by inviting you, our alumni, to help mentor and guide them on their professional paths.

Let me end this note with a bittersweet reminder that Associate Dean Toni Hahn Davis has retired after 26 years at Yale Law School. Toni transformed the alumni affairs department, forging connections with thousands of you across the country and around the world. She orchestrated hundreds of events, large and small, always taking care of even the tiniest of details while perfectly choreographing every moment. We owe her a debt of gratitude for her service to this institution. She will be missed.

Wishing you a wonderful 2019.

Warmly,

Heather Gerken, Dean and Sol & Lillian Goldman Professor of Law
heather.k.gerken@yale.edu

OPENING STATEMENT



Law School Unveils Pauli Murray Portrait

Speaking about the remarkable life of Anna Pauline “Pauli” Murray ’65 JSD, Dean Heather Gerken described how Murray faced struggles and discrimination with grace, reminding those in the audience that her legacy is more powerful than ever.

“When it feels as if our society stands at the edge of a precipice; when our faith in humanity is flagging; when we are exhausted from our efforts; when the mere existence of members of our community is challenged — we must remember Pauli,” said Gerken during a portrait unveiling ceremony on November 12, 2018.

“Pauli wasn’t just smarter than her foes. She was a bigger person than they were. Her heart dwarfed their hatred. We all would do well to follow her model — to be so fierce a warrior, yet so decent a human.”

A large gathering convened for her portrait unveiling, featuring distinguished speakers Honorable Inez Smith Reid ’62, former D.C. Corporation Counsel and Judge of the D.C. Court of Appeals, and University of Pennsylvania Law School Professor Serena Mayeri ’01. Murray’s niece and nephew, Angeliqe Island and Bob Murray, were also in attendance.

The ceremony paid tribute to Murray’s incredible record as a trailblazer in civil rights and women’s rights who contributed immensely to the dismantling of segregation and discrimination. In 1965, Murray became the first African American to receive a J.S.D. degree from Yale Law School.

“Pauli Murray was truly a gift to America, and I salute Yale Law School for recognizing her enormous achievements,” said Judge Reid.

Professor Mayeri, who has studied and written about Murray’s life, noted how Murray never quite fit in but always thought of herself as someone who was meant to transcend boundaries.

“I think it is really significant that it was here in New Haven in some ways that Pauli Murray really came into her own,” said Mayeri. “Her powerful voice as a legal theorist and strategist had often spoken before others were ready to listen. Now Murray’s influence began to operate in real time.”

She wrote scholarly works such as “Jane Crow and the Law: Sex Discrimination and Title VII” and “Roots of the Racial Crisis: Prologue to Policy,” both of which provided insight into the pressing civil rights issues of

the time. Following law school, she served as counsel for civil rights cases, working to challenge discrimination via the court system. Continuing her career, Murray co-founded the National Organization for Women, served as a vice president of Benedict College in South Carolina, and became the first person to teach African American Studies and Women’s Studies at Brandeis University. Later in her life, she became the first African American woman ordained as an Episcopal priest, and received an honorary degree from the Yale Divinity School in 1979.

Her time at Yale Law School has been chronicled in a Yale Law Library exhibit that opened in 2017.

Gerken said the unveiling marked an occasion where the Law School could “proudly claim her as our own...not because we made her who she was, but because she epitomizes who we want our students to be.” She hoped the portrait would inspire generations of law students to come.

The portrait was made possible thanks to the generosity of Michael Varet ’65 and his wife Elizabeth. The painting’s artist is Daniel Mark Duffy.



Dean Gerken and artist Daniel Mark Duffy reveal the portrait.

(facing page left to right) Dean Heather Gerken, artist Daniel Mark Duffy, Yale President Peter Salovey, Michael Varet ’65, Elizabeth Varet, and Inez Smith Reid ’62



Pauli Murray’s portrait, painted by Daniel Mark Duffy

SCHOOL
NEWS



The Opening of Baker Hall

A celebratory ribbon-cutting ceremony and dedication for the newly opened Robert C. and Christina Baker Hall was held on September 20, 2018. Five years ago, the proposed expansion of Yale Law School gained momentum when Robert Baker '56 BA, '59 LLB and his wife, Christina, made a leadership gift of \$25 million. This inspired many other donors, launching a campaign that raised more than \$60 million and led to the transformative renovation that came to life this year.

“All of us at the Law School owe a debt of gratitude to my predecessors as dean, Robert C. Post '77 and Harold Hongju Koh, for their vision and steadfast leadership during this project; to Robert and Christina Baker and so many other donors for their incredible support; and to the planners, architects, and builders for their dedication to innovative excellence,” said Dean Heather Gerken.

“The exhilarating space we celebrate today affirms one of our School’s most essential and animating principles: that human reason and imagination, articulated through the exchange of ideas and borne by collaborative labors, can create the community in which we do our very best work.”

“This is an historic and momentous day for Yale,” said Peter Salovey '86 PHD, President of Yale University. “Baker Hall’s expansion of our law school will trans-

form our community — it will be a focal point for student life and a vibrant site for small seminars, student activities, and collaborative centers and clinics.”

Former Dean Robert C. Post, who worked tirelessly to secure the funding for this project, called the ribbon-cutting event the “fulfillment of a dream” that the law school would one day offer dormitory housing, providing a “comprehensive and integrated educational experience.”

Speaking at the event, Robert Baker recalled first seeing what was once called the “swing space” and hearing about the proposal for what Baker Hall could be with the right funding and vision.

“I considered this a unique opportunity to truly give back,” recalled Baker, who said he attributed much of his financial success to his Yale Law School education. “The Baker family owes a great deal to Yale Law School,” said Baker. “I cannot tell you how proud Christina and I are, and how proud the rest of our family is, that there is now a Baker Hall at Yale.”

The building was designed by Pirie Associates Architects of New Haven and constructed by A/Z Corporation, based in Stonington, Connecticut.

See page 34 for more about living and learning in Baker Hall.



Robert Baker



Guests raise their glasses to celebrate the opening of Baker Hall.



46%
STUDENTS OF COLOR

27%
PERCENT FIRST GENERATION
PROFESSIONALS

9%
FIRST IN THEIR FAMILY
TO GO TO COLLEGE

FROM **12**
DIFFERENT COUNTRIES

FROM **36**
DIFFERENT STATES

77
DIFFERENT UNDERGRADUATE
INSTITUTIONS

HOLDS **57**
ADVANCED GRADUATE DEGREES
IN SUBJECTS THAT RANGE
FROM CLASSICS TO FORENSIC
MOLECULAR BIOLOGY

Dean Gerken Welcomes Class of 2021

Dean Heather Gerken welcomed the newest J.D. class this past September during convocation ceremonies. She highlighted how the Law School now has the three most diverse classes in its history, which was accomplished with more robust recruiting practices.

After speaking about the remarkable members of the new class, Gerken offered poignant advice on what it means to be successful at Yale Law School.

“Learn in a fashion that is unselfconscious, uninhibited, and unflappable,” said Gerken. “You have to get knocked back in order to learn something new.”

Gerken also told students to keep their minds open about career possibilities as they explored the law over the next three years.

“Almost none of our extraordinarily successful alumni knew exactly what they wanted to do until after graduation,” said Gerken. “Those many paths are open to all of you, but only if you are ready to choose your own. So keep your eyes, and your mind, open.”



Celebrating the Teaching and Advocacy of Jean Koh Peters

Faculty, students, and friends of Professor Jean Koh Peters gathered for a special conference honoring her work and scholarship on November 2, 2018. Koh Peters, the Sol Goldman Clinical Professor of Law at Yale Law School, is retiring in the summer of 2019 after 30 years at Yale Law School and 36 years in the legal profession. Koh Peters is an expert in children, families, and the law, as well as asylum law.

“When Jean leaves us, we will lose an incredible colleague; a beloved professor; a profound scholar; a relentless advocate, a treasured mentor, and a dear friend,” said Dean Heather Gerken during a toast at the event.

Sterling Professor of International Law Harold Hongju Koh also toasted his sister during the event, describing their lives growing up, attending Harvard Law School together, and how grateful he was to have the opportunity to work with her at Yale.

“I cannot tell you how much it has meant to me to have this once-in-a-lifetime experience, with someone I love as much as Jeannie, sitting in chairs next to each other, just as we first sat so many years ago, thinking about how to live our lives as lawyers,” said Koh.



Susan A. Thornton

Distinguished Diplomat Named Senior Fellow at Yale Law School's Paul Tsai China Center

Former Acting Assistant Secretary of State for East Asian and Pacific Affairs Susan A. Thornton has joined the Paul Tsai China Center as a Senior Fellow after a distinguished 28-year diplomatic career focusing primarily on East and Central Asia. Thornton is one of the most widely respected experts on China and U.S.-China relations in the United States.

China Center Hosts Debate at Brookings

On October 30, Evan Osnos moderated a public debate at the Brookings Institution in Washington, D.C. about the compatibility of U.S. and Chinese interests. Paul Tsai China Center Senior Fellow Susan A. Thornton participated in the debate, which was cohosted by the John L. Thornton China Center at Brookings and the Paul Tsai China Center at Yale Law School.

Law School Launches Two New Clinics



The Entrepreneurship and Innovation Clinic

Entrepreneurship and Innovation Clinic

The Law School's new Entrepreneurship and Innovation Clinic began in Fall 2018 and works closely with the entrepreneurial communities at Yale University, in greater New Haven, and beyond. Law School students work directly with clients ranging from student- and faculty-led entrepreneurial ventures across Yale to for-profit and nonprofit entrepreneurs and their ventures that are part of the greater New Haven innovation ecosystem.

Sven Riethmueller is the inaugural Director of the Entrepreneurship & Innovation Clinic at Yale Law School and a Visiting Clinical Associate Professor at Yale Law School.

Gender Violence Clinic

Students in the New Haven Legal Assistance Gender Violence Clinic represent survivors of domestic violence in Superior Court, in both civil and criminal matters, and also at the Connecticut legislature. The clinic is based at the nonprofit New Haven Legal Assistance Association (LAA), whose mission is to secure justice for and protect the rights of those low-income residents of New Haven County who would otherwise be unable to secure legal representation.

The clinic is a legal resource for survivors of domestic violence and their families. Through their advocacy and coursework, students in the clinic learn to practice as legal services lawyers, representing vulnerable individuals.



Justice Collaboratory to Lead Facebook Data Transparency Advisory Group

The Justice Collaboratory at Yale Law School will lead the Data Transparency Advisory Group (DTAG) — a group that will review Facebook’s measurement and transparency of content standards enforcement. Facebook chartered the DTAG to assess its Content Standards Enforcement Report, to provide recommendations for how to improve its measurement and reporting practices. A public statement with analysis and recommendations was released on November 15, 2018. The preliminary findings indicated that Facebook faces difficult judgments about the context and intent of content and the company should be more transparent about these challenges. For more, visit law.yale.edu/justice-collaboratory.

WIRAC Reunites Families

This summer, as thousands of children were separated from their parents at the southern border, the Worker & Immigrant Rights Advocacy Clinic (WIRAC) and Connecticut Legal Services jumped into action.

After learning of two families that had been forcibly separated and detained for weeks under the Trump Administration’s “zero tolerance policy,” the clinic filed two complaints and petitions for habeas corpus, demanding immediate reunification, freedom, and rehabilitative treatment for these children and their families.



Muneer Ahmad

The lawsuits were the first in the country brought by children, rather than parents, to challenge the policy. On July 13, 2018, U.S. District Court Judge Victor Bolden held that the government’s conduct was in violation of their due process rights, and ordered the government to act immediately to address the trauma it had caused the children. Three days later, the government transferred the parents from Texas to Connecticut, granted them parole, and reunited them with their respective children. The ruling was the first to hold that the government’s systematic dissolution of immigrant families violates the children’s constitutional rights.

“We are incredibly proud of our students and faculty, whose work has been nothing short of inspiring,” said Dean Heather Gerken. “This case is yet another example of the unparalleled clinical experience at Yale that puts students on the front lines of the biggest cases in the country.”

“Lawyers stood up in court. A judge issued rulings. Activists rallied outside the courthouse,” added Muneer Ahmad, Deputy Dean for Experiential Education and Clinical Professor of Law at Yale Law School. “Our elected officials spoke out on behalf of the most vulnerable among us. The local U.S. Attorney’s Office did the right thing. But in the end, we all were simply, but powerfully, giving voice to the verses of justice already written in our hearts — kids belong with their parents. People fleeing persecution deserve protection. Children should not be held in cages. Families belong together.”

VISITING THE LAW SCHOOL



Laurent Fabius, former Prime Minister of France and current Président of the Constitutional Council in France, gave the 2018–2019 Robert P. Anderson Memorial Fellowship Lecture on September 12, 2018 on “Environment and the Law: New Challenges for our Century.”



Lord **Mervyn King** of Lothbury, KG, GBE, FBA, the Alan Greenspan Professor of Economics at New York University Stern School of Business and former Governor of the Bank of England, gave the 2018 Judge Ralph K. Winter Lecture on September 17, 2018, titled “Uncertainty, Probability and the Law.”

Immigrant Rights Clinic Observes Client's One Year in Sanctuary

On October 9, 2018, people gathered to mark one year since Sujitno Sajuti entered sanctuary at the Unitarian Universalist Church in Meriden, under threat of deportation by Immigration and Customs Enforcement (ICE). The Immigrant Rights Clinic — a partnership between Yale Law School and the New Haven Legal Assistance Association — is representing Sajuti.

Sajuti, originally from Indonesia, has lived in the United States for decades. The Connecticut Immigrant Rights Alliance (CIRA) brought his case to the attention of the clinic in December 2017, after Sajuti had entered sanctuary. Since then, the clinic has represented Sajuti, in close coordination with CIRA and Unitarian Universalist Church in Meriden.

"Unfortunately, despite his faithful efforts to maintain lawful residence in this country, his rights have been violated repeatedly, leading him to his precarious position today in sanctuary," said Leanne Gale '20, a student on Sajuti's legal team.



