Celebrating 125 Years of Outstanding Legal Education

Professor Robin Paul Malloy Explores Disability Law for Property, Land Use, and Zoning
Lawyers ■ The Growth of the Law Library from Bastable Block to Dineen Hall ■ COVID-19: Extraordinary Work in an Extraordinary Time ■ Celebrating 30 Years of the ADA and 15 Years of the DLPP ■ Andrew Bakaj L'06 on Protecting, Being, and Representing a Whistleblower

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BY THE NUMBERS

- **617** Students
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- **11** Joint Degree Programs
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- **10,958** Alumni
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DEAN’S MESSAGE

AN INFLECTION POINT
The 2019-2020 academic year was destined to be momentous: January 1 began our 125th anniversary year. Throughout this issue of the Yearbook, you’ll find visual and descriptive milestones of our proud history—achieved in no small part by you, our alumni.

But 2020 also will be remembered as a year marked by tumultuous events. It has been said, with little irony, that this year has combined the worldwide pandemic of 1918, the Great Crash of 1929, and the civil unrest of 1968. As I write, I see our nation at an inflection point, marked by an ongoing public health crisis and the economic devastation it has caused, as well as continued senseless violence directed at Black people and other people of color, to which citizens around the globe are reacting with anger.

The end of our academic year unfolded against this backdrop. In March 2020, in response to the COVID-19 pandemic, Dineen Hall was shuttered to all but a handful of staff, and our residential students pivoted to online learning. Reflecting on this transition, I appreciate how much easier it was because of the strategic investment we have made in online learning over the past four years. In fact, as our faculty helped to advise and train faculty from other law schools, our reputation as a successful pioneer in online education further solidified.

The silver lining of the disruption caused by COVID-19 was the opportunity to observe how the entire College of Law community pulled together with characteristic resilience, adaptivity, and creativity. Examples of how faculty, students, and alumni rose to the moment can be found throughout this magazine and especially in our COVID-19 round-up on p.10.

As has been typical over its long history, the College’s mainstay—our Law Library—was exemplary in the way it adapted to the sudden online learning environment. Expanding on our faculty’s efforts with robust online resources and assistance is just the latest example of the library’s decades-long commitment to service, a history we review on p.14. Read it with pride, remembering your own relationship to the library, and enjoy a personal reflection by Director Jan Fleckenstein L’11 on p.16.

Despite being physically apart, our community came together in force to celebrate online the myriad accomplishments of our advocacy (p.24), externship (p.42), and clinical (p.52) programs in 2019-2020. Our faculty’s scholarship—visible and groundbreaking—was influential throughout the year and continued remotely in spring: An extensive list of new books, articles, and media appearances begins on p.54.

This year also marks the 30th anniversary of historic civil rights legislation for the Disabled community—the Americans with Disabilities Act. Our College is a world leader in disability law and policy, and in this Yearbook we describe how the Burton Blatt Institute (p.19) and Disability Law and Policy Program (p.21)—which celebrates its 15th anniversary this year—have been central to national and international efforts toward the inclusion of people with disabilities.

This magazine observation of the ADA@30 begins with our cover story, in which Professor Robin Paul Malloy investigates the evolving and complex intersection of disability law and land use planning and zoning (p.4). I hope that Professor Malloy’s scholarship is of practical interest to you.

The success of the ADA at home and as a model abroad illustrates how the law can change lives and society for the better. Mass protests in the wake of the George Floyd killing in May, calls for police reform, and recognition of the suffering of our African American population have led to sweeping police reforms signed into New York State law by Gov. Andrew Cuomo in early June. These reforms are also examples of law’s immense power, power that we teach our students to wield with precise care and a sense of justice for all citizens.

As a former Kansas City, MO, police officer and a former commissioner on the Cleveland, OH, Community Police Commission—and as a lawyer and a father—I care deeply about building positive community/police relations. As our nation reflects on this historic time, I pledge to continue to educate a diverse and inclusive body of students to be caring and professional advocates and to do our part to ensure the long overdue achievement of equal justice under the law, once and for all. Your support in this important endeavor is critical—always—and deeply appreciated.

Craig M. Boise
Dean and Professor of Law

> The College of Law at 125: A Tradition of Innovation

What the College of Law’s Founding Committee—Syracuse University Chancellor Alexander Winchell, Judge George Comstock, and Judge Charles Andrews—wrote in their Statement of Purpose still holds strong today:

“Syracuse is a peculiarly favorable point for the establishment of a School of Law, since, besides being a large and enterprising city, it is the site of one of the largest law libraries in the country ... [and] the school would be immediately gifted with all the prestige of a great University.”

One hundred and twenty-five years later, we can thank the committee and other pioneers for the strong foundation they laid.

> 1895

The College of Law is founded, with 23 students taking classes in rented rooms in the Bastable Block—home of the famed Bastable Theater—on the corner of South Warren and East Genesee streets in downtown Syracuse. James B. Brooks, a prominent local attorney, becomes the first dean. At its founding, the College offered two years of study consisting of two terms each leading to an LL.B. (the juris doctor degree was first awarded in 1968).
One of the fastest growing areas of concern for local governments involves the intersection of disability law with land use planning and zoning. Many of the legal issues for property, land use, and zoning lawyers involve interpreting rules and guidelines requiring improving the accessibility of the built environment, while other important issues relate to the defenses available to local governments and businesses when charged with complaints of discrimination based on lack of accessibility or failure to accommodate.

In this essay, Professor Robin Paul Malloy—E.I. White Chair and Distinguished Professor of Law, Kauffman Professor of Entrepreneurship and Innovation, and the author of several books on disability law and land use—examines an area of law that can be complex, confusing, and underdeveloped, and sometimes the source of costly and prolonged litigation.
In practice, accessibility is an important issue confronting our cities, but under US disability laws, accessibility is balanced with numerous other interests, including property rights and the ability of local governments or private parties to pay.

In advancing accessibility in our communities, it is important to know the actual legal requirements of an action and to frame arguments in response to these requirements.

To begin with, land use planning and zoning involve a system of public and private land regulations that connect and coordinate physical places and social spaces into communal networks. These networks include the places and spaces where people work, play, shop, entertain, eat, receive health care, vote, raise their families, and otherwise live their lives as individuals and as members of communities.

Access to these networks is important because these networks shape people’s opportunities and influence their quality of life. Having a disability can often limit one’s access to these important communal networks, either as a result of physical barriers or as a result of discrimination. Therefore, it is important for planning and zoning officials to think beyond inclusive design issues at specific property locations and work for connectivity between and among the venues within which community life takes place.

The importance of addressing accessibility is highlighted when we account for the fact that 25% of Americans have a disability of some type. More specifically, when considering only disabilities that effect mobility, close to 20% of American families have a family member with a mobility impairment.

The rate of mobility impairment is significant when we are managing and coordinating land uses across the built environment. Moreover, the rate of disability and of mobility impairment increases with age, and America has an aging population. Currently 64% of the US population is 50 years and older, with 23% being 65 and older.

Demographic trends indicate a need for greater planning so that our communities are safe and easy to navigate by everyone, including people with disabilities and people seeking to age in place.

**KEY CONCERNS**

In working to make our communities more accessible, we need to start by acknowledging three key points:

1) The problems of accessibility are big, and not small. People often think that disability affects only a small percentage of the population because they associate disability with the iconic image of a person in a wheelchair, and only 1% of the population uses a wheelchair. In reality, the statistics cited above on the rate of disability in America tell the true story of the needs confronting our communities.

2) Some property lawyers are unaware that the Americans with Disabilities Act (ADA) and related legislation apply to state and local land use planning and zoning activities. Others are aware but lack clarity as to exactly what the disability laws may require of property, land use, and zoning lawyers, since they perceive such matters as the work of disability rights lawyers.

3) Many of the planning and zoning issues concerning the rights of people with disabilities have little to do with accessible designs. Moreover, designing accessible buildings and spaces are matters better addressed by architects and code enforcement officers than lawyers. While compliance with these codes and standards is important, the key concerns of land use and zoning lawyers go beyond compliance with design guidelines. Disability law at the intersection of land use and zoning is not just about designing doorways, bathrooms, and office space. It’s about interpreting, classifying, and applying regulatory standards and advising local governments on avoiding actions that may be found to be discriminatory.

**COMPETING INTERESTS**

Many of the legal issues involved at the intersection of land use law and disability law have to deal with mediating competing interests and rights with respect to accessibility and its cost.

From a property, land use, and zoning perspective, it is important to recognize both the requirements and limitations of our disability laws. Local governments, in particular, need good legal advice on the specific requirements of our disability laws so that they can meet their obligations to residents while defending against claims of noncompliance.

In discussing these issues, I consider three examples. All three are related to public land use and zoning activities focused on the application of Title II of the ADA. Title II applies to programs, services, and activities of state and local governments. This has been held to include all of the activities and functions of local planning and zoning officials.

To the extent that housing is involved, the Fair Housing Act (FHA) is also applicable. The FHA requires planning and zoning officials to afford people with disabilities an equal opportunity to obtain and enjoy housing in the same way as people without disabilities. In recognition of space limitations, I do not address issues arising in the context of private places of public accommodation as covered by Title III of the ADA, nor do I discuss the Rehabilitation Act or the Architectural Barriers Act.

The ADA requires “new construction” and “alterations” of existing facilities to be accessible to the maximum extent possible. The only defense to a
complaint of noncompliance is, structural impracticability, which is extremely difficult to demonstrate. Nonetheless, local governments can make out a case of structural impracticability by focusing on engineering and other difficulties.

REASONABLE ACCOMMODATIONS
As to programs, services, and activities, these must be accessible to the maximum extent possible, and the defense to a claim of lack of accessibility is a showing of an undue administrative or financial burden. This is demonstrated by financial and economic evidence and is much easier to demonstrate than is structural impracticability.

In addition, the ADA and the FHA prohibit discrimination against people with disabilities. There are three methods of demonstrating discrimination:
1) Disparate treatment (or intentional discrimination).
2) Disparate impact (showing, with the use of statistics, that a planning or zoning policy has a disparate impact on people with disabilities as compared to people without disabilities).
3) Failure to provide a reasonable accommodation or modification when requested.

Currently, most litigation involves the alleged failure to provide a reasonable accommodation or modification. Some disability rights advocates assume that persons with disabilities are entitled to an accommodation by simply demonstrating that they have a disability. Some also mistakenly believe that the person with a disability should be granted the particular accommodations/modifications being requested. This, however, is not what the law requires.

Reasonable accommodations/modifications only need to be granted if the plaintiff can make a prima facie case with respect to three criteria that will be discussed below. If the local government planning or zoning board is able to carry the burden in countering the assertions of the plaintiff, the requested accommodation/modification may rightfully be denied.

VARIANCE REQUESTS
Judicial opinions have clarified the term reasonable accommodation as meaning the making of an adjustment or exception to local planning and zoning rules, policies, plans, or procedures, whereas the term reasonable modification means making an adjustment to a physical space, facility, or environment.

Below, I provide three examples of zoning matters addressing the requirement for reasonable accommodations. One of these situations involves what zoning people will recognize as an area variance, and the other two involve use variances. There is one significant difference. A variance, of either type, runs with the land (runs to future owners), whereas a reasonable accommodation/modification is personal to the person and does not run with the land.

First, let us consider an example of a typical area variance request. To begin with, a variance involves a petition for an exception from a rule, policy, plan, or procedure. In the zoning context, state and local law establishes the specific criteria to be considered in reviewing a petition for a variance.

A request for a reasonable accommodation/modification by a person protected by the ADA and FHA often starts as a petition for a standard zoning law variance. Failing to meet the requirements for a standard variance, the person then typically petitions for an exception based on the right to a reasonable accommodation/modification under federal disability law.

The accommodation claim is one of asserting that notwithstanding the inability of petitioner to meet the criteria for a variance as provided for under state and local law, the petitioner as a person with a disability is entitled to an exception to the land use requirements as a reasonable accommodation. Failure to provide a “reasonable” accommodation, when requested, is an act of discrimination in violation of federal law. The difficult legal question is one of determining what is reasonable.

So, let us assume that a city has a zoning code that provides for all structures to be set back from the front property line by at least 25 feet. The petitioner has a home that is set back 26 feet from the front property line but now petitioner seeks to add a ramp to the front of the house so that a wheelchair user can easily and safely navigate ingress and egress to the front door of the home.

The proposed ramp is to be constructed by the petitioner from two-by-fours and when completed will extend 12 feet into the required front yard setback. Since this encroachment on the setback is a violation of the code, the property owner must seek an area variance. Assume that after evaluating the requirements for an area variance under state and local zoning law, the variance petition is denied. Now, if the petitioner
affirmatively requests an accommodation, the local zoning board must move forward to evaluate the petition on the criteria for a reasonable accommodation. There are three criteria for a reasonable accommodation and they include:

1) It must be reasonable (using a cost and benefit analysis).
2) It must be necessary (using a “but for” test to show that “but for” the accommodation and its ability to address the person’s disability, the person will not be able to enjoy an equal opportunity to live in this community).
3) It must not fundamentally alter the plan for the development and regulation of the community.

The zoning board needs to take evidence on each of these three factors and then, based on the totality of the evaluation, determine whether or not the requested accommodation is reasonable. While each case is fact specific, the requirements as to probative value of evidence as to each of the three factors must be gathered from various case opinions. A decision against the petitioner may be appealed to state or federal court. On appeal, a zoning board denial is rational and supported by competent evidence in the record, meaning that if the zoning board denial is rational and supported by competent evidence in the record, the accommodation can legally be denied.

ALTERNATIVE WAYS

Thus, a local zoning or planning board must be prepared to apply state and local zoning law to a variance request and also federal disability law if the petitioner is protected by our disability laws. It is important to note that in making its determination, a planning or zoning board may consider alternative ways of accommodating the petitioner even if the petitioner has only requested one way of addressing an accommodation.

In this process, second level issues also arise and need to be addressed. For example, assume a board determines that the request for a ramp is reasonable, then the issue arises as to can they control the design of the ramp and the materials used in the construction of the ramp? In other words, can the board impose requirements that make the construction of an approved ramp twice the cost of the ramp proposed by the petitioner?

The answer is “yes,” the board can impose conditions that raise the cost to the petitioner. Beyond this, consider yet another issue that may arise. In as much as interpreting the code to allow for a reasonable accommodation does not involve a granting of a zoning variance that runs with the land, might the board require the petitioner to remove the ramp when the petitioner leaves the property? Again, the answer seems to be “yes.”

A petitioner granted an accommodation can be required to bear the cost of rehabilitation of the property when they leave, unless the rehabilitation cost is perceived as so burdensome that it would cause a person not to exercise their right to request an accommodation in the first instance.

PERMITTED USE

The above described analysis has been applied to petitions for ramps, decking, pathways, and even therapeutic swimming pools. Many of the cases illustrate that local planning and zoning boards are underprepared to handle even simple disability petitions, and as a consequence they end up being pursued on charges of discrimination.

As a second example, consider a request for a use variance. This is a request to use a property for a use that is not otherwise permitted under the zoning code. Assume a city has designated a downtown zoning district for commercial redevelopment and has identified a variety of commercial and business uses as permitted within this zone. A not-for-profit agency identifies a building within this zone in which it would like to open a clinic to provide services to people recovering from drug and alcohol addiction. The clients of this clinic are protected under the ADA.

On application for a permit to open a clinic, the agency is denied on the grounds that such a clinic is not a permitted use in the redevelopment zone but would be appropriate in another zone. The agency then seeks a reasonable accommodation to permit the use within the zone, notwithstanding the provisions of the code and their inability to meet the criteria for a use variance under state and local zoning law.

The planning and zoning board must then be prepared to evaluate the petition for a permit on the basis of the three criteria for a reasonable accommodation. The cases are clear that such challenges can be made and litigated (imposing time and costs) and less clear on when and if the use accommodations are required.

SERVICE ANIMALS

Third and finally, consider another use accommodation request. In a single-family residential zone with home lots of one to one-and-a-half acres, only domestic pets are permitted. Farm animals are specifically excluded. One property owner generates complaints because she has recently purchased a miniature horse as a service animal for her young daughter. Her daughter has difficulty with her balance and with walking. The miniature horse has
been trained to walk with the young girl so that she can lean on the horse for stability and balance. Working with the horse, she is able to walk in her backyard and obtain much needed exercise. Neighbors complain to the city about the presence of the horse and all that goes with housing a horse on a one-acre residential urban lot.

In this situation, a miniature horse—just like a service dog—is specifically covered by the ADA as a service animal. If the miniature horse is trained to provide the assistance, is controllable by the owner, and poses no danger to others, it will be permitted to be on the property.

For this case, the local planning and zoning board will need to make findings as to the qualification of the miniature horse in terms of training, being under the control of the owner, and posing no harm to others. Part of the posing no harm determination will include looking at the steps taken to ensure sanitary conditions on the property.

If the service animal criteria are met, the property owner will be entitled to maintain the miniature horse on the property under both the ADA and FHA.

**EFFECTIVE REPRESENTATION**

As this essay illustrates, local planning and zoning officials need to be knowledgeable about our federal disability laws and account for them in their practices. Adjusting for accommodations can be disruptive to the process of planning, but it is sometimes necessary to ensure the protection of the rights of people with disabilities.

There are, of course, many more issues than those involved at the intersection of land use law and disability. For example, lawyers need to determine who is a protected person under each of the various disability laws, and they must assess standing, particularly in situations of third-party standing in bringing a lawsuit on behalf of clients who may be protected persons under these acts.

Lawyers must also classify and define such concepts as:

- New construction
- Alterations
- Programs, services, and activities of state and local government
- Facilities
- Reasonable accommodations/modifications
- Accessible to the maximum extent possible
- Structural impracticability
- Readily achievable
- Undue administrative and financial burden

In addition, special rules apply to historic buildings and historic preservation districts, and additional regulations apply to places of public accommodation and to private land restrictions operating in such settings as residential subdivisions and condominiums.

My research, writing, and teaching cover each of these areas at the intersection of land use law and disability, and I believe strongly that the ability to handle these issues is essential to the future practice of property and land use law.

At the College of Law, I educate property development and land use students to navigate disability law. The next step for legal education is to build out the capacity for educating and training all future property, land use, and zoning lawyers, so that as a profession we can effectively represent local governments and the people protected by our disability laws.

“Local planning and zoning officials need to be knowledgeable about our federal disability laws and account for them in their practices.”