Sajuti Legal Team (left to right) Alaa Chaker '20; faculty supervisor Diana Blank '13; Esther Araya '20; Hannah Hussey '20; and Laura Savarese '19

“... despite his faithful efforts to maintain lawful residence in this country, his rights have been violated repeatedly, leading him to his precarious position today in sanctuary.”

LEANNE GALE '20 ON SUJITNO SAJUTI, AN IMMIGRANT FROM INDONESIA WHO HAS BEEN IN SANCTUARY FOR OVER A YEAR IN CONNECTICUT

Four Yale Law Students Named as 2018–2019 Kerry Fellows



Alex Mahler-Haug '19, Nikita Lalwani '20, Ned Levin '20, and Ellis Liang '19

Four Yale Law School students are among the 17 newly named Kerry Fellows who will be working with former Secretary of State John Kerry as part of Yale University's Kerry Initiative. The new Fellows from the Law School are Nikita Lalwani '20, Ned Levin '20, Ellis Liang '19, and Alexandra Mahler-Haug '19.

Founded in 2017, the Kerry Initiative leverages Kerry's insights, experiences, and relationships on a global scale, collaborating with students and faculty from across the university. In partnership with the Yale Jackson Institute for Global Affairs, the Kerry Initiative advances Yale's tradition of preparing the next generation of world leaders.



Esther Duflo, the Abdul Latif Jameel Professor of Poverty Alleviation and Development Economics at the Massachusetts Institute of Technology, gave the 2018 Gruber Distinguished Lecture in Global Justice on October 22, 2018, titled "Science Against Poverty: From Action Research to Large-scale Change."



Joel Mokyr, Robert H. Strotz Professor of Arts and Sciences and Professor of Economics and History at Northwestern University, gave the John R. Raben/Sullivan & Cromwell Fellowship Lecture on November 12, 2018, titled "Is Technological Change a Thing of the Past: Lessons from the Industrial Revolution."

CLINIC ROUNDUP

Vets Clinic Continues Fight for Benefits and Rights

The Veterans Clinic had a number of important recent victories.

In a decision Chief Judge Robert Davis described as “seismic,” the U.S. Court of Appeals for Veterans Claims, acting en banc, issued an opinion in August unanimously holding that veterans may bring class actions against the U.S. Department of Veterans Affairs (VA).

On November 16, 2018, a federal judge certified a nationwide class-action lawsuit brought by the Veterans Clinic seeking relief for thousands of Navy and Marine Corps veterans of the Iraq and Afghanistan wars who developed post-traumatic stress disorder, traumatic brain injury, or other mental health conditions, only to be unfairly labeled with a less-than-Honorable discharge. The lawsuit was made possible thanks to the landmark ruling allowing class action lawsuits by veterans this summer.

In August, Senator Richard Blumenthal ’73 introduced the Palomares Veterans Act of 2018, a bill to ensure that U.S. veterans exposed to plutonium in the 1966 Palomares disaster finally receive Department of Veterans Affairs (VA) disability benefits. The Veterans Legal Services Clinic, which represents Vietnam Veterans of America on behalf of its Palomares veteran members, was involved with the introduction of the bill.

The Veterans Clinic petitioned the VA this fall requesting that it replaces the current outdated and exclusionary motto with one that is inclusive of women. The current motto of the VA is “To care for him who

shall have borne the battle, and for his widow, and his orphan.” The clinic is representing the Iraq and Afghanistan Veterans of America, the Service Women’s Action Network, and the New York City Veterans Alliance.

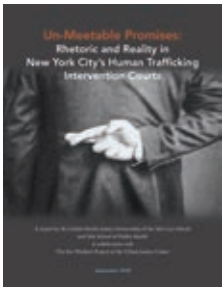
The Connecticut Department of Veterans Affairs announced a new law this past October extending a broad range of state and municipal benefits to veterans who received an Other than Honorable discharge characterization as a result of Post-Traumatic Stress Disorder, Traumatic Brain Injury, or a victim of Military Sexual Trauma. Governor Dannel Malloy signed Senate Bill 284 into law on May 31, 2018, making Connecticut the first state to open its benefits to less-than-honorably discharged veterans with trauma. The Veterans Clinic represented the group advocating for this legislation.

MFIA Clinic Involved in First Amendment Lawsuit Against President

Yale Law School’s Media Freedom and Information Access Clinic filed a major lawsuit on October 16, 2018, against President Donald J. Trump alleging that he is using the powers of the federal government to retaliate against journalists and media outlets he finds objectionable, in violation of the First Amendment. The clinic is representing PEN America, the leading national organization representing writers and literary professionals and defending free expression and the nonpartisan nonprofit Protect Democracy.

The filing asserts that, while President Trump is free to express his own views critical of journalists and media outlets, his use of the regulatory and enforcement powers of government to punish the press for criticism of him is unconstitutional. The complaint, filed in United States District Court for the Southern District of New York, asks the court to enter a declaratory judgment that the President’s retaliatory actions violate the First Amendment and enjoin the President from directing any employee or agency of the federal government to take any action against the press in retaliation for coverage the President views as hostile.

“The governing law is clear: President Trump has the right to express views about the press, loudly and often. He does not have the right to use the powers of his office to punish those who disagree with him and criticize him,” said David Schulz ’78, head of the Yale Media Freedom and Information Access Clinic at Yale.



GHJP Releases Reports on Prostitution “Diversion” Programs

The Yale Global Health Justice Partnership (GHJP) released two complementary analyses in September on prostitution “diversion” programs (PDPs), one national in scope and the other focused specifically on New York City programming. The reports revealed that PDPs in the United States are radically varying, but operate contrary to their own claims of stopping the revolving door of criminalization and victimization of ostensibly “trafficked” or “exploited” people.

While PDPs position themselves as rehabilitative and compassionate alternatives to the criminal adjudication of prostitution offenses, initial findings presented in the reports suggest that, in reality, they are unable to fulfill their goals.



Richard Blumenthal '73 and Vets Clinic client Conley Monk at a press conference in 2015.

SFALP Makes Progress in Sanctuary City and Lead Paint Cases

A federal judge handed Yale Law clinic students and the San Francisco City Attorney in the San Francisco Affirmative Litigation Project (SFALP) the latest victory in their efforts to prevent the Trump administration from unlawfully defunding sanctuary cities this October.

Northern California District Court Judge William H. Orrick III ruled that Attorney General Jeff Sessions violated the Constitution by adding conditions to federal grants designed to coerce cities into abandoning their sanctuary status. Judge Orrick also declared that San Francisco's sanctuary ordinances comply with federal law and entered a nationwide injunction barring the conditions' enforcement, staying the injunction outside of California pending review by the Ninth Circuit Court of Appeals.

The Clinic also scored a decisive victory this fall when the Supreme Court rejected lead paint makers' challenge to a historic judgment that held the companies liable for poisoning thousands of Americans. The decision heralds the end of nearly two decades of bitterly contested litigation.



Solomon Center Hosts March For Our Lives Student Activists

The Solomon Center for Health Law and Policy kicked off the academic year with an event on gun reform and student activism on September 6. The event featured students from March For Our Lives — a student-led grassroots movement initiated after the February 2018 mass shooting at Marjory Stoneman Douglas High School in Parkland, Florida — and United States Senator Chris Murphy of Connecticut, who joined by video-conference from Washington, D.C.



Solomon Center, ISP Hold Conference on AI, Robotics, and Telemedicine

On November 2, 2018, the Information Society Project and the Solomon Center for Health Law and Policy at Yale Law School co-hosted an interdisciplinary roundtable exploring “The Law and Policy of AI, Robotics, and Telemedicine in Healthcare.” The conference brought together 30 leading academics, lawyers, physicians, policy makers, and health technology entrepreneurs to explore how novel technologies are revolutionizing healthcare, reshaping what it means to practice medicine, challenging existing regulatory schemes, and informing norms about patient information, data, and privacy. The event attracted an audience of more than 150 guests and featured five panel discussions.

“The expanding use of these technologies implicates every aspect of health law,” said Professor Abbe R. Gluck ’00, faculty director of the Solomon Center. “It was wonderful to partner with ISP to bring together so many different experts to think creatively, provocatively, and pragmatically about the challenges and

benefits that may lie ahead.”

The panels explored topics such as new regulations in privacy law and the FDA, big data in healthcare, how new technologies can help expand care to new populations, and artificial intelligence, robotics, and the practice of medicine. The roundtable was made possible with the support of the Oscar M. Reubhausen Fund at Yale Law School.

In the lead-up to the roundtable, the legal blog Balkinization hosted a blog symposium featuring panelists’ reflections on some of the hottest topics in the field. The blog collected posts can be found on Balkinization at balkin.blogspot.com.

An unprecedented joint issue of the *Yale Journal of Law and Technology* and the *Yale Journal of Health Policy, Law, and Ethics* to be released in the spring will feature articles by seven of the conference panelists inspired by the discussions at the roundtable. More information will be available at yjolt.org in the spring of 2019.

ASCA and Liman Center Release Two New Reports on Solitary Confinement

The Arthur Liman Center for Public Interest Law and the Association of State Correctional Administrators (ASCA) released two reports this fall finding that prison directors around the country are aiming to limit the use of solitary confinement.

The 2018 Reports provide the only comprehensive, current national data on the number of prisoners in restrictive housing and the length of time they spend there. Because ASCA-Liman has done a series of these surveys, the impact of changing policies can be seen through the new numbers. The 2014 ASCA-Liman survey estimated that 80,000 to 100,000 prisoners were in segregation. The 2016 report pegged the number at about 68,000 people. As of the fall of 2017, about 61,000 prisoners were in isolation across the country.

MELSS Convenes in Tunisia

The Middle East Legal Studies Seminar convened for the 21st time this January 2018 in Tunisia to discuss the nature and aspirations of law in the occupied territories of Palestine, the erosion of international law, emerging authoritarian uses of law in the region and the notion of authoritarian legality, law's role in state-building (Iraq) and deconstruction (ISIS), and the double-edged sword of anti-corruption campaigns.

The annual meeting gathers legal scholars at leading universities with judges, lawyers, and social scientists living and working in the region to discuss academic papers written for the Seminar on the dictates of democratic principles in the context of the religious and cultural conflicts, demographic shifts, economic stagnation, and colonial-era legal regimes that characterize the region.



A panel on Contested Sovereignties at MELSS in January included (left to right) Richard Frohlichstein '18, Gilad Abiri '16 LLM, '20 JSD, Paul Kahn '80, and Tony Kronman '75.

CRIT Files Brief in Diabetes Medicine Case and Pushes for Stronger FDA Guidelines

The Law School's Collaboration for Research Integrity and Transparency (CRIT) and the nonprofit legal advocacy organization Public Justice filed a joint amicus brief on November 5, 2018 in the case *In re Avandia Marketing, Sales Practices & Products Liability Litigation* ("In re Avandia Marketing"), Case No. 18-2259, currently pending before the United States Court of Appeals for the Third Circuit. The amicus brief argues that certain documents containing information on a diabetes medication with a contentious clinical and regulatory history should be made available to the public.

Following the FDA's release in September of draft guidance on civil penalties relating to the *ClinicalTrials.gov* database, CRIT submitted public comments on the draft guidance, explaining that the procedures described in the draft guidance are inadequate and urging the FDA to revise the guidance to strengthen its procedures.

SELA Meets in Puerto Rico for Forum

The Seminario en Latinoamérica de Teoría Constitucional y Política (SELA) convened in Puerto Rico in June 2018 to discuss papers on topics ranging from the use of proportionality tests in complex litigation, variations in the use of comparative law by international courts and international law by domestic courts, obstacles to the development of constitutionalism, and, of particular relevance in the host country, controversies surrounding austerity programs and unelected rulers.

One of SELA's initiatives supports Teresa Miguel-Stearns, director of the Yale Law Library, in creating a community of law librarians versed in the state of the art of legal research. Law librarians from Argentina, Ecuador, Mexico, and Puerto Rico have gained valuable exposure to interdisciplinary research, shared best practices and workarounds for structural inadequacies, and have made important steps toward professionalization.

SELA has also continued its efforts to increase the number of legal scholars from traditionally underrepresented backgrounds in Latin America. Gender parity, once seen as nearly impossible, is now within sight and affecting hiring decisions.

In June 2019, the Seminar will reconvene in Buenos Aires to discuss law, gender, and equality.

The Washington Post

The Washington Post

highlighted the Liman/ASCA report in an editorial titled "Solitary confinement is an affront to human decency," on October 13.

PEOPLE



Miriam F. Ingber '04 Joins as Associate Dean of Admissions and Financial Aid

Miriam F. Ingber '04 joined Yale Law School in 2018 as Associate Dean overseeing the Offices of Admissions and Financial Aid. She was previously the Associate Director of the Public Interest Law Center and Academic Careers Program at New York University School of Law, as well as a professor in NYU Law's Lawyering and Graduate Lawyering programs. She also previously worked as a senior staff attorney at Children's Rights, where she litigated civil rights, class-action lawsuits seeking systemic reform of child welfare systems, and as a litigation associate in private practice at Davis Polk & Wardwell LLP and Richards Kibbe & Orbe LLP. Ingber is a graduate of Dartmouth College and Yale Law School. As a Yale Law student, she was a Senior Editor on the *Yale Law Journal*, an Articles Editor on the *Yale Journal of Health Policy, Law, and Ethics*, a Coker Fellow, and a member of the Lowenstein Clinic for International Human Rights.

Brett M. Kavanaugh '90 Sworn in as Supreme Court Justice

Brett M. Kavanaugh '90 was confirmed by the U.S. Senate for a seat on the U.S. Supreme Court on October 6, 2018. Kavanaugh filled the seat vacated by the retirement of Justice Anthony Kennedy. With his confirmation, Kavanaugh became the fourth current member of the Supreme Court who is a graduate of Yale Law School, joining Justice Clarence Thomas '74, Justice Samuel Alito '75, and Justice Sonia Sotomayor '79.