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Professor Robin Paul Malloy’s new book—*Disability Law for Property, Land Use, and Zoning Lawyers* (ABA, 2020)—explains how to navigate one of the fastest growing areas of concern for local governments: the intersection of disability law with land development, planning, and regulation. Learn more in our Faculty Books section on p54.
Extraordinary Work in an Extraordinary Time

The College of Law Meets the COVID-19 Challenge

Throughout March, as many law schools transitioned to online instruction because of the coronavirus pandemic, the College of Law’s rapid transition was that much smoother thanks in large measure to extensive experience with JDinteractive, the College’s interactive online law degree program. “We’re very fortunate that we’ve already spent years thinking through how you bring law school online in a way that works for students,” explains Faculty Director of Online Education Nina Kohn.

The best practices that faculty and staff developed through JDi’s careful development enabled a relatively seamless transition to teaching and supporting all students remotely. Throughout this magazine, you will read many examples of the College’s successful pivot to online learning in the second half of the spring 2020 semester. Here we gather more of the extraordinary work that met the challenges of an extraordinary time...

> 1904

Now enrolling as many as 200 students, the College moves to Crouse Mansion on the northeast corner of East Fayette and South State streets. This building houses classrooms, lecture halls, and a law library.
In March the College rapidly stood up Law Preparedness, a website resource for the College community that provides up-to-date information on changes in campus operations, academic continuity resources, tips about staying healthy, travel guidance, and more. As leader of the College of Law’s COVID-19 Planning and Operations Group, Dean Boise pledged in a memo—announcing the unprecedented move to online instruction—that the College would “both push ourselves and support one another through this crisis.”

The 2020 College of Law Commencement ceremony—originally scheduled for May 8 at the Oncenter in Syracuse while the Dome is under construction—has been postponed to May 2021. Nevertheless, the College held a proud awards celebration for graduating students on May 7, despite being kept physically apart. The next day—the original commencement date—the College published a moving tribute to the resilient and talented Class of 2020, watched more than 1,500 times on YouTube.

47th Vice President of the United States Joseph R. Biden Jr. L’68 and Commencement speaker and JetBlue President and COO Joanna Geraghty L’97 joined Dean Boise, faculty, and staff in the tribute. To watch the video, visit lawcommencement.syr.edu. You can send a congratulatory message for the Class of 2020 to SyracuseStrong@law.syr.edu.

Student life continued online smoothly, according to Director of Student Affairs Sarah Collins, thanks to existing infrastructure that remotely integrates JD students into the Student Bar Association, clubs, and other activities.

“We were able to pivot quickly and effectively,” observes Collins. “Annual end-of-year events occurred virtually, including the Syracuse Law Review and Travis H.D. Lewin Advocacy Honor Society banquets, as well as the Justinian Society Induction Ceremony (pictured). For the annual elections of student leaders, candidate speeches were delivered via Zoom, and the passing of the gavel to newly elected officers also happened virtually.”

Collins adds that the Blue Book exam—which must be completed if a student wants to work on a student-run journal—was conducted via Zoom, with Q&A sessions offered beforehand to explain this year’s process.

Alumni were also resilient and flexible—and characteristically supportive of their alma mater—during the move online—even as their own work and family lives were severely disrupted—continuing to teach, lecture, and coach advocacy teams via teleconferencing platforms.

On April 16 and 22, the Syracuse University Law Alumni Association convened two town hall discussions with students on “How to Plan for the Future During a Time of Uncertainty.”
Offering an essential service to the disabled community, the Burton Blatt Institute Office of Interdisciplinary Programs and Outreach (BBI OIPO) established the New York State COVID-19 Online Resources webpage, gathering and curating Syracuse, Central New York, and New York State COVID-19-related information centering “on the rights, access, and experiences of disabled people during the pandemic,” according to BBI OIPO Associate Director Diane Wiener.

Executive Director of the Betty and Michael D. Wohl Veterans Legal Clinic Beth Kubala spoke on WSYR’s Dave Allen Show on March 30, describing how her clinic’s essential work continued online during the shutdown. “We’re still able to keep in touch with clients via telephone and access case files remotely,” Kubala told Allen. “We’re still able to provide quality representation to veterans in our community.” In April alone, the clinic recovered more than $500,000 to help assist its clients.

The COVID-19 crisis left Innovation Law Center students and faculty in uncharted territory as their spring end-of-semester research for start-up companies had to be presented virtually. Students, professors and clients came together to finish the semester strongly, with presentations held via video conference.

The pivot to online learning was sudden and dramatic, leaving law school faculty members nationwide asking questions about the nuts and bolts of virtual classrooms.

Professor Nina Kohn’s experiences designing JDi and supporting the College’s faculty in preparation for its launch made her a sought-after expert. During March—as a free public service—Kohn offered a series of web conferences for law school faculty across the country who wanted to learn more about how to do online right. “Through these virtual workshops, the knowledge we’ve accumulated in Syracuse was on full display,” Kohn says.

“Although it was a somewhat sudden shift from preparing in-person presentations, the experience was a good one,” says rising 3L Sohela Suri. “In practice, we will likely utilize technology to communicate with colleagues and clients regularly, so it was a unique and timely experience to conduct a presentation via Zoom with a real client.” The virtual format had at least one unexpected benefit: allowing more students to attend client presentations.

Among other examples of alumni and students helping their communities, Christopher Jennison L’16 has been volunteering with the Bethesda-Chevy Chase Rescue Squad during the crisis.

His work is described in the ABA Journal article “Lawyer Certified as Emergency Medical Technician Calls on His Experience During COVID-19 Crisis” (June 1, 2020). “For someone like Chris, who is a lawyer, now married with a family, to have that all going and still commit to this organization, that’s dedication,” says Rescue Squad President Ken Holden.

The College of Law’s Debate Club was founded in 1905. Students applying in this era (after 1900) had to present evidence of a four-year academic course with a New York State Regent’s certificate or high school or academy diploma.
Law Faculty Provide Meaningful Insight During Coronavirus Pandemic

As the COVID-19 health crisis took hold across the globe and in the United States, College of Law experts were on hand to provide relevant commentary and perspectives on topics as diverse as national security, elder care, voting, higher education, and the national blood supply. This list is a sampling of dozens of media appearances, many in high-profile outlets such as The New York Times, The Washington Post, The Wall Street Journal, The Guardian, Consumer Reports, and CNBC. To view all COVID-19-related news clips, visit law.syr.edu/covid-19.

**Professor Nina Kohn:** “Law Schools Shift Classes Online Amid COVID-19, But Can They Do It Successfully?” (Law.com, March 10, 2020)

**Professor Kevin Maillard:** “Parenting by FaceTime in Coronavirus Quarantine” (The New York Times, March 20, 2020)

**Professor David Driesen:** “Why NY Law Requires Absentee Ballots in Response to COVID-19” (syracuse.com, March 30, 2020)


**Professor Mary Szto:** “Businesses Must Act to Stop COVID-19 Anti-Asian Racism” (syracuse.com, April 13, 2020)

**Professor Doron Dorfman:** “COVID-19 May Help Lift FDA Policy on Gay Blood Donors” (Law 360, April 23, 2020)

**Professor Nina Kohn:** “Addressing the Crisis in Long-Term Care Facilities” (The Hill, April 23, 2020)

**Professor Cora True-Frost:** “Parenting in the Shadow of Scarce Ventilators” (Newsday, April 28, 2020)

**Professor Peter Blanck:** “Going Back to Work While COVID-19 Is Still Spreading” (Consumer Reports, May 8, 2020)

**Professor Doron Dorfman:** “Being Anti-Mask Doesn’t Make You Disabled” (Newsday, May 21, 2020)

**Professor Arlene Kanter:** “Can Faculty Be Forced Back on Campus?” (Chronicle of Higher Education, June 16, 2020)

On April 1, Professor Greg Germain, an expert in business and corporate law, appeared on a live syracuse.com webcast to discuss “What is essential work in New York State during the COVID-19 crisis.”
"Pressing Wants"
When the College of Law opened in the Bastable Block in downtown Syracuse in 1895, students had access to the Court of Appeals Library. Containing approximately 20,000 volumes, this library was located nearby in the Onondaga County Courthouse, on the corner of Clinton and West Genesee streets.

The necessity of a dedicated and well-stocked law library to the educational and research mission of the College was evident from its founding, a fact expressed by University Chancellor James Roscoe Day in his 1896 report to the Board of Trustees:

"The College of Law immediately stepped out beyond experiment, and the report of the dean will show a remarkably loyal support of our renowned legal talent of the Onondaga Bar ... It will find friends in due time to endow its library and meet other pressing wants. In the meantime, by the generosity of its friends, it has access to our noble law libraries and assistance to do its work in a satisfactory manner."

A Growing Collection
The library was central to plans for growth when, in the fall of 1898, the College moved into the newly erected University Block on East Washington Street. Specially designed second-floor quarters included classrooms, office space, an assembly hall—and a library.

With space to expand its collections, in 1899, Louis Marshall, an eminent New York City lawyer and long-time friend and law partner of College of Law Dean James B. Brooks, dedicated a gift of 1,500 volumes to the memory of their mutual law partner, the Hon. William C. Ruger.

Later additions from the Marshall and Ruger collections, as well as from the Brooks Library, formed a new nucleus for the growing collection that now included full sets of the Reports of the US Supreme Court; court reports of the states of New York, Massachusetts, New Jersey, Pennsylvania, Vermont, and Connecticut; and an entire set of English Reports, said to be a "verbatim reprint" covering 1307 to 1865.

"Make It Worthy"
In 1927, Harvard Law School Dean Roscoe Pound released his 25-page Survey of the College of Law of the University of Syracuse and Project for Its Reorganization. Known as "The Pound Report," it found that the College had the "foundation" of a good library, but that a $25,000 investment would be needed to "make it worthy of the school."

Illustrating the importance of research to the modern law school, Pound noted that law teachers were now expected to do more than "simply deliver a set number of lectures each week" and that part-time teachers couldn't be expected to also perform legal research, work that "cannot be divorced from the teaching function."

A "Working Tool"
Modernization of the Law Library continued in the late 1930s and early 1940s. Generous appropriations made by the University helped update the treatise section and supplement statutory services and the reports of court and administrative decisions. At this time a review of the library considered it an "adequate working tool" for its students, but needs continued to grow, especially after World War II.

In June 1953—thanks to a principal gift from Syracuse lawyer and businessman Ernest I. White—groundbreaking took place for a University campus building dedicated to the College of Law. Opened in September, this was the first time in its history that the College had occupied a facility built expressly for the study of law, with the 60,000-volume Law Library as its focal point. The dedication of White Hall included the following description of the library:

Sources:
Margery C. Connor L’84, 100 Years: Syracuse University College of Law (1995).

The College is accredited by the American Bar Association Section of Legal Education. Changes to degree requirements are made: in 1922, two years of liberal arts study are needed to qualify for an LL.B. degree, and in 1923, the same requirement is made of “law certificate” students. The photo shows a College of Law parade from the World War I era.
“... for effective legal education, the building centers about a law library in which the William Rubin Memorial Reading Room on the second floor opens directly into four decks of library stacks ... the reading room has comfortable study space for 80 students and in the stacks are window-lighted carrels providing research space for an additional 44 students.”

Approaching Capacity
By 1974, with enrollment approaching 600 students, the original White Hall library had doubled its capacity to 120,000 volumes. Strategy for the next 10 years would be critical if the College was to maintain its growing position as a trailblazer in legal education.

In 1979 planning began in earnest—under the direction of Dean Craig Christensen and Law Library Director Thomas C. Kingsley—for a new library, along with a major renovation of White Hall.

Led by N. Earle Evans '42, the Campaign to Build a Law Library started in 1981. By May 1983, 1,400 alumni and friends had contributed $2.3 million and ground was broken, with construction taking about 18 months. A generous gift from H. Douglas Barclay L'61, H'98 capped the campaign, and in March 1985 both the H. Douglas Barclay Law Library and the newly renovated White Hall were dedicated.

The Barclay Law Library was designed to hold 200,000 volumes, and it wasn’t long before yet another expansion was required. A 1990 survey found that the College now lacked adequate student workspace, seminar rooms, and courtrooms, so along with plans to build what became Winifred R. McNaughton Hall, the library was built out once again, taking over the fifth floor of White Hall.

Technologically Advanced
In May 2012, the College of Law broke ground on a new headquarters across Irving Avenue from White and MacNaughton halls. The new building would provide a LEED-certified, high-tech living/learning environment to deliver a 21st century legal education. The 200,000 square foot Dineen Hall—named for the family that provided the lead gift in the fundraising campaign—was opened in September 2014.

The nearly 32,000-square-foot state-of-the-art library within Dineen Hall includes 44,000 linear feet of shelving; 560,000 volumes in print and microform, including sets of books received from law firm and private family collections; advanced study spaces; 42 computers; the spacious Bernard R. and Carol K. Kossar Library Reading Room; and the Peter Herzog L'55 and Brigitte Herzog L'75 Special Collections Room. All these assets are complemented by the library’s growing online presence, which maintains 41,532 electronic titles and 49 legal topics databases.

Eye Toward the Future
The Law Library always operates with an eye toward the future. Today, the library serves not only those students and faculty located in Syracuse but also students, faculty, alumni, and other legal practitioners throughout the world.

As with all libraries, the Law Library continues to digitize and provide access to analog and print resources that are critical components of a legal education and legal research. Digital stewardship, also referred to as digital preservation, will not only preserve the library’s unique materials but also will ensure continuous access to the collection, at any time, from anywhere, physically or remotely.

For example, recordings of moot court competitions, negotiations, and presentations are an excellent resource for the students in the Advocacy Program, and they must be preserved to keep them usable. Similarly, the library archives reflect not just the history of the College, but the history of the development of American law over the past 125 years.

Searchable text greatly increases capacity and ease of use for research, for students, faculty, and the legal community at large. Thus, the library will continue to leverage technology and expertise in order to make the records that document the law’s evolution available and accessible to all.
The Law Library Today & Tomorrow: A Commitment to Service

By Jan Fleckenstein G’84, G’86, L’11, Associate Teaching Professor of Law & Director of the Law Library

Over its long history the Law Library has been shaped by librarians, faculty, students, and by the generosity of donors into a vital resource for the study of law and for faculty research that explains and develops the law. Our commitment to service supports all members of the College community, and that commitment is the driving force behind the collections and programs that the library offers.

The library is responsive to student and faculty needs for research and study. It is creative in the way it provides print and electronic resources to support research and the curriculum. And it is collaborative in nurturing networks with the Syracuse University Libraries and other law libraries, as well as with law library consortia across the country and around the world, to maximize our access to the broadest possible range of legal information resources.

Dedicated to Learning
A spectacular Bernard R. and Carol K. Kossar Library Reading Room, divided from the Levy Atrium by a glass wall that soars 19 feet, makes the Law Library a visible symbol of the College’s dedication to study and learning.

A mixture of reading tables, research carrels, study tables, and computer workstations provides students with a choice of study spaces that best meet their individual needs. Wood-paneled, high-density mechanical book stacks, enough to hold 350,000 print volumes, fill the west end of the main floor and the center of the upper floor, leaving room around the perimeter to give library users access to natural lighting and expansive views overlooking the Onondaga Valley and the city of Syracuse. With card-swap access 24 hours a day, seven days a week, law students can use the Law Library on a schedule that meets their needs: around classes, jobs, and family obligations.

When the library moved to Dineen Hall, it gained its first dedicated special collections space—the Peter Herzog L’55 and Brigitte Herzog L’75 Special Collections Room—as well as space to house College archives. We are now actively growing and curating not only the general collection but also our own collection of items that represent the College over its 125-year history.

The contours of the library’s collection are shaped by requests from students and faculty, by purchases to support specific courses in the curriculum, and by careful monitoring by law librarians of developments in legal scholarship and trends that must be reflected in a broad-based academic library collection.

Interdisciplinary Collection
The permanent print collection forms the backbone of the Law Library’s information resources, including historical collections for research into the evolution of law and legal systems over time in local, state, federal, international, and comparative law. We house 65,521 print titles, augmented by a substantial collection of historical documents on two million pieces of microform. High-quality scanners enable us to convert documents stored in print or on microform into searchable PDFs and send them to users anywhere in the world.

The library is interdisciplinary in its collection policy, supporting research and scholarship in law and economics, politics, history, public policy, and the arts and humanities. This interdisciplinarity is reflected in recent donations such as the Ronald L. ’54, L’56 and Joanne J. Goldfarb ’57 Family Collection, which contains works that represent every intersection of law and society. While the library is open to the University community, the local legal community, and the general public, interdisciplinary works in our collection most often draw library users from outside the College.

To enhance our services, the library takes advantage of every new development in legal information databases and every advance in information technology. Our 247,625 print volumes are complemented by 41,532 electronic books, along with the general legal database services Westlaw, Lexis, Bloomberg Law, and Hein Online, plus individual databases in specialized subject areas.

Moreover, a mix of electronic and print resources provides a comprehensive platform for effectively teaching legal research skills and for helping students find the right information to complete their course assignments and their research projects.
Rapidly Evolving

Although alumni may not remember it this way, learning to do legal research used to be fairly straightforward: use digests to find cases, use indexes to find statutes, and use the library catalog to find books on specific areas of the law.

That all changed with the introduction and growth of legal databases, which continue to rapidly evolve in content and features. Law librarians now focus on helping students choose the right databases, develop effective search strategies, discern the strengths and weaknesses of various online sources, and develop a sense of how different algorithms affect search results in different legal information products.

The JDinteractive online degree program provided the opportunity for the library to implement its vision of a service model for the future by creating an electronic counterpart to every in-person library function. Law librarians and library support staff leveraged that experience to pivot quickly to providing remote support for the College’s residential programs when the spring 2020 semester unexpectedly moved online during the COVID-19 crisis.

We were ready. By then, in addition to our services inside the Law Library, we already took reference questions through the library website—law.syr.edu/law-library—by email, phone, and text message. We consulted on research questions over Zoom. We checked out books remotely, shipped books to students, and provided shipping labels to make it easy to send books back. We already scanned and sent documents from the print collection to remote users. In anticipation of the future and continued demand for rapid service, we had already invested heavily in electronic resources and added a few new databases to replicate highly used portions of the print collection.

Suite of Services

The library provides the same robust suite of services to students and faculty remotely as if they were using the library in person.

The library has grown, adapted, and innovated over the past 125 years, in keeping with the mission of the College of Law. Law librarians are versatile in crafting collections and services that support student learning and faculty research. Law librarians who are technical specialists take advantage of new legal information products and electronic services that prepare students to be confident researchers in practice.

Because of our expansive view of the services that an academic law library should offer, our Law Library fulfills the legal information needs of its users, in person and around the world, wherever our academic and research interests take us.

I am honored to serve the College of Law, our students and faculty—and our profession—as Director of the Law Library. Above all, as I walk through the library, browse through our collections, and take stock of what we have built, I can almost hear the quiet whisper of generations past, and I most certainly envision a bright future in the law for generations of students to come.

“I most certainly envision a bright future in the law for generations of students to come.”
Law Library By the Numbers
2018-2019 data

7,449 Hours of operation per year
157,800 Visits to the library per year
44,211 Linear feet of shelving
42 Law Library computers for research and study
558,439 Total volumes and volume equivalents
9,284 Titles added in 2019
41,532 Number of electronic titles
567,612 Electronic documents retrieved
39 Percentage change in investment in electronic resources, year over year
17,359 Visits to law.syr.edu/law-library
678 Total number of law and other databases available to students (49 law-related)
431 Total interlibrary loan transactions (items borrowed from, and loaned to, other libraries)
32 Custom guides maintained by law librarians help students discover and use legal research tools
81 Instructional sessions provided to classes and groups on legal research tools and methods
44.5 Total library staff

The 25-page Survey of the College of Law of the University of Syracuse and Project for Its Reorganization (aka The Pound Report) is authored by Harvard Law School Dean Roscoe Pound, with assistance from Ralph E. Himstead of Cornell College. Among the reforms instigated by Dean Paul Shipman Andrews, the casebook method is adopted, electives are increased, a moot court program is started, and the curriculum is revised. The photo shows the graduating class from that year.
BBI Continues Its Work on Behalf of the Landmark Legislation

July 26, 2020, marked the 30th anniversary of the Americans with Disabilities Act, civil rights legislation that prohibits discrimination against individuals with disabilities in all areas of public life—including jobs, schools, and transportation—and all public and private places that are open to the public.

For the Burton Blatt Institute, the anniversary is a time for celebration and reflection. While the landmark legislation and related legislation (including the Americans with Disabilities Act Amendments Act of 2008) have done much to accommodate and integrate disabled persons—and to change society’s views and attitudes toward disability—barriers to full inclusion still exist.

Helping to oversee BBI’s ADA 30th anniversary commemoration—including at the website adaanniversary.org—University Professor Stephen Kuusisto, Director of Interdisciplinary Programs and Outreach at BBI, discusses the ADA’s profound effect on society, education, and culture, and what the future holds.

Thirty years on, how would you characterize the effectiveness of the ADA?

The ADA has been remarkably successful as a change agent for American culture, which isn’t surprising because one of its goals was to assist the disabled to enter public life. It’s no longer unusual to see wheelchair users, guide dog travelers, the deaf, and autistic folks participating in every area of civic life.

Along with this participation we see changes in the arts and popular culture. In the 1970s no one would have imagined prime time television shows featuring characters with autism. Disability is now better understood as a part of who we are as a nation.
One also could argue that the ADA created a new geographical imagination. That is, the legislation induced needed changes to public spaces; along with that came a host of new features for architecture, design, and cyberspace.

Observes talk about an ADA mindset among a new generation of disabled persons growing up after the legislation passed—can that idea be extended to the rest of the population?

It’s no longer acceptable to shrug off disability, although some might still wish to do so. For younger folks who’ve grown up after the adoption of the ADA, there’s an expectation that disability will be properly accommodated and that inclusion is to be expected.

That’s a sea change from my childhood, which took place pre-ADA. People in my generation had to fight to get into the room. I had a professor in graduate school tell me that I shouldn’t be in his class, owing to my blindness. That discrimination might happen today in some places, but I think it’s mostly a thing of the past. Society is more engaging and accepting of disability in general and of the disabled in particular. There’s still much work to be done, but a lot has been accomplished.

You’ve alluded to examples of the positive effects of the ADA for the general population. Can you expand on that idea?

Many people are unaware that some of the technologies they use daily are the products of disability design work. For instance, Siri and Alexa come out of work by Ray Kurzweil in the 1970s and 1980s. He invented talking optical character recognition systems for the blind.

The Kurzweil Machine was originally as big as a washing machine, and it had a copying machine glass top. You’d lay a printed book on the plate, and it would scan and read the pages aloud. That technology became the foundation for all kinds of contemporary talking devices. It’s also the case that once Apple decided to make every one of its products accessible for the blind, they found numerous ways to use text-to-speech to benefit every customer.

What improvements to the ADA and the integration of disabled persons into society can we look forward to in the next 30 years?

We desperately need to see new forms of pedagogy based on the understanding that in fact no two persons actually learn in precisely the same way. Work being done now to accommodate neurodiverse students or folks who are blind or deaf will likely lead to better integrated and inclusive forms of teaching and digitization.

If you were made ADA czar for a new presidential administration, what recommendations or actions would you take in your first 100 days?

I would tackle the disability-unemployment problem. Even 30 years after the passage of the ADA, the unemployment rates for the disabled remain terribly high. A figure that’s routinely accepted is that 70% of the disabled who are of working age remain unemployed in the United States. This can be changed with real incentives to small businesses and larger companies to hire the disabled. This solution is feasible, and it would get people off of Social Security disability and into the workforce. The long-term benefits would be remarkable.

How would you characterize BBI’s ADA-related work to those unfamiliar with your mission and projects?

BBI is named for Burton Blatt, a foundational scholar and activist who pioneered the field of disability studies here at Syracuse University. Dr. Blatt helped to revolutionize how we think about disability and helped us understand that disability is not what it seems.

One way to think about this perspective is that just as we understand people are not defined by gender or race, Burton Blatt showed us that the disabled body and our attitudes toward it are merely societal ideas and have nothing to do with the disability itself. Today, BBI works globally to promote inclusion and opportunity for the disabled by breaking down such barriers.

How is BBI helping to celebrate the 30th anniversary of the ADA?

Even as we speak I am working with the US Department of State to create a virtual poetry reading featuring some of our nation’s leading poets—with and without disabilities—to celebrate the cultural dimensions of disability art and civil rights. BBI is also planning future events that we hope will occur on the University campus once we’re able to convene in person again.

> 1938

The Board of Visitors—the forerunner to the Board of Advisors—is established. Today, the Board of Advisers includes 25 active members, 2 ex-officio members, and six honorary members. Alumni leadership also includes 35 members of the Syracuse University Law Alumni Association. The photo shows the 1937-1938 moot court society.
In 2002, a first-year law student arrived in Syracuse from Texas after hearing about a new course in disability law, taught by Professor Arlene Kanter (pictured at left). She and other students soon prodded Kanter to offer more disability-related courses so they would be equipped with the knowledge and skills needed to secure a job in the relatively new field of disability law.

It took little prodding for Kanter to agree. By 2005, the faculty had approved the nation’s first Disability Law and Policy Program (DLPP), one that included the first joint degree in law and education, with a concentration in disability studies.

The Texan student was Julie Morse G’05, L’05. She and Crystal Doody G’05, L’05 became the DLPP’s first graduates. Both work at Legal Services of Central New York in Syracuse, representing individuals and families with disabilities, as well as clients with low incomes, on a broad array of legal issues confronting them. Over the past 15 years, DLPP has enrolled more than 300 students from the US and 14 other countries.

“Students bring questions that I would never think of, due to their geographic diversity, familiarity with technology and social media, and often their lived experiences as young adults with a disability.”
The ADA @ 30: 15 Years of the Disability Law and Policy Program

Passion & Persistence
Responding to the growing student interest in disability law with passion and persistence, Kanter worked closely with faculty in the School of Education to establish a new University-wide Disability Studies Program as part of her project for the 2005 Meredith Professor of Excellence in Teaching Award.

In fact, Syracuse University’s long history of disability research and advocacy was one of the reasons Kanter accepted her tenure track position in 1988. Faculty from the University’s Center on Human Policy had been experts in cases she worked on as a lawyer at a national disability law organization in Washington, DC. Today, Kanter holds a courtesy appointment in the School of Education.

Over its 15 years, DLPP has grown to include more collaborations across campus, as well as a curricular program for students who wish to specialize in disability law but who do not seek a joint degree. DLPP also offers students real-world legal experience through the Disability Rights Clinic, research positions, study abroad opportunities, and externships in London and cities throughout the US. Original graduates and Doody are now externship supervisors for the program and continue to hire DLPP graduates at their office.

In 2014, with funding from the Open Society Foundation, DLPP started a master’s of law program for international students. Lawyers from such diverse countries as Argentina, Brazil, China, Ethiopia, Iraq, Kenya, Saudi Arabia, Spain, and Syria have participated, returning to their countries to work in the disability law field. In 2020-2021, the College will welcome scholars of international and comparative disability law into its new Doctor of Juridical Science program.

DLPP also hosts visiting scholars, including this year’s Fulbright Scholar, Dr. Smitha Nizar, a law professor from India who is working with Kanter on a project regarding the reproductive rights of women with disabilities.

Every Step of the Way
“No other law school offers such an array of disability-related academic programs and co-curricular opportunities,” Kanter observes. “We even have a student organization, the Disability Law Society. This, too, was a national first.”

DLPP strives to connect scholarship with the classroom, with Kanter inviting her students to work with her on projects and co-author articles. She sees her students as colleagues and future leaders in the field.

“Working with the students is my favorite part of my job,” Kanter says. “Not only am I realizing my professional goal of working for the rights of people with disabilities, but I get to bring my students with me every step of the way.”

Kanter continues, “When I helped draft the Convention on the Rights of People with Disabilities (CRPD) at the United Nations, for example, my students were active participants in the process.” For the past several years Kanter and her students have been invited to present their research at the UN General Assembly, the CRPD Committee, the Commission on the Status of Women, as well as a congressional committee.

“Students bring questions that I would never think of, due to their geographic diversity, familiarity with technology and social media, and often their lived experiences as young adults with a disability.”

Remarkable Success
Currently, Kanter is working with the Association of Higher Education and Disability and rising 3L Lillie Hiegel on a project assessing inclusion of students with disabilities in US law schools, and with advocacy organization Humanity and Inclusion (HI) on a project to raise awareness about violence against women with disabilities.

With HI, Kanter and Lucky Mahenzo Mbonan LL.M.’20 have built a research tool to assess the rate at which different countries are adopting policies to protect girls and women with disabilities from gender-based violence. Two years ago, she and Everlyn Milanoi Koiyiet LL.M.’15 worked with Disability Rights International on a report about abuse of children with disabilities in Kenyan orphanages.

Kanter says the first student she had who was blind—Koert Wehberg L’08—may have taught her more than she taught him. “He taught me how he experiences the world and the importance of universal design and technology, such as text-to-speech software, which allowed him to participate in class on an equal basis with other students,” Kanter says.

DLPP graduates have gone on to remarkable success. For instance, Wehberg is now Executive Director of the city of Philadelphia’s Mayor’s Commission on People with Disabilities, and he teaches disability law at Temple University Law School. He also was one of only a handful of graduates to receive the Equal Justice Works Fellowship.

Another DLPP joint degree student—Robert Borrelle Jr. G’13, L’13—also received the Equal Justice Works Fellowship and is now a staff attorney at Disability Rights California. Julie Morse has the distinction of being the only College of Law graduate to have been awarded the highly competitive Skadden Fellowship.

Originally offered for a $2 subscription, the Syracuse Law Review publishes its first issue, including an article on “Juvenile Delinquency or Youthful Criminality” by then FBI Director J. Edgar Hoover. In 1962, the Law Review inherited the honor of publishing the “Annual Survey of New York Law.”
Sense of Belonging
To Kanter, disability rights is one of the most important civil rights issues of our time, especially during the COVID-19 pandemic when people with disabilities may be treated as expendable. “Disability rights is about equal rights and ensuring access, inclusion, and a sense of belonging for all people, regardless of how they may walk, talk, or learn,” she says. “That is not easy within the highly competitive law school culture.”

DLPP has now been recognized as one of the most innovative disability-related academic programs in the world. On Feb. 20, 2020, at the office of the United Nations in Vienna, the Program received the Essl Foundation’s Zero Project Prize for Innovative Practices, the only US law school to receive this prestigious international award.

“It is really quite remarkable and exciting,” Kanter says of the award. “I attribute it—as I do all of our successes—to my extraordinary students, with and without disabilities. I think Zero Project recognized our program because we strive not only to teach disability rights but also to recruit and support future lawyers with disabilities.”

Looking to the future—and at the suggestion of alumni—a new DLPP alumni association is in the works. Kanter wants to see it develop into a formal mentoring program: “Ultimately we will want to raise money for scholarships to support more students with disabilities and for students who want to go into disability rights law.”

At its core, Kanter says DLPP is a tight-knit program, assisted by professors Cora True-Frost L’01, Michael Schwartz, Doron Dorfman, and Suzette Melendez. To this end, she spends countless hours urging colleagues and DLPP alumni to hire her students because they have skills and experience that can be gained practically nowhere else.

“My goal is for our graduates not only to find a job but to find one that will mean something to them and that will, I hope, help to make the world a better place for all,” Kanter says.

OPPORTUNITIES TO CELEBRATE, PARTICIPATE, AND INFLUENCE
In addition to 2020 marking the 15th anniversary of the Disability Law and Policy Program, the year also marks the 30th anniversary of the Americans with Disabilities Act. DLPP will mark the double anniversary with two special fall programs.

Firstly, the Syracuse Law Review will publish a special symposium volume on disability law, which Kanter will guest edit. Secondly, Law Alumni Weekend in September 2020 will include a panel discussion, moderated by Kanter, on “Disability Rights at the College of Law: A Retrospective Look at the ADA and the DLPP,” featuring several of the program’s alumni.

Kanter observes that the panel will be a virtual program due to public health concerns “but that will allow many alumni from all over the world the opportunity to participate, and it will model the importance of making online education and events fully accessible.”

Professor Arlene Kanter and her spring 2020 students with the Zero Project Award, awarded to the DLPP by the Essl Foundation in February 2020. The DLPP was recognized as one of the most innovative education programs in the world, the only law school in the US so honored.

DLPP graduates Carla Villarreal Lopez LLM’18 and Khawla Wakkaf LLM’18 visiting Professor Arlene Kanter at Harvard University, where Kanter was a visiting professor in 2017.

Professor Kanter with colleagues and students at the Syracuse ARISE awards dinner in 2017, where Kanter was honored as a Champion of Independence.
Advocacy Program Continues to Deliver Results

Leading up to mid-March 2020, the *Travis H.D. Lewin Advocacy Honor Society* was on a significant roll through regional and national competitions, and the intracollegiate mainstays delivered our students their fair share of competitive opportunities to hone their courtroom skills.

By then, teams and individuals had attained numerous wins, high placements, and personal accolades, with several final competitions yet to go, when the COVID-19 pandemic effectively brought the season to a premature end, including scheduled trips to the National Trial Competition, the American Association of Justice Competition, the Williams Institute Moot Court, and the Uvaldo Herrera Moot Court Competition.

Two intracollegiate competitions were impacted by COVID-19: the *Entertainment and Sports Law Negotiation Competition* was canceled, while the *Mackenzie Hughes LLP Edmund H. Lewis Appellate Advocacy Competition* changed its format. With the written brief portion of Mackenzie Hughes already complete, Competition Director *Julia Wingfield L’20* and Appellate Division Director *Chanan Brown L’20* creatively turned the oral advocacy tournament into a writing competition.

Earlier in the academic year, students and advisors hosted three intercollegiate competitions—the ABA Regional Negotiation Competition, the National Trial Competition regionals, and the inaugural *Syracuse National Trial Competition*—furthering the College of Law’s reputation as a hospitable, well-organized host.

“I join our students in feeling that there’s unfinished business due to COVID-19, but I am very proud of their accomplishments this year nonetheless,” says Professor *Todd Berger*, Faculty Director of Advocacy Programs. “The students delivered great results in the competitions, and many pulled double duty, contributing countless hours behind the scenes as we successfully hosted three competitions. The pandemic required quick adjustments, and some competitions, such as the prestigious Top Gun, were held online. All in all, it was a great learning experience.”

“The students delivered great results in the competitions, and many pulled double duty contributing countless hours behind the scenes.”
—Todd Berger

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> 1952

The *Order of the Coif* is established, offering membership to students graduating in the top 10% of their class.
The College of Law’s advocacy program was ranked #15 in the nation in the U.S. News & World Report 2021 ranking of law school specialty programs, tied with three other schools. This ranking is a significant jump from Syracuse’s #27 ranking the previous year. “U.S. News voters—our influential faculty from around the nation—are noticing our continued focus on this program, as well as the excellent results earned by our students,” says Dean Boise.

College of Law Holds Inaugural Syracuse National Trial Competition
In early October 2019, 11 trial advocacy teams from across the country descended upon Syracuse, joining our advocacy team to compete in the inaugural Syracuse National Trial Competition (SNTC). After several rounds of grueling competition, Loyola Law School Los Angeles prevailed over Samford University Cumberland School of Law in the first-ever final. Student directors rising 3Ls John Mercurio and Troy Parker, as well as faculty co-directors Professor Todd Berger and Joanne Van Dyke L’87, collaborated on this event that further raised the College’s national profile as a top trial advocacy school.

Note: Any entries with numerals correspond to the photos on the right.

Celebratory Banquet Goes Virtual
COVID-19 did not stand in the way of the annual Travis H.D. Lewin Advocacy Honor Society (AHS) banquet. Dozens of students, faculty, staff, alumni, and others joined together virtually to celebrate a successful year and bestow award honors and scholarships that are a part of the AHS tradition.