Kavanaugh's nomination and confirmation process was not without controversy. Early on, some members of the Law School community expressed concerns

about the judge's judicial rulings. Later, allegations of sexual misconduct were reported in the media, resulting in a Senate hearing. A coalition of students at the Law School organized protest events, particularly focused on the Senate judiciary process for the judge's nomination, including a sit-in at the Law School and a Washington, D.C., protest.

Members of the faculty, students, and alumni signed open letters in opposition to and in support of the nomination, and took to the media to express their strongly held views on the issues raised. Much of what took place within the Law School mirrored the difficult national conversations taking place about the role of elite institutions, the integrity of the judiciary, due process, and support for victims of sexual misconduct.

Becca Heller '10 and Adjunct Professor Gregg Gonsalves named 2018 MacArthur Fellows



Heller

Gonsalves

Human rights lawyer Becca Heller '10 and Associate Professor (Adjunct) of Law Gregg Gonsalves are among the 25 individuals chosen as 2018 MacArthur Fellows, often commonly known as the "genius grant."

Heller is the director and cofounder of the International (originally Iraqi) Refugee Assistance Project (IRAP), which provides legal services to individual refugees as they navigate application, appeal, and resettlement processes under U.S. and international law.

Gonsalves is codirector of the Global Health Justice Partnerships (GHJP) and the Collaboration for Research Integrity and Transparency. The GHJP Gonsalves cofounded is an interdisciplinary initiative between Yale Law School and the School of Public Health to further advance human rights and social justice perspectives in public health and legal research, practice, and teaching.

The MacArthur Fellowship is a \$625,000, no-strings-attached award to "extraordinarily talented and creative individuals as an investment in their potential," according to the MacArthur Foundation.

STUDENT PRIZES 2017–2018

Neale M. Albert Fund Prize

Awarded for the best paper on the subject of art law

Elliston P. Bissel, V '19

“Monuments to the Confederacy and the Right to Destroy in Cultural Property Law”

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

Ali Gifford '18

Matteo Godi '18

Aviv Lipman '18

Tori Roeck '18

Burton H. Brody Prize

Best paper on constitutional privacy

Rachel Frank '19

“Miss-Conceptions: Abortifacients, Regulatory Failure, and Political Opportunity”

Nathan Burkan Memorial Corporation Prize

Awarded for the best paper(s) in the field of copyright law

Allison Douglis '18

“Fair Use’s First Amendment Problem”

The Joseph A. Chubb Competition Prize

Awarded for excellence in legal draftsmanship

Matteo Godi '18

Felix S. Cohen Prize

Awarded for the best paper on subject relating to legal philosophy

Jeremy Lent '19

“The Hidden Moral Coherence of the Federal Income Tax: A Defense of the Gift Exclusion, Imputed Income Exclusion, and Realization Requirement”

Kevin Tobia '19

“Hybrid Theories of Reasonableness”

Edgar M. Cullen Prize

Awarded for the best paper by a first-year student

Annie Wang '20

“Procedural Justice and Risk-Assessment Algorithms”

Thomas I. Emerson Prize

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

Schlomo Klapper '20

“Habeas Corpus Linguistics: A New Corpus Linguistics Methodology for Statutory and Constitutional Interpretation”

Garrett West '18

“Congress’s Arrest Power and the Limits of Liquidation”

Ambrose Gherini Prize

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

Brian Mund '18

“Legalizing Intelligence Sharing: A Consensus Approach”

Viviane Meunier Rubel '18 JSD

“Interstitial Law-Making in Public International Law: A Study of Environmental Impact Assessments”

Jerome Sayles Hess Prize for International Law

Awarded for the student who demonstrates excellence in the area of international law

Paul Strauch '18

Beatrice Walton '18

Marshall Jewell Prize

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

Daniel B. Listwa '19 and

Charles Seidell '19

“Penalties in Equity: Disgorgement After *Kokesh v. SEC*”

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

José Argueta Funes '19

“At Property’s Origins: Lawyers and Stories in the Kingdom of Hawaii”

Florence M. Kelly '37 Family Law Prize

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

Rachel Frank '19

“Miss-Conceptions: Abortifacients, Regulatory Failure, and Political Opportunity”

Aviv Lipman '18

For his work in the Sol and Lillian Goldman Family Advocacy for Children and Youth Clinic and the Immigration Legal Services Clinic

Michael Weaver '18

For his work in the New Haven Legal Assistance Association Domestic Violence Clinic

William T. Ketcham, Jr. Prize

Awarded for the best paper in the field of private international law

Hyungwoo Lee '18

“Changing Landscape in International Dispute Resolution: Soft Centralization and Its Justifications”

Ying Zhu '18 JSD

“Too Much of Two Good Things: Investment Protection and Environmental Protection in International Law”

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

Kai Fees '18

Yusef Saei '18

Julia Wang '18

Raphael Lemkin Prize

Awarded for a paper in the field of international human rights

Asaf Lubin '18 JSD

“We Only Spy on Foreigners’: The Myth of a Universal Right to Privacy and the Practice of Foreign Mass Surveillance”

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

Natalia Friedlander '18

Amit Jain '18

Joanne Lee '18

Maya Menlo '18

Elizabeth Pierson '18

Judge William E. Miller Prize

Awarded for the best paper concerning the Bill of Rights

Peter Beck '19

“Teaching the Fourteenth Amendment: The First 150 Years”

Samir Doshi '18

“Funding Force: Limits on Congressional Authority”

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

Sameer Jaywant '18

Aleks Sverdluk '18

Israel H. Peres Prize

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

Steven Lindsay '17

“Timing of Judicial Review of Agency Interpretations in Chevron’s Shadow”

Urja Mittal '17

“Litigation Rulemaking”

Clifford L. Porter Prize

Awarded to an outstanding student performance in taxation

Cameron Rotblat '18

“Chinese State Capitalism and the Future of the International Tax Regime”

Edward D. Robbins Memorial Prize

Awarded to the best third-year student contribution to a law journal other than The Yale Law Journal

Nina Varsava '18

“How to Realize the Value of Stare Decisis: Options for Following Precedent”

Benjamin Scharps Prize

Awarded for the best paper by a third-year student

Wally Hilke '18

“Weak Science, Strong Politics: Chicago Gun Violence, Sentence Enhancements, and the Question of Social Scientist Advocacy”

Colby Townsend Prize

Awarded for the best paper by a second-year student

Jonathan Petkun '19

“Can (and Should) Judges Be Shamed? Evidence from the ‘Six-Month List’”

William K.S. Wang Prize

Awarded to recognize superior performance in the introductory corporate law course

Elliston P. Bissel, V '19

Isabel Farhi '19

Alex Lewis '19

Sean Park '20

Francis Wayland Prize

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

Skylar Albertson '18

Valerie Comenencia-Ortiz '18

Lauren Hobby '18

Claudia Wack '18

Helen White '18

Judge Ralph K. Winter Prize

Awarded annually to the best student paper written in law and economics.

Jonathan Petkun '19

“Can (and Should) Judges Be Shamed? Evidence from the ‘Six-Month List’”

Alessandro Romano '18 LLM

“Horizontal Shareholding: The End of Markets and the Rise of Networks”

BARRISTERS’ UNION PRIZES

John Fletcher Caskey Prize

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

Zach Fields '20

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

Richard Frohlichstein '18

MOOT COURT PRIZES

Thurman Arnold Appellate Competition Prize

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

Samir Doshi '18

Benjamin N. Cardozo Prize

Awarded for the best brief submitted by a student in Moot Court (fall semester)

Heath Mayo '18

A. Leon Higginbotham Prize

Awarded for the best brief submitted by a student in Moot Court (spring semester)

Helen White '18

Potter Stewart Prize

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

(FALL 2018) **Heath Mayo** '18 and

Delbert Tran '18

(SPRING 2018) **Samir Doshi** '18 and

Helen White '18

Harlan Fiske Stone Prize

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

Aaron Roper '19

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

Urja Mittal '17

“Litigation Rulemaking”

Prize-winning papers have been posted to a digital repository at digitalcommons.law.yale.edu/ylsspps



The United Nations Security Council met in special session to debate alleged North Korean nuclear proliferation in December 2017.

The Future of International Order

A look at the implications of the Administration's foreign policy and what can be done to mitigate those effects



Harold Hongju Koh
The Trump Administration and International Law
 Oxford University Press, 2018



*In his latest book, *The Trump Administration and International Law*, Sterling Professor of International Law Harold Hongju Koh provides an answer to the question that has perplexed international political and legal thinkers since President Donald Trump's election: will the Trump Administration's policies permanently alter the post-war international order?*

Koh argues that Trump's "America First" foreign policy is not "winning" at the international level. Rather, Trump's repeated efforts to weaken, or entirely disengage, the deep-seated connections between domestic and global governance "has thus far proven largely ineffective."

Trump's actions are as much symptom as cause of a larger struggle over competing visions of global order. With the global rise of populist authoritarian governments and the global challenge to human rights and the rule of law, America's actions take on greater significance and urgency...

The Trump Administration and International Law supports this claim by surveying immigration and refugee law, human rights, climate change, denuclearization, trade diplomacy, relations with North Korea, Russia and Ukraine, America's "Forever War" against Al Qaeda and the Islamic State, and the ongoing tragedy in Syria. Koh's sweeping tour d'horizon illustrates the various techniques that players in what he calls the "transnational legal process" have used to blunt the harmful implications of Trump's early international initiatives.

As Koh describes it, transnational legal process as a counter-strategy is not a passive, self-correcting mechanism, but requires intentional collective action if it hopes to remain intact beyond Trump. Koh outlines an "inside-outside" strategy for those who would join in the effort to resist the damage to international law worked by Trump's broad global agenda: actors both external and internal to the government must "engage-translate-leverage" their power: i.e., work synergistically to maintain commitment to constructive foreign policy engagement, hold Trump accountable to the letter and spirit of existing laws and international agreements, and leverage legal approaches into enduring policy solutions.

Koh admits that this is not an optimal political state of affairs — nonetheless he demonstrates how this counter strategy can prevent serious damage, and, through the concentrated effort and determined purpose of political allies, bequeath to a post-Trump world a situation that remains curable.

Ultimately, Koh argues, Trump's actions are as much symptom as cause of a larger struggle over competing visions of global order. With the global rise of populist authoritarian governments and the global challenge to human rights and the rule of law, America's actions take on greater significance and urgency. Koh reminds, "The example America sets over the next few years will be very closely watched," and its response to this global struggle will profoundly shape the future of global order. While the struggle may be exhausting, he argues, the high stakes of this struggle and its broader implications for the future of global governance make this counter-strategy both worthwhile and necessary.

SURVEY OF BOOKS

Here's just a sampling of the many other books recently written or edited by our alumni, faculty, staff, and students. We welcome your submissions. Please contact us: lawreport@yale.edu.



John Attanasio
**Politics and Capital:
Auctioning the American
Dream**

Oxford University Press, 2018

Attanasio '85 LLM shows how recent Supreme Court decisions and campaign finance regulations created a constitutional arrangement that correlates with the dramatic rise in U.S. wealth and income inequality since the 1970s. Because this radical inequality reduces autonomy, he proposes the principle of distributive autonomy, arguing that good governance must concern itself with the distribution of freedom for all. If my autonomy matters, Attanasio argues, so does yours.



James G. Dwyer
**Liberal Child Welfare Policy
and its Destruction
of Black Lives**

Routledge, 2018

Dwyer '87 offers a child-centered perspective on intergenerational cycles of poverty in urban black neighborhoods. Liberal policy recommendations rely upon parent-centered analyses, which, due to conflicts between the rights of children and parents, ignores the reality that analysts and policy makers must choose sides. Dwyer's critique of liberal child welfare policy paves the way for his policy recommendations.



Tanya Katerí Hernández
**Multiracials and Civil Rights:
Mixed-Race Stories of
Discrimination**

NYU Press, 2018

Hernández '90 debunks the idea that multiracial identities destroy racism by virtue of racial mixture. By drawing on court cases to demonstrate the types of racism that multiracial people face, Hernández demonstrates the inadequacy of existing legal tools to confront this type of discrimination, and offers a strategy for how law can respond and move us toward a more just society.



Alan Hirsch
**Impeaching the President:
Past, Present, and Future**

City Lights Books, 2018

Hirsch '85 revisits the scope, purpose, and history of impeachment to draw lessons that can guide those who might try to impeach Donald Trump. Through an in-depth look at the impeachment cases of Andrew Johnson, Richard Nixon, and Bill Clinton, Hirsch makes the case that any action toward impeachment must proceed with caution, learn from the mistakes of the past, and avoid using impeachment as a partisan weapon, concluding that failure to re-elect is another way to remove a president.

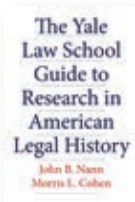
SURVEY OF BOOKS



Ji Li
**Clash of Capitalisms?:
 Chinese Companies in the
 United States**

Cambridge University Press, 2018

Li '07 provides insights on the nature and impact of investment from Chinese companies in the U.S. Focusing on how Chinese companies that invest in the U.S. adapt to U.S. legal and regulatory institutions, Li draws together empirical evidence to suggest that these companies largely internalize U.S. economic and legal norms.



John B. Nann and
 Morris L. Cohen
**The Yale Law School Guide
 to Research in
 American Legal History**

Yale University Press, 2018

Yale Law librarian Nann and the late Yale Law librarian Cohen provide a reference to the study of law in America. Focusing on the needs of non-specialists, this reference book introduces researchers to the important legal sources, resources, and historical contexts for scholarly engagement with American law.



Brian P. Owensby and
 Richard J. Ross
**Justice in a New World:
 Negotiating Legal
 Intelligibility in British, Iberian,
 and Indigenous America**

NYU Press, 2018

Ross '89 and co-editor Owensby present a collection of essays that examines how indigenous people and settlers in the British and Iberian New World empires used each others' ideas of law as a political, strategic, and moral resource. By comparing legal understandings within these empires, the volume traces how people in the colonial era struggled to make law and codes of justice intelligible.