2020 Award and Scholarship Winners
> Ralph E. Kharas Award: Joseph Mallek L’20
> AHS Executive Director Award: Rising 3Ls Troy Parker and John Mercurio
> Richard Risman Appellate Advocacy Award: Aubre Dean L’20
> Emil M. Rossi L’72 Scholarship Award: Rising 3L Joseph Celotto
> Models of Excellence in Advocacy Award, given in honor of Lisa Peebles L’92: Rising 3L Allison Kowalczyk
> 2020 Lee S. Michaels Advocate: Rising 3L Joseph Tantillo
> CourtCall Scholarship Award: Chanan Brown L’20 and Kevin Risch L’20
> The Order of Barristers: Ariel Blanco L’20, Aubre Dean L’20, Davida M. Hawkes L’20, Adam Leydig L’20, Joseph Mallek L’20, Richard Miller L’20, Jill Tompkins L’20, Julia Wingfield L’20, and William Wolf L’20

HIGHLIGHTS FROM THE 2019-2020 INTERCOLLEGIATE COMPETITIONS

Alternative Dispute Resolution Division
American Bar Association Arbitration Competition: William Wolfe L’20 and rising 3Ls Nabil Akl, Savraj Gill, and Frances Rivera Reyes advanced to the quarterfinals of the regional, finishing sixth.
American Bar Association Negotiation Competition: The College of Law hosted a regional round with 20 teams competing. Rising 3Ls Jacqueline Chilbert and Alison Kowalczyk advanced to the national round, with Professor Daniel Cantone L’81 coaching all teams.

Appellate Advocacy Division
2 The National Moot Court Competition: Aubre Dean L’20 and Joseph Tantillo L’20 won their regional competition, with Tantillo being named Best Oralist in the final round. Coached by Professor Emily Brown L’09 and David Katz L’17, the team finished in the top 16 at nationals.
American Bar Association National Appellate Advocacy Competition: Natalie Switzer Maier L’20 and rising 3Ls Carly Cazer and Clee Malfitano advanced to the octofinals.
National Tax Moot Court Competition: Jeannine Cryan L’20 and Carly Rolph L’20 advanced to the quarterfinals.

Trial Advocacy Division
3 National Black Law Students Association Constance Baker Motley Mock Trial Competition: Davida M. Hawkes L’20, William Wolfe L’20, and rising 3Ls Ken Knight and Sharon Otasowie advanced to the quarterfinals at the national round after winning their regional. Wolfe was named Best Advocate at the nationals.
John Boyd L’16, Alphonse Williams L’17, and Stephanie Martin-Thom L’18 coached the team.
The Tournament of Champions: Ariel Blanco L’20, Adam Leydig L’20, and rising 3Ls Lisa Cole and Christy O’Neil advanced to the semifinals, and Leydig was named Best Advocate for the preliminary rounds. Joanne Van Dyke L’87, Joseph Cote L’87, Justin St. Louis L’17, Dennis Scanlon L’19, and Professor Emeritus Travis H.D. Lewin were coaches.

> 1954

The ninth building completed in the University’s $15 million post-World War II construction program, White Hall is dedicated and the College moves on to the University campus for the first time.

26
Buffalo-Niagara Mock Trial Competition: Davida Hawkes L’20, Richard Miller L’20, and rising 3Ls Joe Celotto, Chris Doak, and Troy Parker advanced to the semifinals, coached by Jeffrey Leibo L’03, Jennifer Pratt L’17, Peter Hakes, and Professor Emeritus Lewin.

Syracuse National Trial Competition: Kevin Risch L’20 and rising 3Ls Alex Eaton, Tyler Jefferies, and Evan Pfeifer advanced to the quarterfinal round.

National Trial Competition: Two teams advanced to nationals from the regionals held in Syracuse—Adam Leydig L’20 and rising 3L Joe Celotto on one team, and Ariel Blanco L’20 and rising 3Ls Lisa Cole and Christy O’Neil on the other. Leydig won Best Open for the preliminary rounds, while Celotto won Best Advocate for the final round. The College also won the Tiffany Cup for second year in a row, and is now most winningest advocacy program across New York State. The coaches were Joanne Van Dyke L’87, Jenny Pratt L’18, and Peter Hakes.

National Online Trial Advocacy Competition: At an online competition created to fill the void left by COVID-19 cancellations, rising 3Ls Lisa Cole and Christy O’Neil represented Syracuse, with O’Neil advancing to the semifinals.

Top Gun National Mock Trial Competition: Adam Leydig L’20 placed fifth, with rising 3L Tyler Jefferies his co-chair. This is the fourth time in five years that this prestigious tourney has invited Syracuse.

HIGHLIGHTS FROM THE 2019-2020 INTRACOLLEGIATE COMPETITIONS


8th Annual Bond, Schoeneck & King Alternative Dispute Resolution Competition: Andrew Weekes L’20 and rising 3L Kenneth D. Knight prevailed over Sara Pielsticker L’20 and Ju-Juanna Perkins L’20 in the BSK ADR Competition. Perkins was named the Best Advocate for the final round.

Final round judges were Judge Dancks; the Hon. Mae A. D’Agostino L’80, US District Judge for the Northern District of New York; Judge Dancks; Dean Boise, and James P. Young, Esq., Partner, Hancock Estabrook LLP.

Mackenzie Hughes LLP Edmund H. Lewis Appellate Advocacy Competition: In-person arguments were canceled due to COVID-19, and the Mackenzie Hughes Appellate Advocacy Competition became a written brief competition, won by rising 3Ls Joseph Tantillo and Thomas Finnigan.

10th Annual Hancock Estabrook LLP 1L Oral Advocacy Competition: Rising 2L Brady Turner prevailed over fellow rising 2L Christopher Martz in the Hancock Estabrook Oral Advocacy Competition. Final round judges were Judge Sannes; the Hon. Mae A. D’Agostino L’80, US District Judge for the Northern District of New York; Judge Dancks; Dean Boise, and James P. Young, Esq., Partner, Hancock Estabrook LLP.
On May 8, 2020, at 11 a.m., the College of Law Class of 2020—along with faculty, staff, alumni, and guests—would have donned caps and gowns to share the joy and tradition of Commencement exercises in front of family and friends. However, the COVID-19 crisis meant that the College of Law community was not able to gather together on that spring morning. But we were together in spirit, both on the evening on May 7 for an awards ceremony and on May 8 with a special video send-off for the J.D. and LL.M. graduates.

“I am very proud of all you have accomplished in our three years together, and I know much more lies ahead,” said Dean Boise. “I am not alone, as evidenced by the many special messages to the Class of 2020 from teachers, mentors, friends, and supporters. While our celebration of the class was virtual, our pride is palpable.”

The special video featured congratulations from 47th Vice President Joseph R. Biden Jr L’68, a message from Commencement speaker Joanna Geraghty L’97, along with comments from Class President Aubre Dean L’20, LL.M. Student Bar Association Representative Betania Rodriguez Allo LL.M.’20, and SBA President Omar Mosqueda L’20. Well wishes from faculty and staff rounded out the video.

Visit lawcommencement.syr.edu to view the video, a slideshow, and more. Be sure to check the website for updates on our in-person celebration of the Classes of 2020 and 2021 in May 2021.

Graduates who took the New York State Bar Exam for the first time in July 2019 achieved an 88% pass rate. This first-time pass rate is significantly higher than 2018’s first-time pass rate of 83% and also surpasses the average of all New York State ABA law schools (85%) and all ABA law schools nationwide (86%).

2017 graduates also garnered great news. More than 95% of 2017 grads passed the bar exam regardless of jurisdiction, according to “ultimate bar pass rate” data released by the ABA Section of Legal Education and Admissions to the Bar. The 2017 ultimate bar pass rate of 95.6% places Syracuse in the top 20% of ABA-accredited law schools nationwide.

“We continue to invest in our students with continuous improvements to our curriculum, bar readiness programs, and other academic support initiatives. Our goal is, and will always be, to help our students achieve a 100% bar passage rate,” says Dean Boise.
College of Law Introduces Third Year Away Option for Residential J.D. Students

Starting with the Class of 2023, students in the College’s residential J.D. program will have the option of spending their third year entirely off-campus while still taking courses from College of Law faculty. Specifically, students in good standing will have the option to enroll in the Third Year Away program, which will allow them to satisfy their remaining graduation requirements by completing a supervised externship in a legal practice setting and by taking up to 12 credits of interactive online courses.

The Third Year Away program builds on the College’s established Externship Program, and it also capitalizes on the infrastructure of JDinteractive, which enables students to participate fully in the academic, intellectual, and social life of the College off-campus.

College of Law and Whitman School Launch Nation’s First Online Joint J.D./M.B.A. Degree Program

The nation’s first online joint J.D./M.B.A. degree program—in partnership with Syracuse University’s Martin J. Whitman School of Management—combines the JDinteractive program with the Whitman School’s highly ranked MBA@Syracuse online program.

“As we’ve learned from decades of success with our joint residential J.D./M.B.A. with the Whitman School, there is strong demand for a joint law and business education,” says Dean Boise.

JDi students will be eligible to apply to the joint J.D./M.B.A. degree program starting this year. Before starting the online M.B.A. portion of the joint degree, JDi students must be separately admitted to the Whitman School, have completed 34 credits of law school, and meet all defined academic requirements.

AccessLex Institute Supports the College’s Diversity Initiatives

A Diversity Pipeline Research Grant from the AccessLex Institute will allow the College of Law to create a Jump-Start Program to help ensure that students in the College’s 3+3 Program with three Atlanta-based HBCUs: Spelman, Morehouse, and Clark Atlanta will be successful in their 2020 legal studies.

The program will provide participants with access to the College’s faculty, law students, and alumni; an introduction to the legal profession; and training sessions to prepare them for the LSAT and the College’s rigorous curriculum.

AccessLex INSTITUTE
Mock Trial Provides Courtroom Experience for College of Law and Newhouse Students

Two Syracuse University professors have teamed up in an innovative cross-campus collaboration to allow future television reporters and lawyers to experience the drama of a high-profile murder trial. College of Law Professor Todd Berger and Professor Elliott Lewis of the S.I. Newhouse School of Public Communications convened their respective classes for the mock trial of People v. Mitchell, a fictional case involving the shooting death of a young woman.

In this cross-disciplinary class, law students played the roles of prosecutors and defense attorneys, questioning witnesses and making objections during testimony. The Newhouse students honed their skills as television journalists, performing live updates during breaks in the trial and producing a narrated report after its conclusion.

“I honestly don’t know of another law school that offers such a unique opportunity in a beginner’s trial advocacy class,” Berger says. “It gives law students an early taste of what it’s like to represent a client in the media as well as in the courtroom.”

Dean Boise Raises the College of Law’s Profile at the Annual NYSBA Meeting

At the New York State Bar Association’s (NYSBA) Annual Meeting in January 2020, Dean Boise moderated the Presidential Summit panel, attended by more than 500 people. The panel tackled head-on one of the most disturbing and enduring trends of our time—the rise of white nationalism and domestic terrorism. The topics and remedies discussed are resonating far beyond the discussion.

Boise also gave the Keynote Address to NYSBA’s Judicial Section. “Preparing Students for a 21st Century Law Practice” examined how Syracuse and other law schools are innovating curricula and programs and adapting to the future of law practice.

Professor Dorfman Spearheads New Empirical Study

Professor Doron Dorfman and a team of researchers from the aChord Center: Social Psychology for Social Change at the Hebrew University of Jerusalem have been conducting research for the 1999 Municipal Accessibility Index in Israel.

The study examines the Israeli public opinion toward people with disabilities, as well as perceptions of accessibility in different areas of life (including social life, labor market participation, and health care) among disabled individuals.

The College’s global perspective widens as it responds to the demand for lawyers to represent American business in foreign transactions with the launch of the International Legal Studies program, a forerunner to the Office of International Programs. A December 1961 Syndicus story recounts student travel to learn about legal systems in The Hague and Nigeria.

> 1961
Wilhelmina Reuben-Cooke, Professor Emerita of Law and an influential leader at Duke University, died October 22. She was 72.

A native of South Carolina, Reuben-Cooke was one of the first five African American undergraduate students at Duke University and was active in the civil rights movement.

She graduated from Duke in 1967 and the University of Michigan Law School in 1973. After graduation from law school, she worked in communications, antitrust, tax, securities, criminal, and general corporate law. She served as Associate Director of the Institute for Public Representation (IPR) at the Georgetown University Law Center and was responsible for litigation before the Federal Communications Commission and the federal courts, including the US Supreme Court, at IPR and the Citizens Communication Center.

Reuben-Cooke began her teaching career at the College of Law in 1986. While at the college, she drew on her experience to develop a summer externship program in Washington, DC, building the program to include studies in communications law, federal legislature advocacy, disability law, labor law, and civil rights. She also served as Associate Dean for Academic Affairs and directed the college’s academic programs. Reuben-Cooke left the College of Law in 2003 to become Provost and Vice President for Academic Affairs at the University of the District of Columbia, a position she held until 2007.

“Wilhelmina was a pioneering woman—here on the faculty at the College of Law and earlier as one of the first five black students to enroll at Duke University in 1963,” says Professor Paula Johnson, professor in the College of Law. “We first met at Georgetown University Law Center when she was Associate Director of the Institute for Public Representation and I was an LL.M. student with the Center for Applied Legal Studies. She was here when I first came to the College of Law and supported so many of us across the SU campus and throughout the Syracuse community. She will be greatly missed. May she rest in peace and power.”

“When I think of her, I think of her ability to maintain grace and warmth in spite of adversity and under pressure,” says Sarah Ramsey, Professor of Law Emerita. “She was a splendid presence at the College of Law and a wonderful friend and colleague.”

Professor Christian Day says Reuben-Cooke was a warm, bright, and infectious colleague. “Her smile lit up the room,” he says. “She was principled and fair, and her expertise in communications law established links with Newhouse. She was an exceptional mentor for many of our students.”

“Wilhelmina was a remarkable woman and role model in every way. She enriched the College of Law environment by her enormous contributions to our ways of interacting with one another and by living her commitments and values,” says Professor of Law Emerita Leslie Bender. “She enriched my life by the warmth, grace, intelligence, and friendship she offered. Those of us who were privileged to have been her colleagues and friends know how lucky we are.”

Reuben-Cooke served as a trustee of Duke University for two terms, and she held numerous honors, including the Duke University Distinguished Alumni Award and the Sojourner Truth Award from the Syracuse University chapter of the National Association of Negro Business and Professional Women’s Clubs.

She is survived by her husband, Edmund D. Cooke Jr.; two daughters, Wilhelmina Nilaja Cooke and Shani Malika Cooke; and several siblings, nieces, nephews, and cousins.

Professor Kohn Joins Yale Law During Spring 2020 and Serves as Advisor to the American Law Institute

Professor Nina Kohn, David M. Levy ’48 Professor of Law and Faculty Director of Online Education, spent the spring 2020 semester as a Visiting Professor of Law at Yale Law School. A faculty affiliate with Syracuse University’s Aging Studies Institute, Kohn taught a seminar on Law and Aging at Yale. Kohn’s research focuses on elder law and the civil rights of older adults and persons with diminished cognitive capacity.

Kohn also accepted an invitation from the American Law Institute (ALI) to serve as an advisor on the ALI’s Restatement of the Law Third, Torts: Concluding Provisions project. This project focuses on medical liability, vicarious liability, statutes of limitation, and wrongful death and survival actions.

“This project will play an important role in clarifying some of the most dynamic areas of tort law,” says Kohn.

Professor Emerita Wilhelmina Reuben-Cooke Remembered

Wilhelmina Reuben-Cooke, Professor Emerita of Law and an influential leader at Duke University, died October 22. She was 72.

A native of South Carolina, Reuben-Cooke was one of the first five African American undergraduate students at Duke University and was active in the civil rights movement.

Otasowie Receives Commandant of Cadets Award

Rising 3L Sharon Otasowie received the Commandant of Cadets Award, presented as part of the 103rd Chancellor’s Review and Awards Ceremony to recognize the distinguished performance of cadets in the Army and Air Force Reserve Officers’ Training Corps (ROTC) programs. The Commandant of Cadets Award is “presented to a cadet in the top 25% of their Aerospace Studies class who demonstrates exceptional leadership, appearance, bearing, and character.”

Krastev and Marcellino Secure Best Ever Tax Challenge Result

Brian Krastev L’20 and Matthew Marcellino L’20 finished second out of more than 80 teams from around the country competing in the American Bar Association (ABA) Law Student Tax Challenge competition. This is the College of Law’s best result ever in this annual competition. Professor Robert Nassau, Director of the Low Income Taxpayer Clinic, coached the team.

An alternative to traditional moot court competitions, the Law Student Tax Challenge asks two-person teams of students to solve a cutting-edge and complex business problem that might arise in everyday tax practice. The team defended its solution before a panel of judges representing the country’s top tax practitioners and government officials, including tax court judges.

JDi Student Hosts ABA Law Student Division Podcast

Meghan Stapleton Steenburgh, a rising 2L student in the JDiinteractive program, was chosen as a host of the American Bar Association Law Student Division podcast for 2020. Throughout the year, Steenburgh has been contributing interview-style podcasts to the ABA’s series.

Among her interviews to date are conversations with Sen. Dan Sullivan of Alaska, and Dean Boise and Professor Nina Kohn. Boise and Kohn were interviewed in March 2020 about making legal education more accessible through online programs and other innovations, just before the COVID-19 pandemic forced the remainder of the spring 2020 semester to be conducted online. The two-part podcast also featured JDi 2Ls Mandy Mobley Li, Katy Morris, and Ernie Sawyer.

Students Join Professor Gouldin to Present on Bail Reform

Matt Taghavi L’20 and Katherine Brisson L’20 presented with Professor Lauryn Gouldin on bail reform as part of the Criminal Justice Educators Association of New York State Annual Conference. “Matt and Katherine did an excellent job comparing New York State’s new bail reform legislation with the new bail reform law in California,” says Gouldin.

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Dean Robert Miller asks Professor Travis H.D. Lewin (center) to begin advising the moot court program, further advancing the College’s reputation for advocacy training. In 2019, the Advocacy Honors Society was named in Lewin’s honor.
Dowling Published Twice in the NDNY Federal Court Bar Association Newsletter

While working as an extern at the Office of the Federal Public Defender of the Northern District of New York (NDNY), John J. Dowling III L’20 had two articles published in the bar association’s newsletter.

“US Supreme Court Cabins Sentencing Courts’ Deference to Sentencing Commission” was published in the fall newsletter, and “Circuit Split Deepens over Whether Inchoate Drug Crimes Trigger Career Offender Enhancement” ran in the spring 2020 newsletter.

Cohn Places Second in Student Writing Competition

Samuel Cohn L’20, a dual degree graduate with a master’s in the Newhouse School New Media Management program, won second place in the student writing competition for the Law and Policy Division of the Association of Educators in Journalism and Mass Communications.

Titled “Funding Secured: A Forty Million Dollar Tweet that Highlights First Amendment Issues Associated with Regulating Speech on Social Media,” Cohn’s paper examines the legal fight surrounding Tesla owner Elon Musk’s use of social media.

BLSA Hosts Conversation on People of Color in the Legal Profession

Addressing the important topic of diversity in the law during Black History Month, the Black Law Students Association (BLSA) held “A Conversation About Being a Person of Color in the Legal Profession” in Dineen Hall on Feb. 20, 2020.

Moderated by Professor Paula C. Johnson, the panel included Alyssa Campbell, Director of Equal Opportunity and Employment, Syracuse University Office of Equal Opportunity, Inclusion, and Resolution Services; Melanie Cuevas-Rodriguez, Syracuse University Equal Opportunity and Title IX Investigator; and David L. Chaplin II L’13, Director of Employee Relations, Onondaga County.

College of Law Celebrates Diversity in Law and Society, Engages Community

In fall 2019, the College of Law community came together to learn from each other and celebrate the many ways diversity contributes to a vibrant Dineen Hall.

Thanks to Student Bar Association Diversity Chair rising 3L Ken Knight and his committee, events included “A Conversation with the Onondaga Nation”; an informational discussion with Barclay Damon on its Diversity Mentor Program; a “Diversity and the Law” professor panel; the William Herbert Johnson L’1903 bar admission ceremony; and a day of volunteering at the We Rise Above the Streets Sandwich Saturday in downtown Syracuse.

On February 28, the College of Law celebrated Diversity Law Day, in collaboration with the New York State Bar Association, the William Herbert Johnson Bar Association, Law School Admission Council, and the Syracuse Civics Initiative.

Students from Syracuse-area school districts visited Dineen Hall and met with College of Law faculty and students, as well as local practicing attorneys, who discussed the importance of diversity, inclusion, and representation in the law.

Among the activities, law students gave a presentation to the high school students about the famous espionage trial of Ethel and Julius Rosenberg during the Cold War, followed by a brief reenactment of the trial and small group work.

The students also heard from the Hon. Thérèse Wiley Dancks L’91, who spoke about her passionate interest in civics education. Later in the day, the high schoolers had the opportunity to ask law students about college, law school, and diversity during a panel discussion in the Melanie Gray Ceremonial Courtroom.
In April 2020, the College welcomed five new professors who continue to broaden the College’s academic and research capacity in key strength areas and who expand the bench of highly experienced legal scholars teaching in JDinteractive.

“The teaching, practice, and research interests of these new faculty members will be critical to guiding our students toward academic and career success,” says Dean Boise. “I’m particularly pleased to have hired two professors—Jack Graves and Linda Whitton—who will focus their teaching within JDinteractive. Both are recognized scholars in their fields and—as online pioneers—they are profoundly dedicated to providing quality online legal education for the 21st century.”

MEET THE NEW PROFESSORS

Courtney Abbott Hill L’09
Most recently Associate Director of Student Affairs, Courtney Abbott Hill L’09 joins the faculty as a teaching professor of legal writing. In the Office of Student Affairs, she was responsible for helping students reach their full academic potential with an emphasis on bar exam preparation. She also designed and implemented academic success programming, and she taught a third-year law seminar.

Abbott Hill earned her J.D. magna cum laude from the College in 2009, where she was Managing Editor of the Syracuse Law Review and a member of the Justinian Honor Society and the Order of the Coif. After graduation, she served as a court attorney with the New York State Appellate Division, Fourth Department, before transitioning to a career focused on law student success as a regional director with a national bar review provider.

Why did you decide to teach law? I love working with students! I spent time teaching before law school and decided early in my law career to pivot toward helping law students achieve their full potential.

What is the most important aspect of the law that students should know? When reading the facts and circumstances of the cases you are assigned in law school, remember that the people involved are not fictional. Consider this human element rather than simply looking for the rules established by the cases. Not only will that help you read and think critically, it will help you become a better lawyer.

What interests do you have outside of teaching and the law? I have two young children, so when I'm not working you can usually find me cheering on a Little League team, watching a dance recital, or volunteering at their school.

The College opens its Civil/Criminal Clinic, launching the Clinical Education Program. Today, eight clinics help students gain practical experience while providing access to legal services for community members. The two newest clinics are the Betty and Michael D. Wohl Veterans Legal Clinic (2015) and the Transactional Law Clinic (2019).
Jack Graves
Joining the College as a teaching professor and will develop and teach JDi interactive courses in commercial transactions and evidence. A visiting professor at the College in 2005, Graves was most recently at Touro Law Center, where he served as Professor of Law and Director of Digital Legal Education, launching its hybrid J.D. program.

A law graduate of the University of Colorado (1994), Graves has played a significant role developing online legal education in J.D. programs nationwide. His recent writing focuses on teaching materials tailored to the online environment, including Sales Law (2020), Learning Contracts (2019), and International Sales and Commercial Arbitration (2017).

Graves was an original member of the Working Group on Distance Learning in Legal Education. He developed and delivered two fully asynchronous courses through iLaw Distance Learning, and he serves as a frequent speaker at online legal education conferences, including Syracuse’s April 2019 symposium on “Online Learning and the Future of Legal Education.”

Why did you decide to teach law? I thoroughly enjoyed the law school experience and environment as a student, and I found the opportunity to return to that environment as a faculty member to be irresistible. Although I loved practicing law, I found the most rewarding aspects of my job to be attorney development and associate training.

What is the most important aspect of the law that students should know? Reading and applying statutes is one of the least developed skills for law students and lawyers. While there is much to be said for the common law, we often become so immersed in case methodology that law students (and lawyers) can easily overlook the value and importance of direct statutory interpretation.

What interests do you have outside of teaching and the law? I love outdoor sports, including cycling, skiing, climbing, kayaking, and other adrenaline-inducing activities. Adding twins to our family a few years ago slowed me down a bit, but as they get older, I am returning to the outdoors.

Mark P. Nevitt
An expert on the intersection of national security and climate change, Mark Nevitt will teach national security law, climate change law and policy, environmental law, and constitutional law.


Nevitt has served as the Distinguished Professor of Leadership and Law at the US Naval Academy in Annapolis, MD, and Sharswood Fellow, Lecturer-in-Law, at the University of Pennsylvania Law School. Before his academic career, he was a tactical jet aviator and a Judge Advocate General’s Corps attorney in the US Navy. As a legal advisor, he helped with the US Navy’s investigation into the Iranian detention of sailors on Farsi Island in 2016. His military awards include the Air Medal and Meritorious Service Medal (four awards).

Why did you decide to teach law? First, I view teaching law as a continuation of my public service that began when I was 18 years old and joined Navy ROTC at the University of Pennsylvania. Second, I love legal research, scholarship, and going deep on issues that are not just theoretically interesting but that are grounded in real-world practice and that require innovative legal solutions.

What is the most important aspect of the law that students should know? Be inquisitive, never stop learning, and keep an open mind about where your Syracuse law degree may take you. I’m a case study. I started out as a military attorney with a variety of assignments throughout the world, and each exposed me to a new and interesting aspect of the law.

What interests do you have outside of teaching and the law? My wife, Sara, and I love to cook, travel, read, and explore the environment. We are both environmentalists at heart, and we are looking forward to finding our new winter sport. Sara grew up in Upstate New York, so Syracuse is bit of a homecoming. At least once a year, I take a long bicycle ride in beautiful countryside. In 2019 that was Nova Scotia, and the year before that, the Green Mountains in Vermont.
Monica Todd

**Monica Todd** becomes a teaching professor of legal writing. Most recently, she was a legal writing professor at Western State College of Law in Southern California, and she served as a visiting professor at California Western School of Law in 2019-2020. She has taught courses in family law, community property, and academic support, and she served as Director of Western State’s Family Practice Certificate Program.

A specialist in family law practice and crossover social and legal issues related to family law and domestic violence, Todd has published research in Akron Law Review and Western State University Law Review.

Before her law career, Todd attended graduate school at the University of California at Irvine, completing both a master’s degree in social ecology (with an emphasis on Human Development Studies) and the Elementary Education Teaching Internship Program. She taught elementary school before earning her J.D. at the University of California at Los Angeles in 2007. At UCLA she was Bergstrom Child Welfare Law Fellow and Copyright Editor of the Women’s Law Journal. After law school, she practiced at Stegmeier & Gelbart LLP and the Law Office of John A. Bledsoe.

**Why did you decide to teach law?** Teaching law is the perfect blend of two very creative, important, and challenging professions. I taught elementary school for several years before becoming a lawyer. While being a lawyer was the fulfillment of a lifelong dream, I missed being in the classroom. I feel fortunate to have combined my two passions into a fulfilling career, and I am honored to have had a role in the development of many young lawyers over the years.

**What is the most important aspect of the law that students should know?** Words are everything. Subtle nuances in the written word and slight changes in punctuation can have a drastic impact on the meaning of legal rules and how they apply. It is crucial that students take time to not only understand the law but to learn how to use it to craft effective legal arguments. Words are power, and in harnessing this power, lawyers can change the world!

**What interests do you have outside of teaching and the law?** I enjoy gardening, camping, and spending time with my family. I am looking forward to learning about the flora and fauna of Upstate New York and to discovering new places of natural beauty.

Linda S. Whitton

**Linda Whitton** is Professor Emerita of Law at Valparaiso University Law School, where she held the Seegers Distinguished Professor Chair. Joining Syracuse as a lecturer, she will teach property law in JDinteractive. She is known nationally and internationally for her scholarship on durable powers and guardianship, and she is the Reporter for the Uniform Power of Attorney Act (2006) and the Uniform Recognition of Substitute Decision-Making Documents Act (2014).

Whitton is a retired Fellow of the American College of Trust and Estate Counsel, and she has served in numerous leadership positions within the ABA Section of Real Property, Trust, and Estate Law and the AALS Section of Aging and the Law.

A graduate of Valparaiso University Law School, before commencing her academic career, Whitton served as law clerk to the Hon. S. Hugh Dillin, United States District Court for the Southern District of Indiana, and practiced business and commercial real estate law.

**Why did you decide to teach law?** I enjoy the challenge of demystifying legal concepts and making them accessible to students and the public. Following the examples of my mentors, I want to inspire others to advocate for those who are unable to advocate for themselves.

**What is the most important aspect of the law that students should know?** The development of professional judgment. Studying the law is the vehicle through which professional judgment is honed, and it is the compass by which lawyers navigate change in laws and the circumstances in which laws are applied.

**What interests do you have outside of teaching and the law?** I am an avid kayaker and gardener, and I enjoy all types of design.

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A respected source of scholarship on issues of public and private international law, the *Journal of International Law and Commerce* is launched by maritime law expert Professor L.F.E. “Fred” Goldie.
“Writing Is Thinking”

Professor Ian Gallacher Launches The Legal Writers Toolkit

Professor Ian Gallacher believes the world needs good lawyers, and he wants them to be good legal writers too. To this end, he is developing The Legal Writer’s Toolkit for all current College of Law students and alumni, and he hopes it will eventually be available to prospective students as well.

According to Gallacher, writing is thinking: “You can’t write well unless you think well. It is important for lawyers to write well because it allows them to show the quality of their thinking.”

Hosted online, The Legal Writer’s Toolkit will be organized by writing topic with both video and non-video-based content. Gallacher says he hopes the toolkit will help legal writers at any point in the writing process. “When they encounter problems, they can start here,” he says.

The traditional model for legal writing assistance at law schools has been the writing center, notes Gallacher, which is typically a faculty-led, student-staffed physical space. In a writing center, support happens in person when a student has an assignment due. After making an appointment, the student will get general help on their assignment through peer-to-peer counseling.

“A writing center model is a fine one,” Gallacher observes, “but it’s an expensive option and would be difficult to manage in a future that includes COVID-19 social distancing.” So at a time when centers of learning and student support are transitioning online, The College of Law is well-positioned to adapt its writing assistance rapidly to this change. Gallacher says the project was conceived before the COVID-19 crisis occurred, but that it’s certainly timely.

Gallacher notes one complication of COVID-19 closures, however: “My plan was to use the campus video production facilities to record a lot of this content, but I suspect this will be happening in my basement now.”

As of June 2020, initial non-video content for the toolkit—a reading list—is complete and available to incoming students. Gallacher asked several faculty—including Dean Boise and Vice Dean Keith Bybee—to select books they thought incoming students should read before law school, and he encouraged Bybee to select his own book, How Civility Works.

Focus questions accompany each title to help students understand the texts and “move their reading approach to the more active style required in law school, where students need to ask questions of the texts they’re reading in order to get the most out of them,” Gallacher explains.

If students complete the entire reading list, they will have a tremendous advantage in their first year of study, Gallacher says, with subjects ranging from negotiation techniques to technology's impact on the law. The first iteration of the complete toolkit will be available this fall, with plans for the site “to grow as quickly as I can add material,” he says.

Gallacher joined the College of Law faculty in 2004 to lead the Legal Communication and Research (LCR) program. “Syracuse has a very liberal and engaged approach to legal writing education, which made joining the faculty extremely appealing,” Gallacher says.

Gallacher explains that Daan Braveman—College of Law Dean from 1994 to 2002—wrote in the December 1989 Journal of Legal Education about the importance of doctrinal professors teaching legal writing, a program he named Law Firm. “Daan’s article was groundbreaking,” says Gallacher. “It was one of the first signs that doctrinal faculty were alive to the importance of legal writing as part of the first-year curriculum. That made Syracuse a very exciting place for someone dedicated to the teaching of legal writing and for research to come.”

Professor Richard Risman came to Syracuse in 1998 and directed the Law Firm program until 2002. That was at that time legal writing was becoming a discipline in its own right, so Risman decided to teach more and the College made his position a tenured appointment, which was rare.

“The LCR program evolved from the idea of doctrinal teachers teaching writing as part of their courses. They came to learn that teaching legal writing is really hard, so once there were enough people identified as legal writing educators, LCR was possible,” Gallacher recalls.

Now at 63 years old, Gallacher has decided to try something new with The Legal Writer’s Toolkit, and Professor Aliza Milner has been named the new LCR Director. Teaching at Syracuse since 2006, Milner is described by Gallacher as “incredibly experienced and fabulous. She will take LCR and drive it into the future.”

With a stable writing faculty core and a continuing desire to create better legal writers, Gallacher—who in 2018 was awarded the Thomas F. Blackwell Memorial Award for Outstanding Achievement in the Field of Legal Writing by the Legal Writing Institute and the Association of Legal Writing Directors—sees The Legal Writer’s Toolkit as a natural next step for the College.

“Syracuse is a place where we care about people. I obviously care about Syracuse students the most, but I also care about anyone who wants to be a better legal writer,” Gallacher says. ■
For Peter Bell, who retired from teaching in November 2019 after 42 years at Syracuse, law school was a way to affect societal change during the tumultuous times of the late 1960s.

He found it intellectually stimulating, although his interest in journalism led him to a fork in the road during his second year at Stanford Law when he pursued two main summer job opportunities: one as a journalist for *Time* magazine and one as a lawyer with the US Commission on Civil Rights General Counsel in Washington, DC. The Commission offered him the job first and Bell took it, making his path in law clear.

After law school graduation, he clerked for US District Court Judge Joseph S. Lord III in Philadelphia, which Bell says saved him from the military draft. He got the idea to teach as an attorney at Wilmer, Cutler & Pickering in DC, when he was looking for further opportunities and saw his colleagues taking university jobs.

“Incredibly Exciting”

First, however, Bell practiced law for lower-income populations with the Greater Upstate Law Project, a statewide legal services backup center, and taught at Cornell and Buffalo as an adjunct professor. Bell’s friend and colleague at the Upstate Law Project, Daan Braveman (later College of Law Dean from 1994 to 2002), encouraged him to apply to Syracuse. In the fall of 1978, Bell began at Syracuse as a visiting professor and “found what I wanted to do when I grew up.”

Bell says he was fortunate to be a torts law professor during a time when new ways of analyzing law—economic analysis, feminist analysis, and critical legal analysis—were developing. “Torts was and remains a field that is incredibly exciting. I could run as fast as I wanted intellectually, and there would still be people ahead of me,” Bell observes. His writing on tort theory, medical liability, and tort recovery for psychological harm gained the attention of his colleagues in the field.

In 1997, Bell co-authored *Accidental Justice: The Dilemma of Tort Law* for Yale University Press with University of Virginia Professor Jeffery O’Connell (whom Bell describes as the father of modern state no-fault laws). The book was nominated for the Littleton-Griswold Prize in American Law and Society.

Bell says he leaned on his journalism background for the project, an explanation of tort law for the lay reader. “I got to be creative with
“There is laughter and some degree of lightness in my classes. I do silly things to illuminate points.”

In the 1980s, Bell and three faculty colleagues created the Public Interest Law Firm, one of the College’s earliest clinical offerings, to take on public interest cases and work with the students to represent clients.

He was also one of four professors to create the Law Firm course in 1986, which dramatically changed the way the College taught legal writing and research, bringing full-time faculty to the task. The course encouraged students to think of themselves as lawyers in a firm and solve problems based on areas of the law they were studying in the first year, while simultaneously providing fuller and more professional feedback to the students about their writing. This course led to the eventual creation of the Legal Communication and Research (LCR) program.

“Some Degree of Lightness”
Humor has always been a crucial part of Bell’s teaching style. “There is laughter and some degree of lightness in my classes,” he says. “I do silly things to illuminate points. I’m not above climbing on a table or throwing things in class to drive a concept home!”

Inspired by a colleague, Bell instituted a first-semester tradition, inviting students to wear a silly hat and perform a musical number on the last day of torts class. Among the most memorable student performances, he recalls, were a rap, a vamp song, and Sikh devotional drumming. As a teacher, Bell has helped students understand that just because they are studying to be lawyers, they don’t have to behave in ways that are inconsistent with their personal values.

That spirit is especially true for Bell when it comes to intermural basketball. In 2004, male and female Syracuse students approached Bell to coach their teams at an annual law school basketball tournament held at Western New England University in Springfield, MA. Bell coached the College of Law women’s team to no fewer than five championships over the next decade, and Bell’s brother coached the men’s team.

Although future plans are currently on hold due to the COVID-19 pandemic, in retirement, Bell says he and his wife, Deborah Rogers, may remain in Syracuse or move to a less harsh climate in the mountains of North Carolina. He is interested in helping to create an institute for the study of women in sport. He and his wife are both fans of women’s sports, inspired originally by their daughters and, beginning in 1999, by the World Cup Champion US Women’s Soccer team.