Jocelyn Stacey
**The Constitution of the
 Environmental Emergency**

Hart Publishers, 2018

Stacey '11 LLM argues for the need to reframe environmental law from the perspective of emergency. Environmental issues pose a fundamental challenge to law because it is impossible to reliably predict which issues contain the possibility of an emergency and what to do in response to unforeseen events.



Ronald C. Slye
**The Kenyan TJRC:
 An Outsider's View
 from the Inside**

Cambridge University Press, 2018

Slye '89 details the history and legacy of the Kenyan Truth, Justice, and Reconciliation Commission (TJRC). By exploring the strategies used in the TJRC to address the violence following Kenya's 2007 elections, Slye offers lessons for other countries and those working in transnational peacebuilding.



John Smiley
**From Slaves to Prisoners of
 War: The Ottoman Empire,
 Russia, and International Law**

Oxford University Press, 2018

Smiley '14 discusses how the concept of prisoner of war emerged during the the Ottoman-Russian wars of the 18th century. In the 18th century, the Ottoman state and its rival, Russia, worked out a new system of regional international law. Rules that abolished ransom and established the prisoner of war concept delineated sovereignty, redefined individuals' relationships to states, and prioritized political identity over economic value. In the process, the Ottomans marked out a parallel, non-Western path toward elements of modern international law.

ALSO OF NOTE

Reyna Marder Gentin '91
**Unreasonable Doubts:
 A Novel**

She Writes Press, 2018

Vincent R. Johnson '79 LLM,
 Stephen L. Pepper '73, et. al.
**Legal Ethics, Professional
 Responsibility, and the
 Legal Profession**

West Academic Publishing, 2018

Charles Mechem '55
**Total Anecdotal:
 A Unique and Fun Guide
 to Help You Become
 a Better Speaker and Writer**

Half Nelson Enterprises, 2018

Ryan Craig '99
**A New U:
 Faster + Cheaper
 Alternatives to College**

BenBella Books, Inc., 2018

Pintip Dunn '03
Star-Crossed

Entangled: Teen, 2018

Laquesha Shantelle Sanders '09
**All Things Work Together:
 A Journey Surmounting
 Sexual Abuse and Mental
 Illness Through Achievement**

The Shantelle Company, 2018

Norm Leventhal '68
**Rene, El Tigre, and Me:
 Up Close and Personal—
 Spanish Television in America**

RoseDog Books, 2018

Sigmund P. Martin '88 LLM et. al.
**Grauer Kapitalmarkt:
 Anlegerschutz durch
 Strafrecht?**

Peter Lang, 2016

Stephen Scher '75 MSL
**Rethinking
 Health Care Ethics**

Palgrave Pivot, 2018

SPOTLIGHT

Finding Common Ground between LGBT Rights and Religious Freedom

A collection of essays spans perspectives on belief, rights, and freedom

In *Religious Freedom, LGBT Rights, and Prospects for Common Ground*, John A. Garver Professor of Jurisprudence William N. Eskridge Jr. '78 and co-editor Robin F. Wilson tackle the thorny

problem of how to balance religious freedom rights and lesbian, gay, bisexual, and transgender (LGBT) rights. The compilation includes 35 essays that bring into dialogue leading voices in the faith and LGBT advocacy communities, together with equality and religious liberty scholars, to examine whether laws can be created that protect LGBT individuals from discrimination without encroaching on religious liberty.

"This dialogue comes at an important moment," Eskridge and Wilson write in their introduction, as previous LGBT rights achievements "are being recalibrated

in real time." Certain faith communities and social conservatives, they point out, contest the rights of LGBT persons. This confrontation continues to gather more steam following the adjudication of a number of recent legal cases. As a flood of arguments enters the political arena, the question becomes whether the law can reconcile contested positions.

This question took center stage in the U.S. Commission on Civil Rights' high-profile September 2016 report, *Peaceful Coexistence: Reconciling Non-Discrimination Principles with Civil Liberties*. Eskridge and Wilson worry that the report reached a dim conclusion that placed religious protections and nondiscrimination laws in competition, without leaving space for their reconciliation. The Commission chairman's claims

provoked sharp dissent from moderate commentators and an equally strong response from some social conservatives and faith leaders.

Religious Freedom, LGBT Rights, and Prospects for Common Ground assembles important thought leaders from the Human Rights Campaign and ACLU to the National Association of Evangelicals and Catholic and LDS churches to address the concerns of their communities and to consider ways forward. The contributors offer an expansive view of contemporary culture-war conflicts around faith and sexuality — from *Obergefell* to *Masterpiece Cakeshop* — and explore whether communities with significant differences in belief can reach mutually agreeable solutions.



William N. Eskridge Jr. and Robin F. Wilson, eds.

Religious Freedom, LGBT Rights, and the Prospects for Common Ground

Cambridge University Press, 2018

Personal History

Professor Carter Publishes *Invisible*, a biography of his grandmother

In his latest book, William Nelson Cromwell Professor of Law Stephen L. Carter '79 tells the moving story of the life and work of his grandmother, Eunice Hunton Carter (1899–1970), the mastermind behind the operation that successfully captured and prosecuted mobster Lucky Luciano.

Invisible: The Forgotten Story of the Black Woman Lawyer Who Took Down America's Most Powerful Mobster opens with the 1906 race riots in Atlanta, GA. A seven-year-old Eunice and her family huddled in their house listening to white mobs inch closer, as they smelled the smoke from the fires from burning homes.

Carter's narrative underscores Eunice's ambitious leanings, which emerged at an early age. At age eight she announced that she would become a lawyer, a promise she fulfilled two decades later.

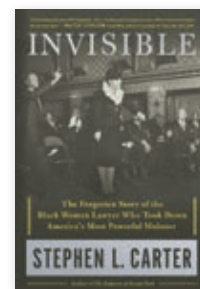
Despite the myriad racial barriers she faced, Eunice graduated from Smith University with both a bachelor's and master's degree in just four years, graduated from Fordham Law School, became the first black woman lawyer in New York, and the first black woman federal prosecutor in the country.

Eunice eventually landed the most desired legal job in New York at the time: working with Thomas Dewey on his Organized Crime Task Force. In this capacity she pioneered the investigation that proved the mob was running New York City's brothels and helped identify the witnesses that confirmed Luciano's involvement.

As a result of her work taking down Luciano, Carter notes that Eunice became "one of the best-known Negro women in America." This feat was only the beginning, however, as "she would receive honorary degrees, be featured in *Life* magazine, lecture around the world, be handed medals and plaques from civic organizations everywhere...[and] become a prominent and influential figure in the Republican party." She later turned her attention to international activities as president of the Conference of International Organization, consultant for UNESCO, and influential member of the International Board of the YWCA.

Carter's portrait of his grandmother reveals a complex picture that includes not only her accomplishments but her struggles: from her tense relationship with her brother, whose Communist ties probably hindered her success, to her difficult marriage.

Bestselling author Walter Isaacson called *Invisible* "a riveting and moving story, one with enormous resonance for our own time."



Stephen L. Carter

Invisible: The Forgotten Story of the Black Woman Lawyer Who Took Down America's Most Powerful Mobster

Henry Holt and Company, 2018

OUR FACULTY



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A Critical Eye on the Implications of Misdemeanor Crimes

Issa Kohler-Hausmann '08 is an Associate Professor of Law at Yale Law School.



In her most recent book, Kohler-Hausmann turns a critical eye to the often overlooked topic of misdemeanor crimes. Over the past several years, she has studied the Broken Windows police tactics of the early 1990s in New York City, which held that rigorous enforcement of low-level offenses was the key to urban order and crime suppression. There was little information on what happens to the hundreds of thousands of people arrested as part of this strategy once they reached criminal court. In Misdemeanorland, Kohler-Hausmann argues that lower courts in the era of Broken Windows largely abandoned the adjudicative model of criminal law administration in which questions of factual guilt and legal punishment drive case outcomes.

Yale Law Report Few people have closely examined punishment other than imprisonment in the criminal justice field. Why did you decide to tackle this?

Issa Kohler-Hausmann The short answer is that there are just *more* misdemeanor arrests than felony arrests — a lot more. I was curious if the things that we know about how felony criminal courts work or how inequality is reproduced through criminal convictions or prison are the same on the lower end of the criminal justice system. Mass incarceration has garnered substantial public and scholarly interest over recent decades. As well it should; it is an urgent political and moral question. But most people who encounter the criminal justice system will encounter it through a citation for a municipal infraction or a misdemeanor arrest, not through a felony arrest. Prison is not even the most common outcome from a felony arrest. So my research question started out incredibly broadly, asking what was happening in New York City's lower criminal courts after they were flooded with arrests from its signature policing tactics and how do defendants experience the process?

How did your time practicing in New York State handling issues of felony and misdemeanor crime shape your scholarly interests?

It provided me a firsthand experience of the tensions and demands that legal actors face on a daily basis in court, how uncertainty, resource and time constraints, and strategic considerations vis-à-vis other actors in

the criminal justice system play out to create certain predictable patterns. For example, one critique that you hear a lot in lower criminal courts is how long cases drag out. Working in court you realize that both sides have opportunities to engage in delay for strategic purposes at different times and under different conditions, and that often the only leverage the defense has is to refuse a plea offer and wait.

Another important thing that I learned was to be attentive to the diverse ways that entanglement with police and courts affects people. We have thought a lot about the permanent mark of a felony conviction — the lasting stigma that can impede employment, housing, and family formation. But much larger swaths of people experience temporary markers in the form of an open case or conditional dismissal, the prolonged hassle of going back and forth to court, the personal degradation of arrest and pretrial detention, or losing jobs because of court dates.

How has having a background in both criminal law and sociology influenced the way you examined the issues in your book?

As a sociologist, I was trained to investigate the substantive meaning of quantitative data and trends. The human costs I mentioned in the prior answer would be invisible if you just looked at the formal legal outcome of the case. Most misdemeanor cases in New York City end in some form of dismissal, so unless you are attentive to those qualitative dimensions that are not captured by formal legal categories you will miss it. The fact that the criminal conviction rate from misdemeanor arrests went down substantially over the Broken Windows era does not mean that that the courts were not exercising a form of social control over the populations that flowed through their doors. The use of qualitative data in the book was to explain how precisely people experienced the penal power of the state.

What do you hope people take away from reading *Misdemeanorland*?

The study of mass misdemeanors — like that of mass incarceration — ultimately points out larger political questions about what role we, as a democratic society, will countenance for criminal justice in establishing social order. The grand majority of the misdemeanor



Miriam S. Gohara in "In Defense of the Injured: How Trauma-Informed Criminal Defense Can Reshape Sentencing," *American Journal of Criminal Law*, 2018

"The aim of this article is to operationalize an argument I pioneered that best practices in capital mitigation ought to be applied to noncapital sentencing. Specifically, this article proposes that defense lawyers need to create records in a breadth and depth of noncapital cases explaining why trauma is relevant to their clients' punishments so that courts will begin to change their approaches to sentencing."

KOHLER-HAUSMANN (CONTINUED)

arrests over the past two decades have been of Black and Hispanic men. The Broken Windows policing tactics are spatially concentrated in the city's poor and minority neighborhoods. To the extent that these policing techniques bring down violent crime in those spaces, which is of course debated, these communities reap the benefit of lower violence and social harm. But they also bear the costs. And the costs are tremendous.

As long as we rely on the criminal justice system as the primary institution of social control over these spaces that will continue to be the case, and we will create a substantial population that is, to use Megan Comfort's evocative phrase, "at once legally free, but palpably bound." And this, I think, is really the crux of the policy implications I draw from this research.

Don Elliott and Carol Rose Elected Members of ALI

Adjunct Professor of Law **E. Donald Elliott '74** and Gordon Bradford Tweedy Professor Emeritus of Law **Carol M. Rose** were elected to The American Law Institute (ALI) on October 18, 2018. The new class includes 31 members who bring a wide range of perspectives and areas of expertise to ALI's work of clarifying the law through restatements, principles, and model penal codes.

ALI is the leading independent organization in the United States producing scholarly work to clarify, modernize, and improve the law.



On Twitter
Vicki Schultz
@VickiSchultzLaw
Sept 30

My interview by @kkelkar on PBS @NewsHour about sexual harassment and assault and the larger context for the #KavanaughHearings was heavily trafficked on their site yesterday. People are hungry for intellectual, not just partisan, analysis! @YaleJournal @YaleLawSch @StanLRev

The New York Times

Reva Siegel in "The End of Abortion," June 28, 2018:

"We can and will argue about harm to women, but it is equally urgent to confront these restrictions by asking when and how government protects life. Expanding the frame beyond abortion, we can ask: Does government protect new life in ways that respect and support women's choices — for instance, through sexual education, contraception, health care, income assistance, and accommodating pregnancy and parenting in the workplace? Or does government protect life selectively, in ways that restrict women's choices?"

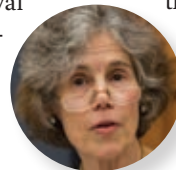
RESNIK



Judith Resnik received an honorary degree from UCL in July.

Professor Resnik Awarded Honorary Doctorate of Laws by UCL

On July 3, 2018, at the University College London Law Faculty graduation held at Royal Festival Hall in London, Professor Judith Resnik received an honorary doctorate of laws. In presenting the Doctor of Laws Honoris Causa (LLD), Professor Dame Hazel Genn described Professor Resnik, the Arthur Liman Professor of Law, as "an academic and legal practitioner of outstanding productivity and distinction, whose interests range very widely across constitutionalism, the impact of democracy on government services, court procedure and adjudication, prisons, gender, citizenship and access to justice."



Judith Resnik

In Professor Resnik's remarks to the graduating class and their families and friends, she reflected on graduations as a time of both celebration and separation. She told the graduates that they were "coming of age in the law at a time when separation is more of a theme that many of us would have wanted."

After the ceremony, Resnik expressed her delight in receiving the honor from UCL. "Being part of UCL is to be part of a remarkable university whose commitment to inclusion dates from its inception," said Resnik. "UCL was ahead of its peers in welcoming individuals of all religions, in admitting women, and in committing itself to innovative and radical critique. In the current world, this provides shining examples of values to celebrate. I am deeply honored to receive the honorary doctorate."

ELLIOT

ACUS Adopts Recommendation by Professor Elliott and Chas Tyler '13

In June, the Administrative Conference of the United States (ACUS) adopted a formal recommendation that originated as a one-on-one discussion of severability clauses in federal regulations between Adjunct Professor of Law E. Donald Elliott '74 and Charles (Chas) W. Tyler '13.

According to the ACUS, the new recommendation “encourages federal agencies that anticipate litigation over their rules to consider early in the rulemaking process whether a rule is severable,” or able to be divided into independently functioning portions. The recommendation also provides “steps agencies should take if they intend that portions of a rule should continue in effect even though other portions have been held unlawful on judicial review.”

Elliott and Tyler’s initial conversations about severability clauses in statutes began at Yale Law School over lunch and in a section of Administrative Law taught by Elliott when Tyler was in his class.

Those informal discussions eventually became a full-fledged article, published in the *Yale Law Journal* in 2015. The article showed empirically that as of 2015, federal administrative agencies infrequently included severability clauses in their rules. Congress, on the other hand, often includes severability clauses in statutes.

“If anything, we thought the opposite should be true,” said Tyler, “since federal administrative agencies are in a better position to say whether they would prefer that portions of a rule remain in effect, even if other portions are held to be unlawful.” The article posited that agencies seldom use severability clauses because they have generally not been given much weight by courts. As a result, courts often invalidate an entire rule when portions are found unlawful.

Elliott and Tyler’s proposals were first fully implemented in the Environmental Protection Agency’s Clean Power Plan rule, the Obama Administration’s major policy on climate change. Additionally, several federal district courts have cited their *YLJ* article when determining what remedy to order after finding a portion of a federal regulation to be unlawful.

DOHERTY

Professor Doherty Cited in Federal Ruling on Supervised Release

A federal judge in the Eastern District of New York issued a ruling in July 2018 holding that he would no

longer send people back to prison for marijuana use while on supervised release.

The judge also held that he would impose shorter terms of supervised release and give more consideration to the appropriateness of conditions.

The opinion extensively cited the work of Professor Fiona Doherty '99, who is an expert on supervised release,

probation, and parole.

Judge Jack B. Weinstein referred to Doherty’s paper “Indeterminate Sentencing Returns: The Invention of Supervised Release,” several times throughout his 42-page opinion. The article was published in the *New York University Law Review* in 2013.

Judge Weinstein cited the article in explaining the “shaky theoretical underpinnings” of supervised release and in highlighting the ways in which supervised release can interfere with the reintegration of released prisoners and encourage unwarranted incarceration.



Fiona Doherty



At the United Nations headquarters in New York on October 22, 2018, **Oona Hathaway '97** and **Scott Shapiro '90** addressed the historical, political, and legal factors that led to the prohibition of the use of force. Their presentation was part of an event marking the 90th anniversary of the Kellogg-Briand Pact, a 1928 treaty under which signatories renounced the use of war as a means for dispute resolution.



Oona A. Hathaway '97, William S. Holste '17, Scott J. Shapiro '90, Jacqueline Van De Velde '17, and Lisa Wang Lachowicz '17 in “War Manifestos,” *The University of Chicago Law Review*, Vol. 85, 2018

“War manifestos give scholars direct access to the international legal arguments sovereigns made to one another, and therefore to the kinds of legal claims they considered valid.”



Susan Rose-Ackerman was celebrated by the Dean and faculty on October 24 to mark her retirement from Yale Law School. (left to right) **Bruce Ackerman '67, Susan Rose-Ackerman, and Dean Heather Gerken**

Q+A Professor Bell on Qualitative Study on Attitudes toward Unplanned Pregnancy in Youth

Associate Professor of Law Monica C. Bell '09 and co-authors Kathryn Edin, Holly Michelle Wood, and Geniece Crawford Mondé published an article, "Relationship Repertoires, the Price of Parenthood, and the Costs of Contraception" on their sociological study in the Social Service Review. The study, part of an evaluation of the U.S. Department of Housing and Urban Development's Moving to Opportunity (MTO) experiment, involved 150 in-depth qualitative interviews of the children of MTO — young people (in this case, all African American) who had started out in low-income Baltimore housing projects, but some of whose parents had received special housing vouchers to move into low-poverty neighborhoods in the 1990s.



Monica Bell

ence unintended pregnancy actually has that experience. So, we wanted to have conversations with a group of youth and young adults who, according to the statistics, fall within a group deemed most likely to experience unintended fertility. While ours is far from the first study to investigate this question qualitatively, it has some characteristics that are unusual for other qualitative studies on this topic: (1) we have a larger sample than usual, which gave us more material to work with for achieving solid internal validity through our coding process; (2) we interviewed both young men and young women, while a lot of studies — especially in earlier years — focused only on young women as if they were sole actors in the family formation process; and (3) we included both current parents and non-parents, which is important because a lot of the research on this topic focuses on current parents and asks them retrospectively about their fertility choices.

Our analysis differs from some other work by engaging with race and culture in a serious way. We center our findings and prescriptions in an understanding of the fraught American history of efforts to control the fertility of poor people and African Americans, so we are leery of treating pregnancy as a “problem” that needs to be resolved through contraception — though we cannot ignore the ways that institutions make it difficult for especially young women to further their education and become economically stable when they have children. So, we examine the relational context surrounding the risk of unintended pregnancy, but we avoid assuming that this relational context is “bad” or problematic.

What legal or policy implications might come out of this research into unplanned pregnancy?

Our results support efforts to increase educational and employment opportunity for both young women and young men as an effort to reduce unintended fertility. Our results also support efforts to ensure that once a young woman gives birth, she does not lose educa-



Abbe R. Gluck '00 and **Nicole Huberfeld** in “What Is Federalism in Healthcare For?,” *Stanford Law Review*, Volume 70, Issue 6, June 2018

“Without a clear conception of the U.S. healthcare system’s goals, how can we know which structural arrangements serve it best, much less whether they are working? If healthcare federalism is a mechanism to produce particular policy outcomes, we should determine whether locating a particular facet of healthcare design in the states versus the federal government positively affects, for example, healthcare cost, access, or quality.”

Yale Law Report What did you and your co-authors set out to achieve with this study?

Monica C. Bell With MTO, we were interested not only in outcomes like employment and school performance, but also in wide-ranging subjective perspectives on family planning and romantic relationships. While teen pregnancy has sharply declined since the 1990s, unplanned pregnancy is still relatively high, especially in contexts of intersecting race and class subjugation. We were interested in learning generally how these young people thought about family formation and made meaning of sexual behavior, relationships, contraception, and condoms.

How was this study designed to address different angles than past studies?

A large proportion of the research on risk for unintended pregnancy is quantitative and based on observational data, meaning it can tell us a lot about correlates of unintended pregnancy. But — obviously — not everyone who is statistically more likely to experi-

DISCUSSIONS AND APPEARANCES



Kate Stith interviewed the Hon. Janet Bond Arterton in August 2018 as part of The Connecticut Bar Foundation History of Connecticut Women in the Legal Profession.



Samuel Moyn gave a lecture, moderated by Jayne Huckerby, at Duke University School of Law titled “Humane: The Politics and Poetics of Endless War” on September 7, 2018.



On July 30, 2018, Monica Bell '09 participated in a conference at T.C. Beirne School of Law in Brisbane, Australia, about the future of sentencing and incarceration.

tional and economic opportunity by losing access to traditional schooling, be it at the K-12 or college level.

We also support educational outreach to help young people think more about condoms and hormonal birth control in ways that might escape the usual disjuncture between intentions and behavior. Sexual education curricula could help youth to better develop their relationship and communication skills so that they can communicate directly with one another about the status of their relationship, rather than rely on signals like condom disuse.

Currently, early pregnancy prevention interventions tend to be focused on women, not men. But if the relational context is a driving force in contraceptive decision making, improving young marginalized men's future prospects may be especially vital. We should question approaches like harsh child support enforcement that reinforce gender asymmetry by targeting services to mothers and children while extracting money from men. These policies fail to address men's limited opportunity costs.

Do you find a connection between the gender asymmetry in how people perceive unplanned fertility and the asymmetry in how sex education is usually delivered?

Absolutely. One of our policy suggestions is to ensure that young men and masculine gender-nonconforming people, not just young women who seem biologically able to carry children, receive pregnancy education and prevention attention. Currently, many institutions administer sex education in a sex-segregated fashion. This approach is old-fashioned, given our increasing understanding of the complexities of sex and gender identity that make segregation along binary lines obsolete.



Yale Scholars Tackle Opioid Crisis in Groundbreaking Journal Issue

More than two dozen Yale professors, doctors, and students have pub-

lished a series of articles on the opioid crisis in the *Journal of Law, Medicine and Ethics*.

The special issue is notable for tackling the opioid epidemic from a variety of angles — including health law, criminal law, addiction science, and social justice and race. It features prominent voices from across Yale University, including Yale Law School, the Yale School of Medicine, the Yale School of Public Health, and the Yale Jackson Institute for Global Affairs.

"This issue is the product of a first-of-its-kind interdisciplinary seminar at Yale University that brought together faculty and students from a range of disciplines to explore the crisis and law's role in it," said Professor Abbe R. Gluck '00. "The seminar was built from the ground up, in response to overwhelming student and faculty demand from across the University to collaborate to study the crisis."

The end product was approximately 20 academic articles from Yale faculty and students culminating with the *Journal* issue published in July 2018. Professor Kate Stith noted that the articles cover a great range, including arguing for a constitutional right to opioid-use-disorder treatment in prison; questioning the use of involuntary civil commitment of those with the disorder; examining the particular toll of the crisis on Native Americans; probing the ethical difficulties doctors face in treating those suffering from addiction; and studying the unique litigation underway to resolve the crisis. The issue also includes an article co-authored by the former president of Mexico, Ernesto Zedillo, now at Yale's Jackson Institute, that investigates how the U.S. drug criminalization policy has contributed to the epidemic.

"So many in our nation have become opioid dependent, a dependence so great that even the risk of death does not deter," said Stith. "Worse, the stock of people with this dependence continues to grow, spurred by many factors including the ubiquitous presence of fentanyl, manufactured often in Mexico or China. This is a public health crisis that has to be addressed on many dimensions."



Jack Balkin gave the Mitchell Lecture at Buffalo Law School on April 13, 2018, on "The First Amendment in the Second Gilded Age." A related article is forthcoming in the *Buffalo Law Review*.

"Protecting freedom of speech in the Second Gilded Age requires us to focus on the political economy of digital speech: how we pay for the digital public sphere, the dangers the digital political economy creates for end users, and the kinds of reforms that would best protect their interests in speech and privacy."



Taisu Zhang

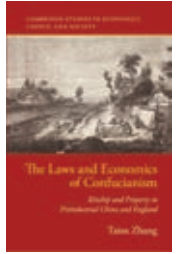
Professor Zhang Awarded Book Prizes

Associate Professor of Law Taisu Zhang '08 has been awarded two prizes for his first book, *The Laws and Economics of Confucianism: Kinship and Property in Preindustrial China and England*.

The Gaddis Smith International Book Prize is given to the best first book by the Whitney and Betty MacMillan Center for International and Area Studies at Yale. Recipients receive a research appointment at the MacMillan Center and a \$10,000 research award over two years.

The 2018 Presidents Book Award from the Social Science History Association is given annually to a first work by an early-career scholar and comes with a \$1,000 prize.

Zhang's book offers a novel argument as to why Chinese and English pre-industrial economic development went down different paths. The dominance of Neo-Confucian social hierarchies in Late Imperial and Republican China allowed many poor but senior individuals to possess status and political authority highly disproportionate to their wealth. In comparison, landed wealth was a fairly strict prerequisite for high status and authority in the far more "individualist" society of early modern England, essentially excluding low-income individuals from secular positions of prestige and leadership. Zhang argues that this social difference had major consequences for property institutions and agricultural production.



On Twitter
Marisol Orihuela
@MsolOG
July 16

Two families were reunited in CT today. It took four law students, over seven attorneys, and countless volunteers. And there are over 2,000 families left to go around the country.

#FamiliesBelongTogether
courant.com/breaking-news/hc-news-connecticut-family-separation-next-steps-20180716-story.html



Harold Hongju Koh visited the Institute of Politics at the University of Chicago in October 2018 to discuss his new book *The Trump Administration and International Law* with Law School professor David Strauss.



Yale Law School Mourns Passing of Marcia Chambers '81 MSL

Longtime journalist Marcia Chambers, a Senior Research Scholar at Yale Law School, died on July 13, 2018. Chambers received her MSL degree in 1981 from Yale Law School and was a writing tutor and mentor to students participating in the Law School's Knight Fellowships in Law for Journalists program for many years. Chambers was a reporter for the Associated Press and *The New York Times*, a writer for *Golf Digest*, an adjunct professor of journalism at Columbia University, and a lecturer in journalism at the University of Southern California.

She turned her groundbreaking work in *Golf Digest* on discrimination into a book, *The Unplayable Lie: The Untold Story of Women and Discrimination in Golf* (1995).

In her most recent career move, she developed an online-only local news publication in conjunction with

the New Haven Independent/Online Journalism Project, in addition to a podcast series on legal issues.

A celebration of her life was held on October 13, 2018, at the Law School, where former dean Harold Hongju Koh recalled Chambers' role in "nurturing a generation of young journalists to find their own path as legal affairs reporters writing about public law." Former MSL students Charlie Savage of *The New York Times* and Luiza Savage of *Politico* also noted that "not only was she a pioneering woman hard-news journalist in her generation, but she later set her idealism and ambition on one of the great journalistic challenges of our current time: how to preserve accountability coverage of local government... reminding us that journalism's highest aspirations can't be fulfilled if we limit our work to New York and Washington."