“Coaching is the same as teaching,” Bell observes. “In sports, you get knocked down and you learn to get up. That, in my mind, better equips you for certain aspects of any kind of work life.”

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**TRACKING PANDEMIC RESPONSE**

Up through fall 2019, Professor Emeritus Peter Bell taught an interdisciplinary seminar, Public Health Law and Policy, to law and SU/SUNY Upstate’s Masters in Public Health students, which included sections on emergency preparedness and pandemics, a prescient topic then as now.

According to Bell, there is a certain cycle to pandemics: a new threat emerges—such as Ebola, SARS, H1N1, or COVID-19—and the federal government creates a stockpile of whatever resources were lacking.

“Then when the next pandemic doesn’t hit, people relax,” says Bell, and resources are redistributed where they are needed more.

For instance, under President Barack Obama’s administration, the federal government deployed supplies from the Strategic National Stockpile for both H1N1 and Ebola outbreaks. When President Donald J. Trump came into office, the threat of these viruses was ignored.

“Then in 2018, Trump disbanded the National Security Council’s Global Health Security and Biodefense Unit, the office that would have been responsible for central pandemic response,” explains Bell.

Likewise, the depleted Strategic National Stockpile of equipment was not able to handle the volume of requests from COVID-19.

“So many deaths in this country right now would not have happened if the government had continued those kinds of preparations,” he notes.
In April 2020, the College announced the launch of its new Doctor of Juridical Science in Law (Scientiae Juridicae Doctor, or S.J.D.) degree program.

An advanced research doctorate, the S.J.D. program is similar to Ph.D. programs in other disciplines. While pursuing their advanced legal studies, S.J.D. students will work under the supervision of faculty advisors to produce an original dissertation that will make a substantial contribution to the field of law.

“The launch of the program has been met with excitement by institutional partners and alumni from around the world,” says Assistant Dean of International Programs Andrew Horsfall L’10. “Many of our LL.M. alumni are particularly interested, and three of them already have applied and been admitted for the fall 2020 semester.” Horsfall adds that his team also has reviewed applications from Bangladesh, Brazil, China, Ethiopia, Ghana, Iran, Israel, Pakistan, Qatar, and Saudi Arabia.

The Law in London program begins, originally as a collaboration with the University of Warwick and the San Francisco School of Law. Forty-plus years later, the program continues as part of the College’s expanding Externship Program.
In August 2019, Professor and Vice Dean Ivana Kunda of the University of Rijeka Faculty of Law in Croatia spoke to students and faculty about developments in European Union laws that focus on regulation related to digital and internet-based industries.

In November 2019, Professor Lea Querzola of the University of Bologna Law School in Italy joined Professor Antonio Gidi for a moderated discussion on “Civil Justice: A European Perspective.”

In February 2020, it was standing room only for a timely presentation on “Blockchain Implementation and the Current Political Situation in Hong Kong.” Presenters Donghoo Sohn LL.M.’13, Associate Attorney at Reed CNY Business Law PC, and Visiting Scholar Kyoungtae Hwang, Manager of Spring & Partners, Seoul, South Korea, provided analytical context for understanding blockchain technology and cryptocurrency, along with their social and political ramifications for states in conflict.

In April 2020, Professor Martyna Kusak of Adam Mickiewicz University, in Poznan, Poland, and Professor Todd Berger taught a short course on International Criminal Procedure. The course was delivered in a mixed online/live format and, thanks to videoconferencing technology, students on both sides of the Atlantic worked together on sample extradition scenarios. The photo shows Kusak during a visit to Syracuse in 2017.

“Doctoral students will discover that Syracuse is a thriving academic community, where the breadth and depth of our faculty’s expertise will complement their own advanced intellectual inquiry.”
—Dean Boise

“Our doctorate program will foster original research on pressing legal and policy topics by outstanding legal scholars and aspiring academics from around the world,” says Dean Boise. “Doctoral students will discover that Syracuse is a thriving academic community, where the breadth and depth of our faculty’s expertise will complement their own advanced intellectual inquiry. In turn, their contributions and perspectives will enhance our reputation as a global center for legal research.”

The program requires students to take a year-long colloquium course and elective coursework in support of their dissertation research. During their residency, S.J.D. students also will engage in research activities across Syracuse University. After their first year, students may pursue optional residential semesters or field placements away from the College. Students are expected to complete the program within three to five years, culminating in an oral defense of their dissertation open to the University community.

“The S.J.D. builds on our highly successful LL.M. program that offers unique specialties in international and comparative disability law, national and international security law, technology and innovation law, and other disciplines,” explains Laura J. and L. Douglas Meredith Professor and Faculty Director of International Programs Arlene Kanter. “Syracuse also offers S.J.D. students the opportunity to pursue interdisciplinary coursework and academic engagement with other academic programs at the University, an R1 research institution.”

Making Global Connections

In addition to managing the master’s and doctoral programs, the Office of International Programs organizes regular scholarly exchanges—expanding students’ understanding of comparative legal concepts—with partner universities and researchers from across the globe, including:

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Externship Program: “Rarely a Dull Moment”

As a White House Intern, Sergio Rumayor Had a Front-Row Seat to History

Rising 3L Sergio Rumayor stands in the entrance lobby of the Eisenhower Executive Office Building in Washington, DC.

Impeachment. Flood. Pandemic. Rising 3L Sergio Rumayor’s spring 2020 externship in the Office of White House Counsel did not lack for excitement. Then again, as Rumayor explains, when it comes to the highly competitive White House Internship Program (WHIP), only students prepared for hard work and challenges will do. “I believe White House interns are students and professionals who are team players: outgoing, articulate, and capable,” he says.

All that drama was still to come when Rumayor, a native of Staten Island, NY, was assessing his externship options as a 1L. “My interest in an externship at the White House happened on a whim,” he says. “Originally, I wanted to work in the private sector, but I thought it would be cool to get out of New York City.”

Rumayor learned that the White House was on Faculty Director of Externship Programs Terry Turnipseed’s list of DCEx choices, and specifically the Office of White House Counsel, where Rodney Dorilas L’19 worked the year before. “I later found out that Rod was well-liked in that office, and the image of a Syracuse intern he left behind set a high standard.”

Offering honest advice, Dorilas explained to Rumayor that WHIP and the Office of White House Counsel were difficult to get into. Rumayor was up for that challenge. After a rigorous application process, he learned he had been accepted around Thanksgiving 2019. In January 2020, he moved into a short-lease DC apartment along with rising 3L Anoop Kahlon—who was externing at DC firm Sanford Heisler Sharp LLP—and reported to the Eisenhower Executive Office Building.

Rumayor joined the Executive Branch team during the third ever impeachment of a US president in American history. “From a law student’s perspective that was amazing,” says Rumayor. “I was able to observe and appreciate the extensive hours of research on constitutional and American history necessary to perform everyday duties at the Office of White House Counsel, as well as the professionalism required to succeed in such an environment.”

Working under “some of the most brilliant legal minds and scholars in the country,” notes Rumayor, “made it an unforgettable experience that I will carry with me forever. I feel extremely blessed to have served in the Executive Branch during this time in history.”

“There was rarely a dull moment,” Rumayor adds. “I woke up every morning eager to get to work and see what was in store.”

Often what was in store were critical Executive Branch tasks, such as researching and writing memoranda on constitutional issues and federal statutory law, tracking Freedom of Information Act litigation, assisting with Presidential Records Act compliance and federal judiciary nominations, and helping with government oversight requests, questions of executive authority, and government ethics. “I applied skills I learned in the classroom—such as in constitutional law, legal communications and research, and professional responsibility—in a high-stakes and demanding, practical environment,” he notes.

Despite being an intern in such a high-level Executive Branch office, Rumayor says that he and his two fellow interns were treated exceptionally well. “The interns are treated like part of the team. It was an incredible experience that has made not only an impact on my career as a law student but also on my future career as a Syracuse lawyer.”

Unfortunately, Rumayor’s externship was cut short by the COVID-19 health crisis in March. And that wasn’t the only adjustment he had to make that month. “March 10 was my last week at the White House. That same week, my apartment was flooded, so I had to live in a hotel for a month!” Ever resourceful, Rumayor applied for another externship to fulfill his curriculum needs.

> 1977

Two years after the national moot court team is formed, Syracuse wins the National Trial Competition for the first time with the team (pictured) of Robert Wales L’78, Lee Brynley James III L’78, and Richard Palumbo L’78. The College wins again in 1979 with Eileen Cohen L’79, Mae D’Agostino L’80, and James Priest L’80.
The 42nd LondonEx summer externship program wrapped up in July 2019, with an all-female group of 15 externs returning Stateside after an intensive six-week immersion in the UK legal, judicial, and political systems. The 2020 LondonEx program was cancelled due to the COVID-19 pandemic.

In January 2020, Principal Assistant US Attorney Alessio Evangelista L’95 hosted DCEx and PhillyEx students at the US Attorney’s Office for the District of Columbia. Evangelista explained the role of the DC office and its mission to prosecute all adult federal crimes in the district and to represent the United States in civil proceedings filed in DC federal court. A central message to the students: pursuing work you are passionate about will lead to career success. In April, Evangelista received the Alumni Achievement Award at the 2020 Syracuse Law Review banquet.

The seminar room was packed on Sept. 18, 2019, for an Externship Program Information Session. Hosted by Faculty Director of Externship Programs Terry Turnipseed, students learned about the College’s applied learning opportunities in a growing number of cities, including in Central New York, New York City, Philadelphia, Washington, DC, and San Francisco.

The Externship Program continues to be highly popular among students, as more than 100 students engaged in at least one externship in 2019-2020.

The final guest lecture of the academic year was held online. Former Judge Advocate General’s Corp officer and ethics expert Scott de la Vega L’94 described his work as Director of the Departmental Ethics Office at the US Department of the Interior. De la Vega imparted to students the importance of keeping an open mind about practicing in different areas of law: an open mind can lead to unexpected opportunities.

“I am very grateful for the time I spent at the Office of White House Counsel and the relationships and bonds I made there,” Rumayor says. “My experience gave me a clearer understanding of how the law operates in the three separate branches of government. There is simply no other place in the world that you can do work like that.”
Andrew Bakaj L’06: On Protecting, Being, and Representing a Whistleblower

The Attorney Who Represented the Ukrainian Whistleblower Describes His Path from Syracuse to the Impeachment of a President

In August 2019 a government whistleblower made a formal complaint alleging that President Donald J. Trump had asked Ukrainian President Volodymyr Zelensky to investigate former Vice President Joseph R. Biden L’68, Trump’s political opponent in the 2020 presidential election. That official complaint set off a series of events that led to Trump’s impeachment in the House of Representatives in January 2020 and to his Senate trial and eventual acquittal a month later.

Many Americans followed only the third impeachment trial of a president intently, but perhaps none more so than Andrew Bakaj L’06, the Ukrainian whistleblower’s lead counsel. Bakaj was a student of Professor Emeritus William C. Banks in the early days of the Institute for National Security and Counterterrorism (INSCT), now the Institute for Security Policy and Law. That’s where he learned the laws that would inform his subsequent work on whistleblower law and policy in the Intelligence Community.

As an intelligence officer and criminal investigator, Bakaj also represented state department officials impacted by “Havana Syndrome.” Today, as Founding and Managing Partner of Compass Rose Legal Group PLLC, he is a leading expert in security clearance matters and has advised and counseled numerous senior US government officials in a variety of legal and investigative areas. In this interview, Banks and Bakaj catch up to discuss Bakaj’s fascinating career, including his public service, the importance of strong whistleblower laws, what happened when Bakaj was himself the subject of retaliation, the founding of Compass Rose, and the impeachment of a president.

Professor Emeritus William C. Banks:
Tell us what brought you to Syracuse and how your legal education prepared you for your career.

Andrew Bakaj L’06: When researching law schools, what genuinely stood out about Syracuse was INSCT. The more I researched the program and looked at the school as a whole, the more I felt that Syracuse was the perfect fit for me. I knew that Syracuse was going to prepare me to be a lawyer, and I knew that the Institute’s professors would have an impact on me for years to come. However, what has surprised me is how my education had such a direct, positive impact on my career.

Obviously, law schools typically don’t have courses on “whistleblower law,” but the legal concepts we study prepare us to work as advocates and advisors. The Institute offered an opportunity to delve deeper into real-world issues impacting our nation’s security.

WCB: What national security path did you take after graduation?

AB: My education and training resulted in me being hired as an investigator with the US Department of Defense (DOD) Office of the Inspector General (OIG). My OIG leadership was looking to create a program to protect DOD civilian whistleblowers, particularly those within the defense intelligence community.

> 1985

The renovation of White Hall is completed, adding new administrative and faculty offices, computer space, student lounge areas, and the four-level Barclay Law Library, named for New York State Senator and Ambassador to El Salvador H. Douglas Barclay L’61, H’98.
After conducting a number of investigations, I was tasked with developing the legal and investigative framework to protect whistleblowers within and outside that community who hold security clearances.

Additionally, I worked closely with the National Security Agency (NSA), overseeing its internal whistleblower protection program. Our program became the model for President Barack Obama to expand whistleblower protections to members of the larger Intelligence Community and those who hold security clearances.

WCB: Tell me more about your time at the CIA Office of Inspector General and the path toward founding your own firm ...

AB: When I joined CIA OIG in 2012, I was directed by Inspector General David Buckley to lean forward and develop a program to comply with the presidential directive. What’s more, not only did he want me to lead at CIA, he wanted me to lead and coordinate within the greater Intelligence Community. This led me to work with the recently established Office of the Intelligence Community Inspector General (OIC IG).

While successfully creating the program at CIA, my colleagues disclosed to me that senior CIA OIG officers were manipulating evidence in order to obtain a false prosecution, which resulted in someone pleading guilty.

After attempting to resolve the issue at the lowest level, CIA OIG leadership was not taking any action, and it was, in fact, targeting colleagues for raising concerns. Unable to merely sit on evidence that CIA leadership was violating the law, I coordinated with the OIC IG to have independent eyes look at the matter.

The matter was immediately referred to the FBI for investigation, and the case where the individual pleaded guilty was reversed. Moreover, the CIA IG and Deputy IG began targeting me and my colleagues. In 2014, David Buckley suspended my security clearance and placed me under investigation because of my communication with the OIC IG, which is protected whistleblower activity.

Over a year later, I resigned from CIA and filed a whistleblower reprisal complaint against the CIA OIG, using the rules and regulations I developed.

Shortly thereafter I began working as Special Of Counsel for Mark Zaid—who happens to be my attorney—and I eventually went on to found Compass Rose Legal Group.

WCB: How did you become involved as counsel for the Ukrainian whistleblower in 2019?

AB: Quite simply, the client was a referral from a trusted friend.

WCB: Were you surprised that the whistleblower’s claims would lead to impeachment?

AB: Candidly, I was surprised that the claims resulted in impeachment. When I first learned about the underlying issues back in early August 2019, I suspected that the matter would have legs because it involved the President. I certainly expected a congressional investigation. Impeachment isn’t something I considered would happen.

WCB: Based on your experience with the Ukraine case and others in recent years, what changes, if any, would you like to see in laws protecting whistleblowers?

AB: First, I would like to see it codified that the identity of whistleblowers are protected from public disclosure, and that this extends to members of Congress and other US government officials, including the President.

Second, given the complexity of the issues involved, I think it would be wise to create an Intelligence Community administrative court to ensure consistency in the agency application of laws and regulations protecting whistleblowers.

WCB: What advice do you have for law students aspiring to a career in national security law?

AB: While it’s important to have overarching career goals, it’s important to be flexible and to keep options open. As you can see from my own story, there is no way I could have predicted the twists and turns my life took. Opportunities come around when you least expect them, and there are times when something relatively minor can have significant meaning down the road.
Institute for Security Policy and Law Expands Its Mission

“Our new identity recognizes the essential interdisciplinary nature of contemporary security challenges,” said the Hon. James E. Baker in November 2019, announcing a new identity for the College of Law’s national security institute, which he directs. “As the Syracuse University Institute for Security Policy and Law (SPL), we continue our mission to conduct leading-edge policy and law research and analysis across disciplines and to educate and inspire the next generation of security thought leaders and practitioners.”

Founded as the Institute for National Security and Counterterrorism in 2003 by Professor Emeritus William C. Banks, the Institute has become a national leader in the teaching and analysis of a spectrum of security topics, including homeland security, the law of armed conflict, violent extremism, postconflict reconstruction, disaster response, the rule of law, veterans’ affairs, diversity in the intelligence community, cybersecurity, critical infrastructure, and emerging technologies.

The Institute’s new identity reflects the breadth of its activities, and it acknowledges the Institute’s longstanding flexibility in addressing novel security challenges—both within the United States and around the world—through multidisciplinary research, teaching, public service, and policy analysis.

“A prime mover in national security policy and law, the Institute for Security Policy and Law is poised for the future,” says Dean Boise. “I am particularly excited about SPL’s expansion into emerging technologies, the private practice of security, and diversity in the intelligence community. These changes are transforming the workplaces our students are entering. By staying abreast of these trends, the Institute will remain a premier training ground for future practitioners.”

SPL continues to offer three groundbreaking, interdisciplinary certificates of advanced study: Security Studies, National Security and Counterterrorism Law, and Postconflict Reconstruction. More than 700 students have earned SPL certificates since 2003. Alumni work across national and international security sectors, including for US and foreign governments, international humanitarian organizations, intelligence agencies, think tanks, NGOs, and they serve in all five branches of the US military.

ENGAGING SECURITY: SPL’S YEAR IN REVIEW

SUMMER 2019

SPL Deputy Director Robert B. Murrett presides over a kickoff meeting for the Syracuse University Intelligence Community Center for Academic Excellence (ICCAE). SPL led an effort that resulted in the University being designated an ICCAE, a highly competitive, congressionally mandated program that is funded by the US Office of the Director of National Intelligence and that partners with universities to diversify the US intelligence workforce.

SPL students pose on a tour of historical sites during their graduate study abroad program in Israel and Palestine. Through SPL’s long-running Program on Security in the Middle East, graduate and law students experience firsthand the dynamic and enduring security challenges facing the region. Study abroad fellowships are funded by Gerald B. Cramer ’52, H’10 and Carol Becker ’76.