Chambers was the widow of Ford Foundation Professor Emeritus of Law and jazz enthusiast Stanton Wheeler. She began the annual Stan Wheeler Jazz Concert after Professor Wheeler's death in 2007. Last April marked the tenth anniversary of the concert at Yale Law School. This year's concert is scheduled for Sunday, March 31.

NEJAIME

Article by Professor NeJaime Receives Dukeminier Award

Douglas NeJaime received a 2018 Dukeminier Award for his article “The Nature of Parenthood” from the Williams Institute at the UCLA School of Law. The awards recognize the best sexual orientation and gender identity law review articles of the year and are published in a volume together.

NeJaime’s article was originally published in the *Yale Law Journal* and discusses the legal status of those who form families through assisted reproductive technologies and may not have a biological connection to their children.



Douglas NeJaime

ORIHUELA

Orihuela Cited by Georgia’s Top Court

The Georgia Supreme Court cited the work of Clinical Associate Professor of Law Marisol Orihuela ’08 in a ruling on June 18, 2018, which held that a defendant’s due process rights were violated by automatic detention in his case.

The decision cited Orihuela’s article, “The Unconstitutionality of Mandatory Detention During Competency Restoration,” which was published in the *Berkeley Journal of Criminal Law*.

The ruling aligned with Orihuela’s prescription that mental incompetence does not necessarily equate with dangerousness to oneself or to others.



Marisol Orihuela

ACKERMAN

Professor Ackerman Receives Honorary Degree from the University of Trieste

Sterling Professor of Law and Political Science

Bruce Ackerman ’67 received an honorary doctorate in jurisprudence from the University of Trieste in Italy on October 8, 2018.

Ackerman was recognized by the university for his distinguished contributions to comparative constitutional law. His *Lectio Magistralis*, upon receiving the degree, presented the leading themes of his forthcoming book from Harvard University Press, *Revolutionary Constitutions: Charismatic Leadership and the Rule of Law*.

In a newspaper article in *Il Piccolo* reporting the event, Ackerman rejected the present tendency to treat “populism” in completely “negative terms.” He explained instead that the “progressive movement in the U.S. represents an effort to reclaim the fundamental principles of equality and liberty that represent the aspirations of populism at its best. It is an effort by ordinary citizens to respond to

a failing system.” The challenge in Europe is “to unite workers and professionals into a similar populist movement for greater equality of economic opportunity.”



Bruce Ackerman



Bruce Ackerman ’67 received an honorary degree from University of Trieste in October.

APPEARANCES



Owen M. Fiss gave a lecture, “Inequality in a Fragmented Society,” at The Brennan Center Jorde Symposium at the University of Chicago Law School in April 2018.



On October 5, 2018, Tracey L. Meares was the keynote speaker at Exploring #STL2039: Policies for a Better Future at Saint Louis University in Missouri, discussing “Synthesizing Narratives of Policing.”



ALUMNI WEEKEND 2018

WE GATHER TOGETHER

Photos by Mara Lavitt, Harold Shapiro, and Melanie Stengel





It was a lively weekend in New Haven when more than a thousand Law School alumni and their families gathered during October 19–21 for Alumni Weekend 2018.

The weekend featured engaging panels on clinical education, media and elections, and talking across party lines, as well as an Award of Merit ceremony and State of the School address with Dean Heather Gerken.

During her address to alumni, Dean Gerken welcomed graduates back and talked about some of the recent milestones in the life of the Law School, most notably the addition of Baker Hall, the first physical expansion of the school since 1931.

“So many of you had told deans prior to me how much it mattered to live and learn in the same place in the great tradition of the Sterling Law Building,” said Gerken. “Baker is a wonderful moment for us.”

Focusing on the extraordinary clinic work, Gerken named some cases that have made national impact — like the Worker and Immigrant Rights Advocacy Clinic (WIRAC) helping to reunite children with their families (see page 8) and the Veterans Legal Services Clinic winning the right for veterans to bring class actions, overturning decades of case law (see page 10).

“Eighty percent of our students engage in clinical work of a scope and ambition that is just unknown at any other school,” said Gerken.

Gerken also highlighted how the current three J.D. classes make up the most diverse student body in the School’s history, a change accomplished with more robust recruiting practices.

Carmela Castellano-Garcia ’91, President and CEO of the California Primary Care Association (CPCA) and President of the Castellano Family Foundation, was the recipient of the Award of Merit, which recognizes alumni or longtime faculty of Yale Law School who have made a substantial contribution to public service or to the legal profession.

“A model for using positions of privilege in the service of others, she embodies the very best of this School,” said Gerken. “She has dedicated herself to delivering healthcare to California’s most vulnerable communities.”





Carmela Castellano-Garcia '91



“...For Yale Law School to acknowledge that fighting for the rights of our most marginalized and vulnerable populations has merit in the midst of great national turmoil concerning these very issues and communities, it feels like justice to me.”

CARMELA CASTELLANO-GARCIA '91

Castellano-Garcia has been committed to advancing multicultural health policy issues for more than 25 years, focusing on cultural and linguistic competency in health care delivery, ensuring the viability of safety net providers, health care reform, and access to care for vulnerable populations. The Castellano Family Foundation has donated more than \$5 million in grants to Santa Clara County nonprofits supporting Latino education, arts and culture, leadership, and diversity. The Castellano Family Foundation also continually supports these local organizations guided by the values of community, family, social change, empathy, and integrity.

“Throughout my career, I have had the opportunity to advocate on behalf of those who have no voice in the halls of Sacramento and our nation’s capital,” said Castellano-Garcia. “I have worked on important issues including access to health care, women’s reproductive rights, affirmative action, immigration reform, and language access among others. For Yale Law School to acknowledge that fighting for the rights of our most marginalized and vulnerable populations has merit in the midst of great national turmoil concerning these very issues and communities, it feels like justice to me.”

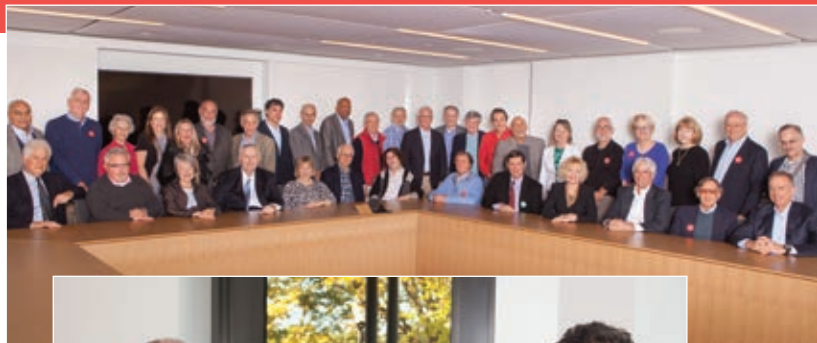
At the ceremony, Gerken also gave a very special honor to Associate Dean of Alumni and Public Affairs Toni Hahn Davis '92 LLM, who retired at the end of 2018 after decades of service to the Law School. Davis transformed the alumni affairs office and has worked to foster valuable connections between the School and the thousands of alumni around the world.

Speaking about Davis’s warmth and wisdom, Gerken then presented her with the second-ever Dean’s Award for Extraordinary Service for lengthy record of accomplishments.

“Toni’s passion for her work cannot be overstated,” said Gerken. “She has been the glue that has connected members of our alumni community to the School and to each other.” 🍷



Toni Hahn Davis '92 LLM



DiBlasi Room dedication

The Law School Class of 1978 raised nearly \$1.3M for its 40th reunion to honor fellow classmate, Gandolfo “Vince” DiBlasi ’78, naming a classroom, Room 120, at Baker Hall in his memory on Alumni Weekend. There was a short ceremony with opening remarks by Dean Gerken, followed by Harold Hongju Koh, one of DiBlasi’s closest friends, and program speakers David Nierenberg ’78 and Carl Reisner ’78.

DiBlasi was a dedicated alumnus of both Yale College and the Law School, volunteering for and chairing numerous reunion committees. He also served as a member of the Executive Committee and served as the Chair of the Law School Fund Board. In 2013, DiBlasi was honored with the Simeon E. Baldwin Award for distinguished achievement in law and business by the Yale Law School Center for the Study of Corporate Law.





Calabresi Faculty Lounge dedication

The classes of 1958 and 1963 dedicated the Calabresi Faculty Lounge on Saturday afternoon of Alumni Weekend. The naming of the lounge was a gift of the Law School Class of 1958, Class of 1963, and friends and family of Guido Calabresi. Steven Calabresi '83 gave a toast and Guido himself gave remarks.





SAVE THE DATES
Alumni Weekend 2019
October 18–20, 2019
www.law.yale.edu/AW





JOSEPH AND MARIE FIELD COURTYARD
Gift of Marie H. and Joseph M. Field '55 LL.B.

EX



A WELCOME PANSION

With its new building, the Law School
adds a beautiful living and learning environment
by David Baker

Building photos by Ian Christmann; artwork photos by Harold Shapiro



↑ The inscription just inside the main entrance to the Tsai Lobby honors the landmark gift by Christina and Robert C. Baker, which helped launch the \$60 million campaign for the acquisition and renovation of Baker Hall, a 1998 building originally used for temporary undergraduate occupancy. The naming of the building honors the Baker family's many ties to Yale Law School and the donors' "unique opportunity to truly give back" to the School. Read more about the ribbon cutting of Baker Hall on page 5. Posing by the inscription is Halbert Bai '20, a Public Health student and resident of Baker Hall.

→ J.D./M.B.A. student Rob Newell '20 takes advantage of mild early autumn weather for a study session in the courtyard. "Space was always at a premium in Sterling Law Building," he reports. "My reasons for moving into Baker Hall were the convenience and comfort, the upgraded systems, and a big expansion in the amount of shared areas."

ROBERT C. & CHRISTINA BAKER HALL

WITH PROFOUND GRATITUDE
TO ROBERT C. BAKER '56 B.A., '59 LL.B.
FOR HIS DEDICATED LEADERSHIP & GENEROSITY
BAKER HALL
DEDICATED 2018

More than 100 Yale Law School students made history this fall, taking up residence at the Law School for the first time in nearly 20 years. Thanks to the School's acquisition of Baker Hall and a year-long redesign and renovation process, sixty residential suites became available in 2018, along with a major increase in teaching and student activity spaces. The opening of Baker Hall marks the first expansion of the Yale Law School campus since the historic Sterling Law Building became home to the School in 1931.

The first wave of students began to take occupancy at Baker Hall in late August, as the builders made finishing touches to the painting, technicians successfully tested the all-new temperature controls, and specialists finalized the building's 20 art installations. First-year students, who comprise the majority of Baker Hall residents, arrived early for orientation events before the start of classes. They were followed by a number of returning law students who had chosen to trade their previous off-campus digs for a new experience: the chance to live where they study and to immerse themselves fully in the life of the School.

Third-year student Adrian González '19, moving into a suite on Baker Hall's third floor, spoke of the "new opportunities for engagement among students" that his change of residence promises. "My favorite part about Yale Law School is the people," he stated. "Like the faculty, my classmates have continuously impressed me. I'm grateful to be a part of this experience."





↑ The Paul Tsai Lecture Theater on the ground floor, Baker Hall's largest teaching space, is "the very model of modern classroom" according to Professor David Schleicher. "It's a dream classroom, airy and light, with technology well integrated. Stadium-style seating, and the particular shape of the room, makes it easier to choose students individually for Socratic-style dialogue."



← Along with lecture and seminar space and common rooms for socializing, Baker Hall accommodates private study. Here, Ted Gkoo '20 has Room 127 all to himself.

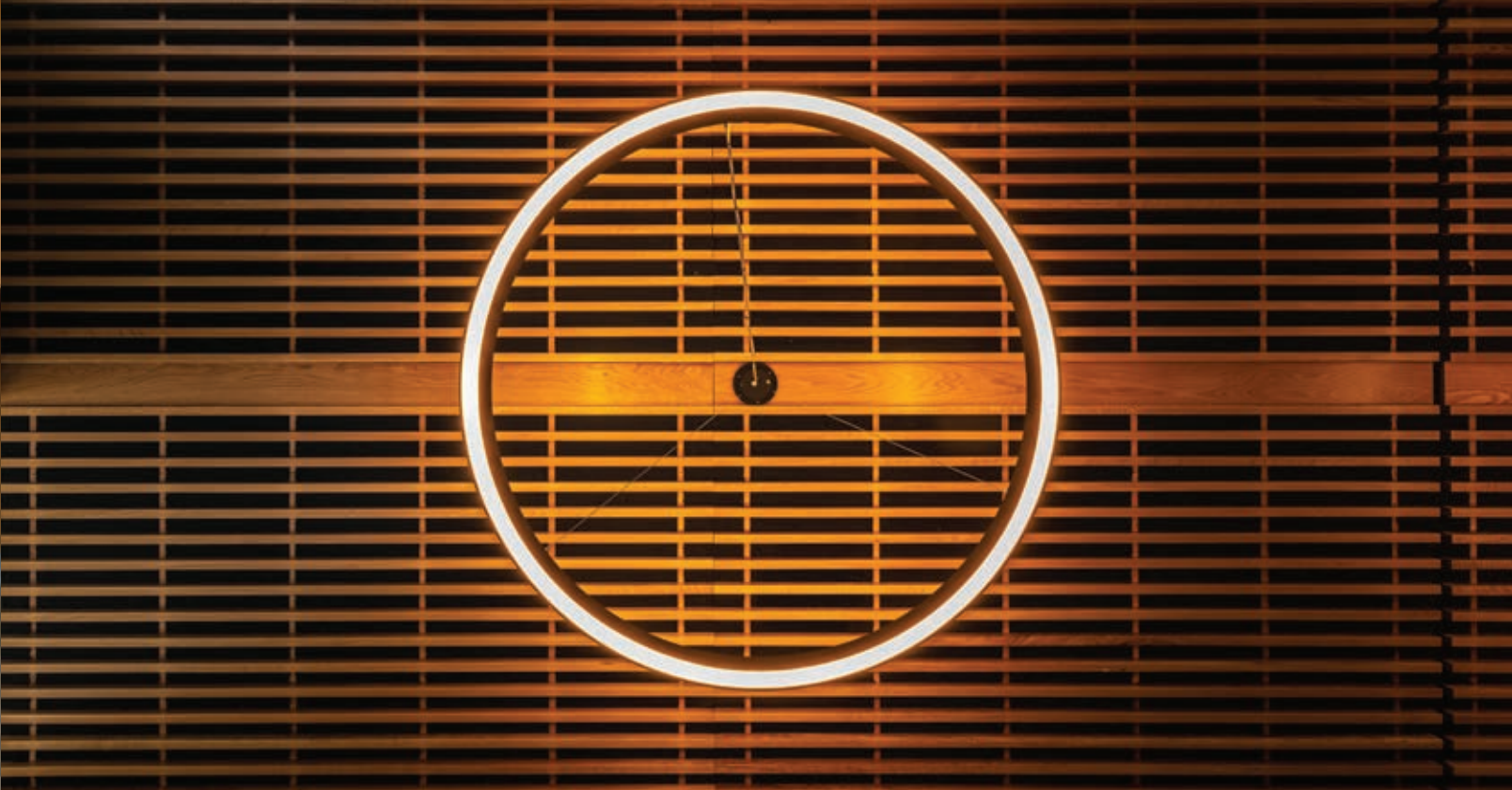
Monday, August 27: fall classes begin. The new classrooms downstairs, on Baker Hall's ground floor, had their first test run amid high expectations. "I felt honored," said Professor Robert C. Post '77, who had launched plans for Baker Hall in 2013 while serving as the dean of the Law School, "to teach the very first class in the new building's main classroom." After the inaugural class — a section of Constitutional Law with approximately 50 students — Post pronounced the Tsai Lecture Theater "an ideal teaching space."

Recalling the original motivation for expanding the campus, Post said, "The School had run out of space — every kind of space. The School had ended the dormitory accommodations, which for most of the 20th century had allowed students to live in the building where they were studying. We needed classroom space desperately, as well as office space and space for the activities carried on outside of class."

"Baker Hall represents both our past and our future," commented Dean Heather Gerken. "It celebrates our rich traditions, while providing students with the tools they need to embrace the future. It marks the return of an experience central to life at Yale Law School, as well as the advent of a new era for the education of our students."

Baker Hall's classrooms include many sized for small groups, ideal for classes of first-semester students. Just how this building will affect daily life at the School, its foot traffic and its rhythms, and special uses of its many spaces is still developing. Professor David Schleicher, who is teaching both a lecture course and a small reading group in Baker during the fall 2018 semester, says that the role of Baker Hall "is still very much open, as we start this new chapter. And *that's* what makes this start so exciting." 🗨️

Photos by Ian Christmann



↑ The round shape for ceiling lights, here in the Hurst Student Center in Baker Hall, provides a unifying design motif throughout the building's ground floor.

↓ The Hurst Student Center includes this comfortable, roomy lounge and activity area at the west end of the ground floor, with tall floor-to-ceiling windows that open onto the courtyard. First-year law students Josh Guerra '21, Rhea Christmas '21, and Manny Rutinel '21 are shown in a break between classes.





↑ Evans Lounge, third floor, accommodates casual gatherings for residents and their guests. Both residential floors offer common areas of various size.

↓ Annie Himes '21 and her family gather in one of the many common spaces during move-in day.



Photos by Ian Christmann



↑ “Apartment-style living is especially important to me,” says Styna Tao ’19, shown in the suite she shares on Baker Hall’s third floor. “I was drawn in particular to having a kitchen, and I doubt I’d have moved here if the building only included dorm rooms.”

↓ Daniel Ki ’21 enjoys the view from his suite.

The role of Baker Hall “is still very much open, as we start this new chapter. And that’s what makes this start so exciting.”

PROFESSOR DAVID SCHLEICHER



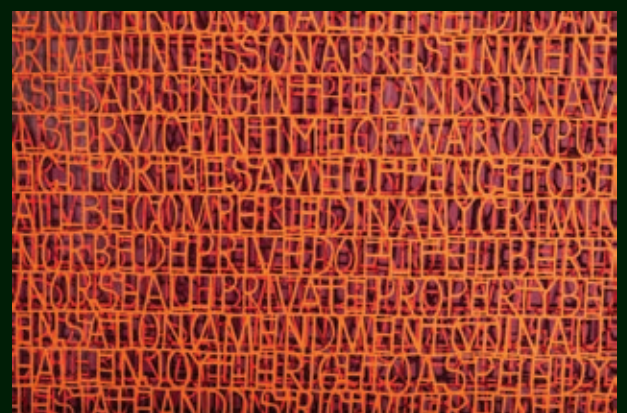
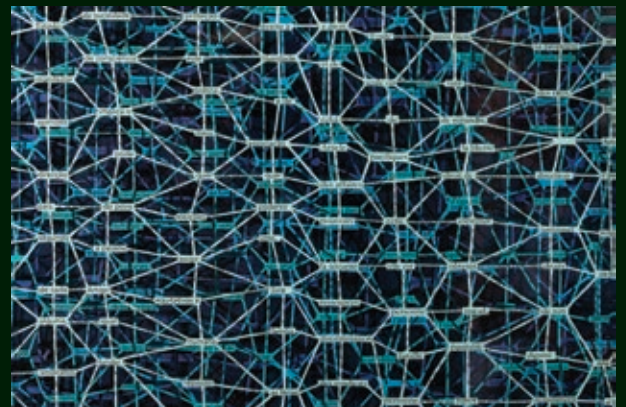
The walls and courtyard of Baker Hall are filled with art, including works by Donald Judd, Sol LeWitt, Robert Mangold, Rona Pondick, and George Warren Rickey. In addition to pieces on loan from the Yale University Art Gallery, a number of works were commissioned by Yale Law School for the new building.



Peju Alatise, *Lost*, 2015

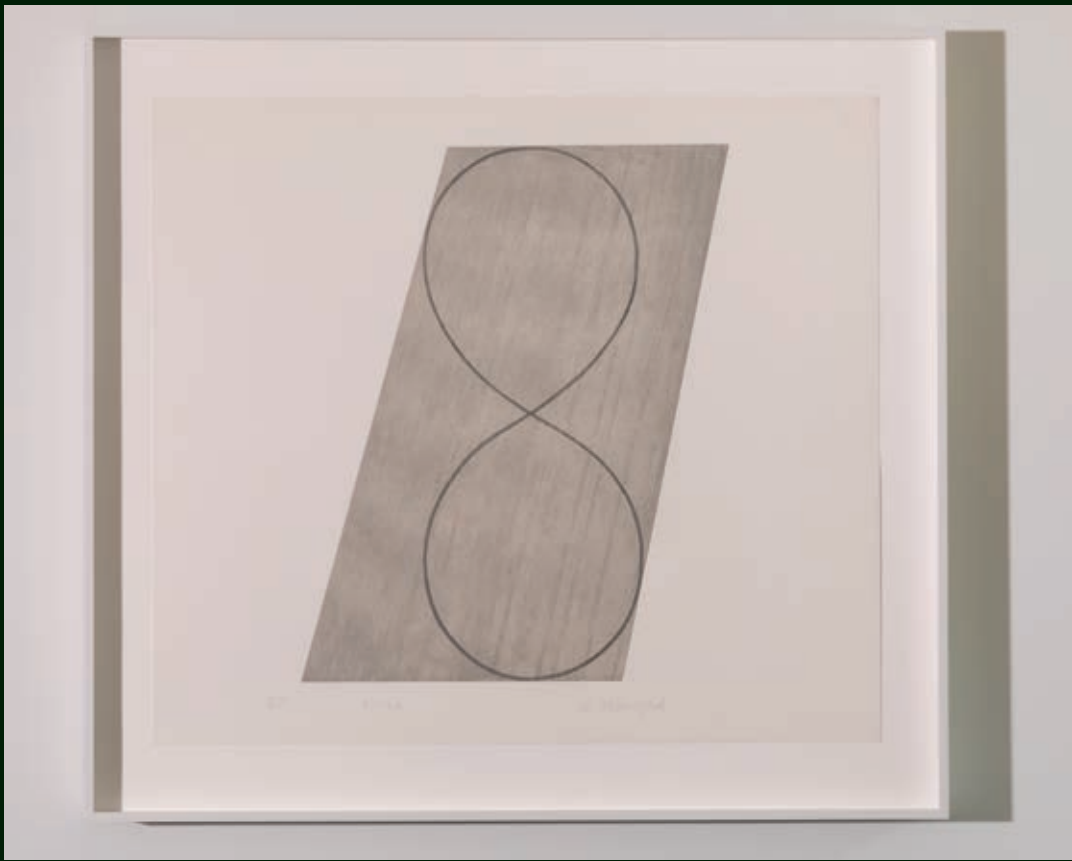


El Anatsui, *Paper and Gold*, 2017



Pablo Lehmann, *Foundations*, 2018 and *Human Rights*, 2018

Photos by Harold Shapiro



Robert Mangold, *Attic Series I and II*, 1991



Seymour Chwast, *Fourth Amendment*, 2018; Jon Key, *Fifth Amendment*, 2018; Edal Rodriguez, *Tenth Amendment*, 2018

“Our mission is to improve the quality of discourse in the business law area at the Law School and in the world”

ROBERTA ROMANO '80, DIRECTOR OF THE CENTER FOR THE STUDY OF CORPORATE LAW



A Jewel in the Law School's Crown

**Celebrating 20 Years of
the Center for the Study of Corporate Law**

By Alden Ferro

Photos by Harold Shapiro and Yale Law School

Founded in 1999, the Center for the Study of Corporate Law was one of the first of its kind at any law school in the country. As the Center marks its 20th anniversary this year, it has cemented its place as a singular institution helping to bridge the gap between Law School faculty, students, and alumni practitioners.

More than two decades ago, Robert Todd Lang '47 approached then-Dean Anthony Kronman '75 about how best to support a range of activities within the study of corporate law. Lang, who passed away in 2018, was a senior partner at Weil, Gotshal, & Manges LLP and had been contemplating making a significant gift to the Law School for some time. Over the course of their conversations, he and Kronman became close personal friends.

“One topic that Todd and I came around to,” Kronman recalled, “was that even though the Yale Law School has produced and continues to produce corporate lawyers...that in the eyes of the world it often tends to be thought of as a place oriented more toward public law than private law.”

The Law School has long been known as a place that produces senators, judges, and scholars. But Sterling Professor of Law Roberta Romano '80 said the School has a “long and illustrious” tradition of producing leaders in corporate law, starting with Simeon Eben Baldwin, widely recognized as the leading railroad lawyer of his day in the 19th century. In the 20th century, scholars like Arthur Corbin (class of 1899) and other legal realists, including William O. Douglas, taught and wrote in the area of business law. The field’s interdisciplinary focus progressed to include the law and economics scholars of today.

Kronman and Lang’s ongoing conversations helped gel their thinking about what shape Lang’s contribution would take — eventually as the lead gift to establish a new corporate law center — with a director and varied programming. The Center for the Study of Corporate Law (CCL), which could be broad in scope and evolve over time to meet the needs of the School, was born.

“It never occurred to me that the inaugural director of the Center should be anyone other than Roberta Romano,” Kronman said. “She was my one and only candidate. I had no plan B.”

Today, nearly all leading law schools have a corporate law center, but at the time, CCL was unique to the Law School and quickly began to fulfill a need internally. Romano is proud of how the Center spurred other schools to approach the study of corporate law similarly.

“The creation of Yale’s corporate law center was a catalyst for other schools to establish their own corporate law centers,” Romano said at Lang’s memorial service last year. “As they say, imitation is the sincerest form of flattery.”



The history of the study of corporate law at the Law School stretches back to Simeon Baldwin (above), the leading railroad lawyer of his day. Since 2007, the Center has presented the annual Simeon E. Baldwin Award to a Law School graduate or faculty member “for distinguished achievement in law and business.” Arthur Corbin (above, right), class of 1899, and other legal realists, continued the tradition of the Law School teaching business law into the 20th century.



(facing page) Center for the Study of Corporate Law donor Robert Todd Lang '47 and then-Dean Anthony Kronman '75, pictured around the time of the founding of the Center.

A RANGE OF ACTIVITIES

For Romano, the Center's mission is to "improve the quality of discourse in the business law area at the Law School and in the world beyond the Sterling Law buildings and Baker Hall."

While not an advocacy organization, Center programs underscore the idea that private law and the private sector (both profit and non-profit) are engines of economic growth and therefore merit serious study.

The Center does not draw upon the School's general revenues. "All of what we do is made possible by the generosity of Law School alumni who believe in our mission," Romano said.

Along with John R. Raben/Sullivan & Cromwell Executive Director Nancy Liao '05, the work of the Center has grown to include a variety of activities under Romano's leadership. "Nancy's contribution to our success is critical. She makes me look good," Romano said.

A typical year of CCL programming includes two named lectures, as well as two speaker series, the Bert W. Wasserman Workshop in Law and Finance and the Marvin A. Chirelstein Colloquium on Contemporary Issues in Law and Business; the Weil, Gotshal & Manges Roundtable; alumni breakfasts in New York City; and assorted panels, lectures, symposia, and conferences totaling about 25 programs per year.

"The quality, quantity, and variety of programming that Roberta and Nancy are able to put on each year is remarkable," said Dean Heather Gerken. "In the last 20 years, Roberta has turned the Center into a model example for other schools of what the study of corporate law can look like."

The Center has also presented the annual Simeon E. Baldwin Award since 2007 to a Law School graduate or faculty member "for distinguished achievement in law and business."



Center for the Study of Corporate Law Director Roberta Romano '80 and Center Executive Director Nancy Liao '05.

Fittingly, the inaugural Baldwin award was given to Lang, who also served as the Chairman of the Center's Advisory Board from its inception until 2018. Baldwin was both a student and faculty member at the Law School and was responsible for the creation of the School's interdisciplinary tradition, which would help propel the School into a preeminent institution.