> 1989

Raising funds so students pursuing public interest law can gain practical experience, the first SPIN Auction is held (originally called the Grant Opportunity Program). The photo shows Kasey Hildonen L’13 organizing auction items for the November 2013 event.
FALL 2019

In September 2019, Professor Emeritus William C. Banks spoke on the Institute for Counter-Terrorism World Summit panel “When Conflicts End and How: ISIS as a Case Study.” The panel—the inaugural meeting of “The End of War Project”—was offered in memory of longtime SPL supporter Gerald B. Cramer ’52, H’10. Banks offered a remembrance of Cramer’s life and career.

SPL Distinguished Fellow Avril Haines, former Deputy National Security Advisor to President Barack Obama and Deputy Director of the CIA, spoke at Dineen Hall on October 8. She discussed the structure of national security law and policy in federal government and her experience as both a recipient and provider of national security legal advice.

In October 2019, SPL Director the Hon. James E. Baker was named a National Academy of Public Administration Fellow. NAPA is a congressionally chartered academy providing expert advice to government leaders. Induction is considered one of the leading honors for public administration scholars.

The inaugural Carol Becker Lecture was held at Syracuse University’s Lubin House in New York City on October 20. In front of a packed audience, award-winning journalist George Packer and Judge Baker discussed “American Leadership in the 21st Century.” Dean Boise, University Trustee Christine Larsen G’84, and Carol Becker ’76 were among the special guests.

During an October 22 visit to Dineen Hall, SPL Distinguished Fellow Steve Bunnell, former General Counsel of the US Department of Homeland Security (DHS), discussed careers in national security and the US government’s approach to cybersecurity, which he helped to oversee at DHS.

University benefactor Andrew T. Berlin ’83 (center) joined an Andrew Berlin Family National Security Research Fund Scholars Workshop in Dineen Hall on October 26. Subjects workshoped included nuclear deterrence, autocratization in Turkey, postconflict Sierra Leone, and the history of refugee crises.

In November, SPL announced a $500,000 research partnership with the Center for Security and Emerging Technology to assist CSET in investigating the legal, policy, and security impacts of emerging technology.
During SPL’s second annual Veterans Day Celebration, 100-year-old World War II veteran Stan Stanley thrilled the audience with his tale of being rescued from a crashed bomber by the Dutch Resistance. Afterward, Judge Baker presented Stanley with a US flag recently flown over the Court of Appeals for the Armed Forces. Also honoring advocacy group Clear Path for Veterans, the celebration was organized by SPL, the National Security Student Association, and the Veterans Issues, Support Initiative, and Outreach Network (VISION).

SPRING 2020

The Hon. John E. Sparks, US Circuit Judge of the United States Court of Appeals for the Armed Forces, was a guest of honor in February 2020. Judge Sparks related his experiences as a marine, Deputy Legal Advisor in the National Security Council, Special Assistant to the Secretary of Agriculture, and military judge. The talk was co-sponsored by the Black Law Students Association.

On March 2, ICCAE held a day-long symposium in the University’s Hall of Languages. The first panel of the day—“Teaching Intelligence: Policy, Law, and Ethics”—featured Judge Baker, Professor Robert B. Murrett, and Professor Laurie Hobart.

Special Inspector General for Afghanistan Reconstruction John Sopko was a guest in Professor Tom Odell’s Rule of Law in Postconflict Reconstruction class on March 10. Sopko, Odell, and Professor Cora True-Frost L’01 explored lessons learned in reconstruction, fighting corruption, and peacebuilding in Afghanistan since 2001. Sopko’s visit was part of the David F. Everett Postconflict Reconstruction Speaker Series.

As the COVID-19 pandemic unfolded in April 2020, Judge Baker appeared on CNBC’s Markets in Turmoil to discuss the Defense Production Act and the powers it gives to the president to ameliorate a public health crisis.


> 1990

Professor Ted Hagelin creates the Law, Technology, and Management Program, the forerunner to the Innovation Law Center. The College’s technology commercialization academic and applied learning programs were the first of their kind to examine the legal principles necessary to usher innovations from lab to market.
LAW ALUMNI WEEKEND IS GOING VIRTUAL! Join us online September 24-26 for a weekend of exciting panel discussions and opportunities to reminisce with your classmates, faculty, and friends, and to attend Dean Boise’s State of the College Address. Plus, celebrate this year’s Law Honors Awards recipients, meet with our students, earn CLE credits, and share your Orange pride!

Your Favorite Programs Return!

Dean Boise’s State of the College Address
Hear the latest College of Law news. Don’t miss this opportunity to get the inside track on what is happening at your alma mater.

Supreme Court Preview Afternoon Lecture and Panel Discussion (CLE)
Guest Lecturer: Adam Liptak, Supreme Court Correspondent for The New York Times
Title: The Supreme Court in the Trump Era—A Reporter’s Reflections

Sponsored by:
- Northern District of New York Federal Court Bar Association
- Syracuse Civics Initiative
- Syracuse University Institute for the Study of the Judiciary, Politics, and the Media
- The Tully Center for Free Speech

Syracuse Law Honors Awards Ceremony
Honor the achievements of distinguished members of the College of Law family.

Third Annual Alumni of Color Awards Ceremony
Attend and celebrate this year’s BLSA William Herbert Johnson Legacy Award and the LALSA Legacy Award recipients.

New This Year
- Diversity & Inclusion CLE: Legal and Societal Ramifications of COVID-19 on Marginalized Populations
- Advocacy Honor Society Alumni Group Kickoff
- Disability Rights at the College of Law: A Retrospective Look at the ADA and the DLPP, a panel moderated by Arlene Kanter, Director of Disability Law and Policy Program
- LL.M. Alumni Virtual Reunion

To Register: Email Kristen Duggleby, Director of Alumni Relations, at klduggle@law.syr.edu or call 315.443.9532.
It’s a frustration many can relate to. You’re on the go with your smartphone, juggling business and personal calls and texts, when you suddenly realize you’re low on power. No worries. Just dip into a friendly café with your charger and power up while you are getting coffee’d up. So you reach into your bag for the charging cable …

Of course, it’s not there. Enter Hoplite Power, a Long Island, NY-based startup company that has created a remarkable and convenient solution for those inevitable times when you leave home without your charger or when there are no power outlets nearby.

Assisted by students and faculty at the New York State Science and Technology Law Center (NYSSTLC)—part of the Innovation Law Center (ILC)—Hoplite Power has developed a smartphone charge-sharing system. “Any customer who is low on battery can go to one of our kiosks in network and rent a portable battery pack to charge their phone on the go,” says Co-Founder and Chief Technology Officer Nikolas Schreiber, adding that the kiosks operate in a similar way to a RedBox DVD dispenser or CitiBike bike rental kiosk.

Each kiosk—called a Hoplite Hub—stores, dispenses, reaccepts, and automatically recharges Hoplites, which are small, ergonomically designed, universal battery packs for smartphones. These packs can be rented from and returned to any Hoplite Hub in the network.

ILC Powers Up an Innovation

Innovation Law Center Students & Faculty Help Hoplite Power Commercialize Its On-the-Go Smartphone Chargers

After the success of Law in London, the Externship Program is created. Today, in addition to London, externs gain the practical experience they need to jump-start their legal careers in cities across the United States, including New York City, Philadelphia, Atlanta, San Francisco, and Washington, DC. Pictured are DCEx students in 1991.
“This means the customer can charge when and where they need it, not having to remember to bring a battery or be tied down to an outlet. This system is perfect for high-density and high-value areas such as sports stadiums, live venues, and convention centers,” notes Schreiber. Schreiber discussed how NYSSTLC—and specifically rising 3L Viviana Bro and Adjunct Professor Dominic Danna ’67, ’71—have helped Hoplite Power commercialize its novel technology:

**How did you discover the NYSSTLC/Innovation Law Center and the services it provides businesses and entrepreneurs?**

We are working with NYDesigns Incubator, Futureworks, FuzeHub, the Industry Trade Advisory Committee, the Medical Technology Enterprise Consortium, the Manufacturing and Technology Resource Consortium, and finally the Clean Energy Business Incubator Program (CEBIP). It was CEBIP that made the direct introduction to the Innovation Law Center and NYSSTLC.

**What assistance has Hoplite Power received from NYSSTLC?**

We were able to consult with NYSSTLC on a full intellectual property (IP) strategy, including prior art, freedom to operate, and patentability.

**How useful has the NYSSTLC research and proprietary report been for your commercialization process?**

It was incredibly assuring to look through some patents and understand that we did have freedom to operate where before we had some concerns. Not just that, we learned that there might be specific aspects of our technology—especially given a number of unique mechanisms—that could be patented, where, again, we had had doubts.

**Now that you have engaged NYSSTLC, what are the next steps for Hoplite Power?**

Following the launch of our version two pilot, we plan to file additional IP protections, including both design and utility patents. A strong IP and a functioning pilot will allow us to raise more capital.

**What advice do you have for an entrepreneur looking to commercialize a new technology, based on your experiences so far?**

There are so many ways to go with this, but I think one thing that gets lost is proving the product market fit. Your new technology might be cool, but if it does not serve a market need, then it is not a company.

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**NYSSTLC Projects 2019-2020**

Every semester, law and graduate students assist the New York State Science and Technology Law Center (NYSSTLC) by writing proprietary reports on intellectual property, regulations, and markets for clients bringing emerging technologies to market.

Students work under supervision in the **Innovation Law Center**—which has housed NYSSTLC since 2004—gaining critical practical experience in a real-world context.

Addressing novel technologies across the green tech, health care, and cloud computing industries, as well as unmanned aerial systems, the following inventions and new products were among those that students engaged in 2019-2020:

- **AX Enterprise**: A system to enable beyond-line-of-sight drone operations
- **Cath Buddy**: An improved system for at-home catheterization and sterilization
- **DVIN**: Innovative amphibious all-terrain vehicles
- **Exotanium**: Improved cloud resource management
- **Halome**: Hydrogels for improved health care
- **MABL**: An additive manufacturing process to enable free-form fabrications of cellular lattice structures
- **NUAIR**: A wind tunnel simulation testing tool
- **Orion**: Durable anion exchange membrane technology
- **ProLivio**: A heating and cooling headband for migraine sufferers
- **Sentient Blue**: Gas turbines for unmanned aerial systems
- **SUNY-ESF (Dr. Brian Leydet)**: A method for testing chemical repellents to create effective tick bite prevention and disease transmission
- **Super Clean Glass**: Self-cleaning technology removes dust from solar panels and retains up to 95% of lost energy
- **Syracuse University Tech Transfer Office**: Assessment of University research
- **Vistrada**: Student internship identification and matching software
- **WindowWare**: Software for remote, accurate window measurement

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**FROM SELF-CLEANING SOLAR PANELS TO TAKING A BITE OUT OF TICKS**
How the Clinics Continue to Serve Clients and the Community During the COVID-19 Pandemic

Clinic Director’s Report

Student attorneys enroll in one of the College’s eight law clinic courses to practice law and represent clients for the first time in their legal careers. They look forward to face-to-face meetings with clients and advocating for them in court and with administrative agencies, doing so in a supportive environment supervised by faculty members while brainstorming on cases with their law clinic colleagues.

In spring 2020, when the coronavirus pandemic wreaked havoc on our daily lives, the impact on the practice of law and with it clinical legal education was no exception. Teaching and learning throughout the law school pivoted to online after spring break. So too did our practice of law and the representation of clinic clients. Although the experience the student attorneys received was not at all what they thought it would be, it was powerful.

As disruptive as the virus was, it was also an incredibly teachable moment. Law clinic faculty rose to the challenge of teaching our students how to lawyer in a time of a grave crisis, how to exercise good judgment in the face of uncertainty, and how to utilize skills in the remote practice of law that some faculty were only just learning themselves.

Teaching classes remotely was just the tip of the proverbial iceberg for law clinic faculty. Supervising students on actual cases with real clients was the ultimate challenge. We were not alone: Lawyers throughout the country—if not the world—were learning how to work and represent clients remotely. Our student attorneys now continue in summer session, building on their experience in real time during a national crisis.

Importantly, during this pandemic, students have had to overcome the obstacles faced by people who are historically disadvantaged in our society. Many of our clients do not have smartphones, let alone a computer, and cannot access Zoom or other remote communication applications. Some courts and administrative agencies were closed except for emergency legal matters. With the guidance of supervising faculty, our student attorneys rose to the occasion with creative problem-solving in every aspect of our legal representation.

It has been a scary, stressful, and challenging time for most people throughout our country. In the best of times, lawyers must put their own self-interest aside and get out of their own way to be effective advocates for their clients. In this time of a global pandemic—when civil and legal rights are of utmost importance—our ability to help others with our legal skills and effectively represent clients is paramount. In our clinics, student attorneys have continued without interruption to receive an unparalleled legal education while providing critical legal representation to clients. They will call upon the skills and experiences they have gained here and now throughout their legal careers. I am very proud of them.

Deborah Kenn
Associate Dean of Clinical and Experiential Education
Professor of Law
Director, Office of Clinical Legal Education

Children’s Rights & Family Law Clinic

Each year, the work of the Children’s Rights & Family Law Clinic (CRC) is characterized by select themes. This past academic year, these themes included adoption issues, custody, and child support matters as well as providing comprehensive legal representation to clients also represented by the Veterans Legal Clinic.

The year began with the continuing representation of a mother needing legal assistance obtaining health insurance for her children who had been continuously in her care and custody. The client had been covering her children through Medicaid but subsequently learned that two of her children having specialized medical needs had their health coverage terminated after their father, who had been abusive to the client, had enrolled them in an out-of-state plan that they would never be able to use. This resulted in the children not being able to obtain medically necessary services. After many months of discovery, research, communications with state agencies, and filing extensive pleadings with the court, the Clinic was able to obtain this necessary coverage.

CRC also participated in its first adult adoption matter. Specifically, CRC retained a client for an adult adoption where the client wished to preserve his sense of family with the only family he has ever known. The client wished to have the same relationship reflected legally. We continue our work with the clients.

> 1998

Extending capacity next to White Hall, the 57,000-square-foot building—named for Winifred, wife of Donald MacNaughton L’48—is dedicated by then Sen. Joseph R. Biden Jr. L’68. White and MacNaughton halls now house the David B. Falk College of Sport and Human Dynamics. The photo shows a student studying in MacNaughton Hall soon after opening.
**Criminal Defense Clinic**

Student attorneys in the Criminal Defense Clinic (CDC) represented more than two dozen people charged with misdemeanors or violations in Syracuse City Court during the 2019-2020 academic year. In the fall semester, Nathan Wagner L’20 and rising 3L Kayla Wheeler successfully defended their client by invoking a provision in the criminal code that allowed their client to avoid conviction by taking an alcohol training course.

Furthermore, Taylor Carter-Disanto L’20 and rising 3Ls Michaela Mancini and Matt Cohan had charges against their client dismissed on the eve of trial by arguing that the trial would violate the speedy trial rule due to the prosecution failing to comply with the new criminal discovery rules. CDC students were some of the first attorneys in Onondaga County to successfully get a charge dismissed under the 2020 discovery amendments.

**Disability Rights Clinic**

Disability Rights Clinic (DRC) Director Michael Schwartz is the only culturally Deaf law professor in the United States. While there are a number of law professors with diminished hearing, none are fluent in American Sign Language nor identify as belonging to the Deaf community of the United States and overseas.

In collaboration with Schwartz, DRC students Connor Haken L’20 and Philip M. Lee L’20 successfully petitioned the New York State Division of Human Rights to allow student attorneys, practicing under the guidance of a licensed lawyer, to represent clients in a public hearing.

In addition, the DRC successfully negotiated a settlement allowing a Deaf warehouse employee of a national retail chain to drive a forklift on the job; DRC students edited a Korean Disabled People’s Organization’s shadow report to the UN under the UN Convention on the Rights of Persons with Disabilities, and students have been engaged in ongoing negotiation with the New York State Department of Corrections and Community Supervision to install a videophone for Deaf and hard of hearing inmates in state custody.

**Transactional Law Clinic**

Transactional Law Clinic student attorneys and Director Jessica Murray concluded the Clinic’s inaugural year by assisting clients affected in various ways by the COVID-19 crisis. In one matter, a not-for-profit client wondered if it could shift its organizational focus to COVID-19 relief, from its previous mission. This inquiry led to review by the Clinic of the organization’s governance documents, various state and federal laws, as well as practical considerations.

Several clients approached the Clinic about the interpretation of agreements and how they would be affected by the pandemic. Not surprisingly, among other matters, the clinic examined the meaning and applicability of force majeure clauses. “It was very rewarding for student attorneys to provide helpful legal advice related to these unprecedented times,” says Murray.

**Betty and Michael D. Wohl Veterans Legal Clinic**

In November, Beth G. Kubala became Director of the Betty and Michael D. Wohl Veterans Legal Clinic (VLC). Kubala was most recently Senior Director for Strategy and Performance at Syracuse University’s Institute for Veterans and Military Families (IVMF). Before joining the University, Kubala retired from the US Army as Lieutenant Colonel following 22 years of active service.

Among VLC’s work in 2019-2020, rising 3L Madeline Cardona presented before a Veterans Law Judge at the Board of Veterans’ Appeal in Washington, DC. Cardona offered opening and closing arguments, interviewed three witnesses, and provided testimony and evidence in support of a disability benefits issue.

In April, Jonathan Pilat L’20 submitted public comment on a proposed legislative change by the US Department of Veterans Affairs, to amend the VA regulations that limit student attorney access to electronic records kept by the Veterans Benefits Administration.

Pilat’s comment voiced dissent for this change and communicated VLC concerns. Pilat also advocated for continued access to veterans benefits records under the current regulation or under an amendment that would enable clinic students to qualify for read-only access.
Faculty Books

The Centaur’s Dilemma: National Security Law for the Coming AI Revolution
Hon. James E. Baker
Brookings Institution Press, 2020

In The Centaur’s Dilemma, Baker addresses how national security law can and should be applied to the novel challenges, threats, and opportunities posed by the rapidly advancing field of artificial intelligence (AI). The book assesses how the law—even when not directly addressing artificial intelligence—can be used, or even misused, to regulate this emerging technology.

The book covers, among other topics, national security process, constitutional law, the law of armed conflict, arms control, and academic and corporate ethics. Using his own background as a judge, Baker examines potential points of contention and litigation in an area where the law is still evolving and does not yet provide clear and certain answers.

Investigative Criminal Procedure in Focus
Professor Todd A. Berger
Wolters Kluwer, 2020

Investigative Criminal Procedure in Focus provides law students with a thorough understanding of investigative criminal procedure, combining complex legal concepts and providing hands-on exercises.