Other recipients include the Hon. William Chandler '79 LLM, then Chancellor of the Delaware Chancery Court; former Senior Vice President for Law and Public Affairs at General Electric Ben W. Heineman, Jr. '71; Eugene A. Ludwig '73, Chairman and Founder of Promontory Financial Group and former Comptroller of the Currency; and the Hon. Ralph K. Winter '60, U.S. Court of Appeals for the Second Circuit and former Law School faculty member.

CONNECTING STUDENTS, ALUMNI, FACULTY

One of the aims of the Center is to facilitate connections between students, faculty, and alumni practitioners in ways that go beyond normal networking-style events. Through its programs, the Center brings prominent judges, regulators, and practitioners to the Law School, enabling faculty and students to stay current in one of the fastest moving areas of law.

"Roberta has done an unbelievable job filling out the Center and giving it life and presence within the school," Kronman said. "Things started under Roberta's watch that would have never occurred to me — the breakfast talks are a fantastic way of getting the Law School to New York on a regular basis for something that has real substance to it."

The Craig Wasserman '86/Wachtell, Lipton, Rosen & Katz Alumni Breakfasts comprise panel discussions on current topics in business law by members of the bar, business and investment communities, public officials and faculty. More substantive than a typical networking event or cocktail party, recent alumni breakfasts have centered on issues of cybersecurity, pharmaceutical research and



Robert Todd Lang '47 (center) received the inaugural 2007 Simeon E. Baldwin Award for his years of service as the Chairman of the Center's Advisory Board from its inception. Also pictured are Center Director Roberta Romano '80 and then-Dean Harold Hongju Koh.

development, and financial regulation. Key throughout is what Kronman calls a “bilateral synergy” that flows between faculty and alumni. In a rapidly moving scholarly field like corporate law, the breakfasts allow faculty to keep in touch with their practitioner graduates, and vice versa.

Not only valuable for current students, the alumni breakfasts put business law faculty directly in touch with “the very large number of supremely talented and highly experienced graduates who are practicing in the field,” according to Kronman.

Robert J. Giuffra ’87 sat on the Center’s advisory board for over a decade and recently became board chairman following Lang’s death. He echoed the need for close interaction among scholars and practitioners.

“Corporate law cannot be taught just by reading the latest court decisions or scholarly articles. It requires real-world knowledge of what’s happening in real time on Wall Street, at the Federal Reserve, in boardrooms, and in markets spanning the globe,” he said.

“Our graduates are working at the highest level of refinement and sophistication, and we have a tremendous amount to learn from them,” Kronman said.

This close contact with practitioners and scholars wasn’t always the case. Though faculty like Romano, George L. Priest, and Judge Ralph Winter taught classes in corporate law, Giuffra’s own student experience at the Law School prior to the existence of the Center lacked the interplay between students and practitioners that now defines the Center’s work. One could study corporate and securities law, but there was no nucleus of activity and scholarship.

“Back in the mid-1980s, the study of corporate law at Yale was less organized, and we had less direct contact with Wall Street, regulators, the boardroom and the markets than today’s faculty and students,” Giuffra said.

Sullivan & Cromwell LLP, where Giuffra is a partner, was an early supporter through the John R. Raben ’39 Fund, which sponsors a

“Corporate law cannot be taught just by reading the latest court decisions or scholarly articles. It requires real-world knowledge of what’s happening in real time on Wall Street, at the Federal Reserve, in boardrooms, and in markets spanning the globe.”

ROBERT J. GIUFFRA

major public lecture by a leading expert in securities law or the accounting for business enterprises. Recent speakers have included Joel Mokyr, Niall Ferguson, and economist Richard Thaler, who went on to win the Nobel Prize in Economics.

At her admitted students weekend, Manning Ding ’20 said she remembered “being absolutely blown away by the thoughtfulness and innovation” with which Law School alumnus Vivek Ramaswamy ’13, CEO of Roivant Sciences, approached revolutionizing the pharmaceutical industry during a Chirelstein Colloquium event. Now a student, she believes that the activities of the Center foster important connections during and after law school.

“During their time at school, Law School students are able to meet and learn from some of the best practitioners in corporate law and business through CCL organized talks and conferences,” she said. “I’ve seen firsthand how Law School alumni who have connected via CCL benefit from these connections later on in their careers.”

Now Ding is copresident of the Yale Law and Business Society (YLBS), a student-led organization that connects students interested



Richard H. Thaler (right), who would go on to win the Nobel Prize in Economics, delivered the October 4, 2010 John R. Raben/Sullivan & Cromwell Lecture.



The April 20, 2009 Chirelstein Colloquium brought Robert J. Giuffra, Jr. ’87 to the Law School.

in corporate law, corporate social responsibility, and business through a range of academic and professional programming.

COMBINING SCHOLARSHIP AND PRACTICE

The Center fills a crucial need to impart the latest knowledge needed for a modern-day legal education through its tradition of bringing prominent practitioners to the School coupled with the School's traditional strengths, according to Giuffra.

"Yale's theoretical bent is great training for a corporate litigator," he said. "My clients don't come to me with the easy cases. Solving their problems requires thinking outside the box. I'm grateful to Yale, because I learned to be a creative lawyer, and the more novel the problem, the more I like it."

John Morley '06 began his relationship with the Center as a student and eventually returned to the Law School to be the John R. Raben/Sullivan & Cromwell Executive Director of CCL from 2007–2010. While in law school, Morley's initial attendance at conferences and events held by the center helped coalesce how he thought about scholarship and practice.



Jerome Powell, then Governor and now Chairman of the Federal Reserve Board, delivered the keynote address at the March 3, 2017 Weil, Gotshal & Manges Roundtable.

"CCL and its specially curated events go a long way in providing students who may not have familial or other institutional support with critical information on how to create the careers of their choosing,"

FARRAH RICKETTS '20

"I remember seeing a presentation at one of the center's annual conferences in which an economist and a lawyer were each commenting on a piece of scholarship about corporate governance," Morley said. "I remember that the combination of the two perspectives was just fascinating."

Today, Morley is Professor of Law at Yale Law School, focusing on the law and economics of organization. His student experience with the Center once included an event for students where Romano discussed the intellectual history of corporate law and how the study of corporate law had changed with developments in corporate practice.

"After that talk, I went to talk to Roberta in her office and she provided invaluable guidance for my career both in practice and academia. That's really how my career got started," Morley said.

Farah Ricketts '20 was first exposed to the work of the Center at the very beginning of her 1L year when she attended a lunch talk given by Liao on crafting a career in corporate law. "She not only provided my first exposure to concrete guidance on class selection generally, but she also offered specific advice on which black letter classes might indicate an interest in crafting an alternative career to a wide variety of employers," Ricketts, who is YLBS copresident with Ding, said.



Farah Ricketts '20, copresident of the Yale Law and Business Society, at a Chirelstein Colloquium on September 5, 2018 with speaker Janet Langford Carrig '83.

The annual Weil, Gotshal & Manges Roundtables are daylong events aimed at fostering a dialogue on today's important business law issues. Leading legal practitioners, members of the business and investment communities, public officials, and scholars participate through presentations of scholarly papers and panel discussions.

Recent Roundtables have included a keynote address at a roundtable on blockchain by then-Governor, now Chairman, of the Federal Reserve Board, Jerome Powell, and a conversation with Governor of Rhode Island Gina M. Raimondo '98 and former Lieutenant Governor of New York Richard Ravitch '58 on the gap in state and municipality obligations and revenues.

This year's annual Roundtable is scheduled for March 1. "We thought it would be fitting for the upcoming roundtable to focus on the theme "Ten Years after the Financial Crisis: An Assessment,"" Romano said. "Our distinguished participants will present papers and engage in a panel discussion on where we are today in the aftermath of the most severe financial crisis since the Great Depression."

COLLABORATIONS

In order to "address opportunities and problems as we identify them," according to Romano, the Center pursues new initiatives to enrich and expand the Law School educational experience beyond more conventional panels and lectures.

The Center was instrumental in establishing with the Yale School of Management one of the first three-year J.D.-M.B.A. programs available, and the first streamlined joint J.D.-Ph.D. in finance for students pursuing a career in business law teaching. The Center's guidance further helped to "make sure that a rich offering of more specialized courses is provided by practitioners," Romano said, and to create a new entrepreneurship clinic, which launched in 2018 (see page 7).

The activities of the Center helped foster the formation of YLBS, which continues to work closely with the Center. In addition to working with Law School faculty, YLBS helps connect law students with the faculty of the Yale School of Management, and both schools' alumni.

Jackie Klaber '12, who participated in the J.D.-M.B.A. program and is now managing director at Rockefeller Capital Management, was copresident of YLBS during her time at the Law School. She experienced the Center as a "central hub" for students interested in business law that both supplemented the academic curriculum and empowered students to make more informed career choices.

"As copresident of the Yale Law & Business Society, I could flag interesting topics for the Center and Professor Romano, and with their help the topic would become an event, a reading group, or even a course," she said.

Those events, in turn, can be vital in providing students with valuable career guidance, according to Ricketts. "CCL and its specially curated events go a long way in providing students who may not have familial or other institutional support with critical information on how to create the careers of their choosing," she said.

The Center's twentieth anniversary is bittersweet for Romano without the presence of Lang, who she said was "a visionary in supporting the creation of the Center." In the Center's early days, they shared common concerns about legal education that could be lessened by bringing the academy and practice together.

As the Center enters its third decade, Giuffra called its existence "one of the biggest jewels in the Law School's crown. Thanks to the Corporate Law Center, there are now lectures, roundtables, and symposia that enrich the study of corporate and securities law at Yale, for the benefit of the faculty, students, alumni and our society more broadly." 🍷



Center for the Study of Corporate Law Director Roberta Romano '80.



Martin Gross-Langenhoff LLM '12, Daniel Simon '14, Jackie (Carter) Klaber '12, and Heather Cherry '12 pictured at the Spring 2012 Chirelstein Colloquium featuring Jonathan A. Knee '88.

ALUMNI NEWS



(left) Davis received the Dean's Award at Alumni Weekend 2018.

(above left to right) Davis at the 2006 Commencement; Davis c. 1996.



Floyd Abrams '59 and Davis at Alumni Weekend 2015



Davis and colleague Steven Ackley-Ortiz '02 in Woolsey Hall during Alumni Weekend 2013

Honoring Her Dedication to YLS

During Alumni Weekend, Dean Heather Gerken gave a special honor to Associate Dean of Alumni and Public Affairs **Toni Hahn Davis '92 LLM**, who retired in December after 26 years of service to the Law School. This is only the second time in the School's history that the Dean's Award for Extraordinary Service has been given. In her time at the Law School, Davis transformed the Alumni Affairs Office and worked to foster valuable connections between the School and the thousands of alumni around the world.

Gerken wrote in a message to alumni, "Toni's passion for her work cannot be overstated. She has been the glue that has connected members of our alumni community to the School and to each other."

In retirement, Davis plans "to spend time with my four grandchildren, walk on the beach with my dog Thunder, and read novels. I hope to travel, take on new hobbies, and, in true Yale Law School fashion, undertake some pro bono work and who knows what else?"



The alumni and public affairs staff in 1999: (clockwise from top left) Joanne Butcher, Pam Sims, Jan Conroy, Elizabeth Stauderman '04 MSL, and Davis

Throughout the year and in cities across the country, alumni gather for events organized by Yale Law School's Office of Alumni Engagement and Development. Here is a sampling of the events that have taken place over the past six months. Events details are posted on our website law.yale.edu/alumni. Please contact Alumni Engagement and Development if you want to update your contact information, by phone at (203) 432-1690 or by email at alumni.law@yale.edu.

NYC Corporate Law and Solomon Center Alumni Breakfast

Nearly 70 alumni and guests joined the Yale Law School Center for the Study of Corporate Law and Solomon Center for Health Law and Policy for a Craig Wasserman '86/Wachtell, Lipton, Rosen & Katz program titled "Law, Finance, and Innovation in Pharmaceutical R&D." The event was held at The Century Association in New York City on November 8, 2018. Moderated by Abbe R. Gluck '00, Faculty Director of the Solomon Center, the panelists were Pablo Legoretta, CEO of Royalty Pharma; Vivek Ramaswamy '13, CEO of Roivant Sciences; Richard Thakor, Assistant Professor at University of Minnesota Carlson School of Management; and Janet Woodcock, Director of the Food and Drug Administration's Center for Drug Evaluation and Research.



MARTHA'S VINEYARD

Martha's Vineyard Cocktail Party

Alumni and their guests attended the annual Martha's Vineyard cocktail party at the home of Brent '73 and Minnie Henry on August 9, 2018. The group also welcomed incoming students and their guests. Special thanks goes to John Firestone '85 for coordinating this event once again, continuing the tradition that Pat Taylor '71 and Arnold Zack '56 began 15 years ago!



WASHINGTON, DC

DC Diversity Reception

On July 12, Yale Law School alumni, students, and guests gathered for the Washington, DC Diversity Reception. Former and current members of the Asian Pacific American Law Students Association, Black Law Students Association, Latinx Law Students Association, Middle Eastern and North African Law Students Association, Native American Law Students Association, OutLaws (YLS's LGBTQ organization), and the South Asian Law Students Association mingled at the historic building known as The Loft at 600 F Street.



PENJERDEL

PenJerDel 11th Annual Garden Party

Almost 50 alumni and their guests attended the annual Garden Party on September 16 at the home of Sarah Ricks '90 and Tom Dolgenos '90 in Philadelphia. Sara A. Solow '11 and Jasmeet K. Ahuja '13 gave a talk about the Philadelphia "sanctuary city" litigation, describing the history of the case and the various paths forward.



DC Diversity Reception photos by Rachel Lincoln

The Law School was thrilled to welcome back the alums and families who attended Alumni Weekend in October, including:



Class of 1968 (50th reunion)

Save the date
for next year

Alumni Weekend 2019
October 18 – 20

Read more about reunion on page 28.



Class of 2013 (5th reunion)

Yale Law Report

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