The book provides a general introduction to the world of criminal procedure; explains the differences between substantive criminal law and criminal procedure, as well as the differences between the investigative and adjudicative stages of the criminal justice process; and focuses on the sources of criminal procedure law, Fourth Amendment jurisprudence, interrogation law, and eyewitness identifications.

LexisNexis Practice Guide: New Jersey Collateral Consequences
Professor Todd A. Berger, et. al.
LexisNexis, 2019

Written by experienced practitioners, the Practice Guide offers concise explanations of collateral consequences flowing from specific New Jersey criminal convictions, general classes of offenses, and types of offenses, as well as practice strategies, checklists, and appendices to help practitioners identify and address all the collateral consequences across the New Jersey crime topology.

> 2003

Professor William C. Banks launches the Institute for National Security and Counterterrorism (now the Syracuse University Institute for Security Policy and Law), offering a groundbreaking Curricular Program in National Security and Counterterrorism Law. The photo shows national security law certificate graduates in 2009.
In this book, Jonathan Martinis and Peter Blanck tell the story of Jenny Hatch, a young woman with Down syndrome who fought for the right to make decisions for herself in a case where her parents sought to place her in full guardianship. She eventually prevailed, in part by demonstrating how she uses supported decision-making (SDM) to make her own decisions with help from people she trusts.

Blanck and Martinis offer practical tips and model language to help request, receive, and use SDM in the programs and life areas people with disabilities use every day, including special education, vocational rehabilitation, person-centered planning, health care, money management, and more.

There have been a number of important developments in US intellectual property law since the third edition of Understanding Intellectual Property Law. Congress enacted the Defend Trade Secrets Act of 2016 to provide a federal civil cause of action for misappropriation of trade secrets, and it enacted the Music Modernization Act of 2018, which creates a blanket license for digital music providers and extends federal protection to sound recordings fixed before Feb. 15, 1972.

In addition, courts continue to work through the implications of earlier statutory revisions, such as the landmark America Invents Act of 2011. The US Supreme Court has reviewed IP cases during the past four years, deciding 18 patent cases, four copyright cases, and five trademark cases. In addition, the federal Courts of Appeals decided more than 1,000 patent cases, 230 copyright cases, and nearly 300 trademark and false advertising cases. Updated to reflect this new material, the fourth edition covers all topics and issues likely to be addressed in an IP survey course.

Learning Contracts includes carefully selected teaching cases, allowing class time to be used for the application of newly introduced doctrinal materials to the problems at the end of each lesson. While some well-known cases are presented in their original form, many other cases are presented in the form of examples or problems.
Professor Nina A. Kohn  
Wolters Kluwer, 2020

Elder Law: Practice, Policy, and Problems combines a client-focused approach with in-depth discussions of elder law-related policy issues. Designed to be simultaneously practical and theoretical, it provides students with specific legal knowledge and a conceptual framework for understanding key issues facing older adults and the attorneys who represent them.

New to the second edition are comprehensive updates that capture changes in law and policy, including major revisions to nursing home regulations, new developments in guardianship law, and an emerging line of cases on age discrimination in hiring. There is also new coverage of caregivers’ rights, “gray divorce,” supported decision-making, and social service interventions that address elder abuse.

Fry Bread: A Native American Family Story  
Professor Kevin Noble Maillard (With Juana Martinez-Neal)  
Roaring Brook Press, 2019

Told in lively and powerful verse by Kevin Noble Maillard, Fry Bread is an evocative depiction of a modern Native American family, vibrantly illustrated by Pura Belpre Award winner and Caldecott Honoree Juana Martinez-Neal:

Fry bread is food. It is warm and delicious, piled high on a plate.
Fry bread is time. It brings families together for meals and new memories.

Among the book’s honors to date:  
> Winner, 2020 Robert F. Sibert Informational Book Medal  
> Winner, 2020 American Indian Youth Literature Picture Book  
> A 2020 ALA Notable Children’s Book  
> A 2019 Publishers Weekly Best Picture Book  
> A 2019 Chicago Public Library Best of the Best Book  
> A 2019 National Public Radio Best Book

Disability Law for Property, Land Use, and Zoning Lawyers  
Professor Robin Paul Malloy  
ABA State and Local Book Series, 2020

In Disability Law for Property, Land Use, and Zoning Lawyers, Professor Robin Paul Malloy explains how to navigate one of the fastest growing areas of concern for local governments: the intersection of disability law with land development, planning, and regulation.

This is an area of law that is both complex and confusing. Malloy simplifies the task of learning disability law by sorting through and organizing numerous provisions of our federal disability laws and explaining how these provisions relate to everyday practice and decision-making.

Among its features, the book includes straightforward discussion of relevant provisions of the Americans with Disabilities Act, the Fair Housing Act, the Rehabilitation Act, and the Architectural Barriers Act.

Endowed and named for a disability rights pioneer, the Burton Blatt Institute is founded. Today, BBI is world-renowned center for transdisciplinary teaching, research, and outreach in disability law and policy, with projects and satellite offices across the US. The photo shows BBI staff in Dineen Hall in summer 2019. In the same year, Professor Arlene Kanter creates the Disability Law and Policy Program.
Faculty Publications

Robert Ashford
Professor of Law

Law Review and Other Scholarly Articles:
Universal Basic Income and Inclusive Capitalism: Consequences for Sustainability (with Ralph P. Hall, Nicholas A. Ashford & Johan Arango-Quiroga), 11 SUSTAINABILITY 4481 (2019).

Hon. James E. Baker
Professor of Law
Director, Institute for Security Policy and Law
Professor of Public Administration, Maxwell School of Citizenship and Public Affairs (by courtesy appointment)

Law Review and Other Scholarly Articles:

Reports, News, and Commentary:
Opinion, It’s High Time We Fought This Virus the American Way, N.Y. TIMES, April 3, 2020.

Peter D. Blanck
University Professor
Chairman, Burton Blatt Institute

Book Chapters:

Law Review and Other Scholarly Articles:

Jennifer S. Breen
Associate Professor of Law

Law Review and Other Scholarly Articles:

Keith J. Bybee
Vice Dean
Paul E. and the Hon. Joanne F. Alper ’72
Judiciary Studies Professor
Professor of Law
Professor of Political Science
Director, Institute for the Study of the Judiciary, Politics, and the Media
Senior Research Associate, Campbell Public Affairs Institute

Book Chapters:

Book Reviews:

Christian C. Day
Professor of Law

Law Review and Other Scholarly Articles:

Doron Dorfman
Associate Professor of Law

Book Chapters:

Law Review and Other Scholarly Articles:


Book Reviews:

Reports, News, and Commentary:
COVID-19 May Help Lift FDA Policy on Gay Blood Donors, LAW360 (April 3, 2020)
Faculty Publications

David M. Driesen
University Professor

Law Review and Other Scholarly Articles:
Toward a Populist Political Economy of Climate Disruption, 49 ENVT’L L. 379 (2019).

Reports, News, and Commentary:
Fund Absentee Voting to Ensure Democracy,


Opinion, Congress Could Impeach Trump Without an Investigation, So Why Bother?, SYRACUSE POST-STANDARD, October 6, 2019, at E1.

Opinion, Representative Katko Contributing to Anti-Immigrant Atmosphere, SYRACUSE POST-STANDARD (Aug. 8, 2019).

A Hungarian Autocrat is Trump’s Role Model, THE DAILY STAR, August 1, 2019, at 6.

Trump’s Role Model, PROJECT SYNDICATE (July 30, 2019).

Trump’s Persecution of His Investigators Follows Authoritarian Playbook, TRUTHOUT (June 22, 2019).

The Risks of an Impeachment Inquiry, NEWSDAY (May 23, 2019).

Book Review:

Shubha Ghosh
Crandall Melvin Professor of Law
Director, Syracuse Intellectual Property Law Institute

Book Chapters:

Boyh-Dole Beyond Patents, RESEARCH HANDBOOK ON INTELLECTUAL PROPERTY AND TECHNOLOGY TRANSFER (Jacob H. Rooksby ed., 2020).


Law Review and Other Scholarly Articles:

Book Reviews:
Layering Property, Disseminating Knowledge, JOTWELL (July 19, 2019) (reviewing RUTH L. OKEDIJI, A TIERED APPROACH TO TRADITIONAL KNOWLEDGE, 58 WASHBURN L.J. 271 (2019)).

Antonio Gidi
Teaching Professor

Book Chapters:

Law Review and Other Scholarly Articles:


Reports, News, and Commentary:

Ian Gallacher
Professor of Law
Director, Legal Communication and Research

Law Review and Other Scholarly Articles:

> 2012

Offering foreign legal professionals the opportunity to broaden their professional knowledge through the study of US laws and the American legal process, the LL.M. in American Laws program launches, with Donghoo Sohn LL.M.’13 and Isha Daraway LL.M.’13 its first graduates. The photo shows the second cohort in fall 2013.
Lauryn P. Gouldin
Associate Dean for Faculty Research
Associate Professor of Law

Reports, News, and Commentary:

Roy Gutterman
Director, Tully Center for Free Speech
Associate Professor, Newhouse School
Professor of Law (by courtesy appointment)

Law Review and Other Scholarly Articles:

Reports, News, and Commentary:

The Answer to Hate Speech is More Speech to Expose it, Fuel Change. Hate Speech: Social Media Gives Global Platform to Speakers, SYRACUSE POST-STANDARD, December 29, 2019, at E1.

You Have a First Amendment Right to Follow Trump on Twitter, SYRACUSE POST-STANDARD, September 8, 2019, at E1.

Villainous Hacker or Journalistic Informer? Julian Assange It’s too Early to Tell which Assange is. But His Case Threatens All Newsgathering, SYRACUSE POST-STANDARD, June 16, 2019, at E1.

Paula C. Johnson
Professor of Law
Director, Cold Case Justice Initiative

Reports, News, and Commentary:
Bar Finally Admits SU’s First Black Law Graduate, SYRACUSE POST-STANDARD, October 17, 2019, at A23.

Arlene S. Kanter
Laura J. & L. Douglas Meredith Professor for Teaching Excellence
Professor of Law
Director, College of Law Disability Law and Policy Program
Faculty Director of International Programs
Professor of Disability Studies, School of Education (by courtesy appointment)

Book Chapters:

Law Review and Other Scholarly Articles:

Nina A. Kohn
David M. Levy L’48 Professor of Law
Faculty Director of Online Education

Law Review and Other Scholarly Articles:


Reports, News, and Commentary:


Book Review:
Old Age in an Era of Migrant Elder Care, 15 INT’L J. OF LAW IN CONTEXT 234 (2019) (reviewing DAPHNA HACKER, LEGALIZED FAMILIES IN THE ERA OF BORDERED GLOBALIZATION(2017)).
Faculty Publications

Kevin Noble Maillard
Professor of Law

Book Chapters:

Reports, News, and Commentary:
Giving in to ‘Let It Go’, N.Y. TIMES, November 20, 2019, at C1.
Beyond a Mother and Wife, N.Y. TIMES, July 15, 2019, at C1.

Robin Paul Malloy
Ernest I. White Chair and Distinguished Professor of Law
Kauffman Professor of Entrepreneurship and Innovation:
Director, Center on Property, Citizenship, and Social Entrepreneurism
Professor of Economics, Maxwell School of Citizenship and Public Affairs (by courtesy appointment)

Book Reviews:

Mark P. Nevitt
Associate Professor of Law

Law Review and Other Scholarly Articles:
The Operational and Administrative Militaries, 53 GA. L. REV. 905 (2019).

Reports, News, and Commentary:

> 2014

Named one of the best law school buildings in the nation, the state-of-the-art, 200,000-square-foot, five-story Dineen Hall opens on Irving Avenue. Chief Judge of the US Court of Appeals for the Third Circuit the Hon. Theodore McKee L’75 presides over the ceremony and addressed the building’s inaugural class.
Mary Sato
Teaching Professor
Reports, News, and Commentary:

Monica Todd
Teaching Professor
Law Review and Other Scholarly Articles:
Let’s Be Honest about Law School Cheating: A Low-Tech Solution to a High-Tech Problem (with Lori Roberts), 52 AKRON L. REV. 1155 (2019).

C. Cora True-Frost
Associate Professor of Law
Law Review and Other Scholarly Articles:
Reports, News, and Commentary:

A. Joseph Warburton
Professor of Law
Professor of Finance, Whitman School of Management
Law Review and Other Scholarly Articles:
Mutual Funds that Borrow, (with Michael Simkovic) 16 J. EMPIRICAL LEGAL STUD. 767 (2019).

Corrinne B. Zoli
Associate Teaching Professor
Director of Research, Institute for Security Policy and Law
Book Chapters:
Law Review and Other Scholarly Articles:
ISIS Cohort Transnational Travels and EU Security Gaps: Reconstructing the 2015 Paris Attack Preplanning and Outsource Strategy (with Aliya Hallie Williams), TERRORISM AND POLITICAL VIOLENCE (2019),
Reports to Governmental Bodies and Professional Associations:
Reports, News, and Commentary:
The Burden of a Militarized US Foreign Policy, NEWS AND EVENTS, (Syracuse U. C. of L., Syracuse, N.Y.), November 1, 2019.
Second Thoughts About Taliban Peace Talks, NEWSDAY (September 9, 2019).
Our Back Pages

Do You Remember? Help Us Caption Our Mystery Photos!
The College of Law’s photo archive is a fascinating visual history of your alma mater, full of nostalgia, anecdotes—and a few mysteries. That is, some of our prints and slides lack information or captions.

That’s where you come in. In this feature, we challenge you to help us recall the people and scenes in our mystery photos.

This time we return to what looks like one of the White/MacNaughton lecture halls, with students seemingly getting to grips with a particularly tough problem. However, there is nothing written on the reverse side of this print—if you know any of the students pictured, what class this is, and what year the photo was taken, please email Director of Alumni Relations Kristen Duggleby at klduggle@law.syr.edu, and we’ll publish what we discover in a future issue.

A Transforming Experience
Thank you to Sharon O’Brien Allen L’73 for setting the record straight regarding the photo of five female students on the front cover of the 2020 Stories Book:

I am the student on the far right, not P.M. Orlikoff (Phyllis Orlikoff was a fellow student who graduated in 1963 and is now a prominent judge). My name then was Sharon O’Brien. I was originally a member of the class of ’65, but I took a leave of absence after that first year to marry a West Point graduate and become the mother of two daughters.

When our family returned to live in Syracuse, I finished my law studies, graduating in 1973. I have been a member of the New York bar ever since, and my name at that point was, and still is, Sharon O’Brien Allen. My father, William G. O’Brien, was also a graduate of the College of Law, earning his degree in the late 1930s. And my daughters are both lawyers now, too!

There were only seven women students in the law school back in 1963, and we five were photographed in connection with admittance to an honorary society. Louise Dembeck, standing next to me in the photo, was the only woman to graduate in 1965. She and I remain close friends to this day.

When I graduated in 1973, I first worked for the law firm of Bucci & Lockwood, formed by two of the women in the photo. I believe theirs was the first all-women law firm in the state. Soon, though, I accepted a position as law clerk to the Onondaga County Court judges, which was by far my most enjoyable career move.

I earned an M.L.S. from Syracuse in 1991 and worked as a librarian in law schools before retiring as librarian of the public law library in Leesburg, VA. Being a student at the College of Law was a transforming experience and was equally gratifying at two very different times in my life!

The nation’s first fully interactive online law degree program—JDinteractive—is launched in January. Designed to deliver the College’s J.D. program to well-qualified students who cannot relocate for a residential program, the inaugural class is comprised of 32 students, 15 of whom are military or military-affiliated students. In December, the College adds another national first, an online joint J.D./M.B.A. program.
HELP US TO CONTINUE THE TRADITION OF
INNOVATION AND LEADERSHIP

Supporting the College of Law Annual Fund with unrestricted dollars is the most direct way you can back the mission of your alma mater, impact the next generation of lawyers, and help improve our ranking and reputation.

First and foremost, the Annual Fund enables the College to recruit and retain the best and brightest with the financial resources they need to pursue a career in law. In addition to scholarship dollars, the Annual Fund helps underwrite our core programs and innovate new opportunities, to ensure our students receive a timely, robust, and practical legal education.

YOUR COLLEGE OF LAW ANNUAL FUND GIFT WILL HELP TO SECURE THE NEXT 125 YEARS BY...

- **Supporting our unparalleled work in disability law & policy.** The strength of our disability law scholarship and practice is celebrated in three articles, on the complex intersection of planning and accommodation (p4), the Burton Blatt Institute (p19), and the Disability Law and Policy Program (p21).

- **Fund groundbreaking academic inquiry.** Faculty books published in 2019-2020 (p54) include those on national security and AI, criminal procedure, supported decision-making, and ... fry bread!

- **Support the library as it expands its collection and services, both traditional and online.** Read about the past, present, and future of our proud Law Library on p14, including a personal and heartfelt reflection on the library’s mission by Director Jan Fleckenstein L’11.

- **Help our students gain essential applied learning experiences.** On p42 learn how rising 3L Sergio Rumayor followed Rodney Dorilas’ L’19 footsteps to the White House Office of Legal Counsel and right into the middle of history unfolding.

- **Propel the Advocacy Program to ever more success.** Despite cancelled competition finals, it was yet another remarkable year: the Tiffany Cup, two NTC finalists, the inaugural Syracuse National Trial Competition, Top Gun (again), and much more. Visit p24.

- **Help recruit diverse and dedicated faculty members.** Our new faculty members bring expertise in online education, national security, property and commercial law, and elder and family law. Meet them and learn what drives their love of teaching on p34.

Visit law.syr.edu/giving today to Make a Gift.

Questions? Call Sophie Dagenais, Assistant Dean for Advancement and External Affairs, at 315.443.1964. Thank you for your support!
Throughout its proud history, Syracuse University College of Law has been a pathfinder in legal education.

Your support, input, and leadership have driven our innovations, and continue to do so, whether we are hiring faculty, researching emerging areas of the law, training students in our clinics or our 15th-ranked Advocacy Program, adding new degree options, or expanding JDinteractive, our online law degree program.

Philanthropic giving is a key factor in reaching new heights, and a gift to the College of Law Annual Fund is one of the most significant and direct ways you can influence our outcomes. Your gift is an investment in the future of the College of Law and in tomorrow’s generation of leaders.

Together, we are making a difference. Thank you!

Contact Sophie Dagenais, Assistant Dean for Advancement and External Affairs, at 315.443.1964 to make a gift.