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FALL
2019



**AMID A
MOUNTING
CRISIS,
PENN LAW
PROMOTES
WELL-BEING**

page 18

PennLawJournal

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Vol. 54, No. 2 FALL 2019



Sivani Babu L'10 prepares to photograph the landscape in California's Joshua Tree National Park.

PHOTO: SIVANI BABU

18

Sobering Reality

Penn Law is changing the way lawyers and law students think about well-being as the school leads an effort to instill positive values in order to combat and prevent substance abuse and mental health disorders.

28

A Bucket List Life

How many people do you know who break their necks traveling through the Bermuda Triangle on a photography assignment? That's what happened to Sivani Babu L'10, who left her job as a public defender to travel the world... and get paid for it.

DEPARTMENTS

Letters 02

At Issue 04

In Session 06

Campaign 38

Fine Print 40

Bookshelf 52

In Memoriam 54

FROM THE DEAN



PHOTO: SAMEER KHAN / FOTOBUDDY

OVER THE LAST FEW YEARS WE HAVE SEEN AN increased focus on holistic wellness amidst growing evidence of a mental health crisis among lawyers and law students. The American Bar Association, in particular, drew attention to the high rate of substance abuse and mental health disorders in both the legal profession and in law school. Spurred by these findings, and a close look at what was happening in our community, Penn Law School has chosen to lead by example.

As we chronicle in our cover story, we have taken comprehensive steps to change the way we think about, and act upon, these issues, starting with a first-in-the-nation law school pilot program that incorporates a wellness component within professional responsibility courses, the only required upper-level course in the curriculum. With a focus on prevention, we teach students how to manage stress in law school and on the job after graduation.

And for those who need additional help, we have brought in a mental health counselor two nights a week as part of a University pilot program. In addition, we recently sponsored a Wellness Week, during which we invited an expert to talk about

healthy habits and opened the Clinton/Parker Wellness Suite, where students can take a break from their studies and recharge.

As we take these steps, we are mindful of how they fit into the stellar work being done by the ABA, which is leading the charge to have legal employers and law schools commit resources to extensive wellness programs—a call that has been answered by firms such as Skadden Arps, led by Penn Law alumnus Eric Friedman '89, who believes that lawyers “want environments that support their whole selves, not just their professional identities.”

The Live Well Work Well program at Skadden Arps is a model for other law firms, just as I hope our initiatives point the way for academia. After analyzing the efforts of law schools nationwide who have incorporated wellness programming into their curricula, an outside observer called Penn Law’s program “the gold standard” among U.S. law schools. We are very proud of that designation, as it underscores our commitment to our students and to their well-being.

Lawyers cannot be competent and fulfill their professional responsibilities to their clients if they are impaired or not functioning well, and students cannot graduate and transition into legal practice if they are under extreme duress. It is time for all of us to recognize these challenges within our ranks and to demonstrate with our words and actions that we’re ready to solve them. At Penn Law, we have a renewed focus on the wellness of the members of our community and are engaged on all fronts in providing the support and programming necessary to tackle mental health and substance abuse challenges.

Sincerely,

Theodore Ruger

Dean and Bernard G. Segal Professor of Law

#PENNLAW



Prof. Cary Coglianese examines the Trump Administration's legal argument for revoking California's vehicle emissions waiver. tinyurl.com/y4mho2u2

Prof. Claire Finkelstein explains why — compared to the Russia investigation — an impeachment inquiry was launched almost immediately after news of President Trump sought information from the Ukrainian president. tinyurl.com/y4upb3za



Prof. Jacques deLisle explains the motivation behind protests in Hong Kong. tinyurl.com/yye526qf



Sharswood Fellow Mark Nevitt explains how climate change is destabilizing the legal landscape. tinyurl.com/y3yyfx5c

Prof. Christopher Yoo calls for more care and transparency to be built into artificial intelligence algorithms. tinyurl.com/yxswf9vz

"Regulators should follow what banks do — not what they say," concludes Penn Law Prof. Natasha Sarin in a major empirical study of consumer finance reforms put in place in the U.S. following the 2008 financial crisis. tinyurl.com/y37vv6h6

“One of my fears is that we will hold algorithms to a perfection standard, because we forget that the alternative is not perfect. There is no tool that can't be misused.”

CHRISTOPHER YOO
Director, Center for Technology, Innovation & Competition



A Brief for a Connected Workplace

By **Andrew M. Smulian L'74**

THIS PIECE IS WRITTEN FROM THE PERSPECTIVE of one who has led a large and growing group of lawyers over the past dozen years but who believes the fundamental challenges addressed here are relevant to most of us, especially those now building their careers. I do not aim to write a prescription for how to build a law firm culture. That is fundamentally not something constructed but rather the shared result of the collective organic interactions and tensions between individual behaviors—behaviors that are influenced

by the diverse experiences that have shaped each of us, making us who we are today and shaping how we respond to others.

We have made considerable technological and economic progress in our profession over the last several decades, but there is a downside—the creation of new impediments to successful resolution of the behavioral tensions among us. I believe there are a few simple relief mechanisms.

Challenges presented by lawyers working remotely, or, when in their offices, alone and silent at their screens, are met with architectural and sociological solutions—collaboration rooms, retreats and other constructs. Those may be helpful at the edges, but that planning does not fundamentally address the issues of attention management and intentionality—the need to focus on what you are doing and who you are engaging with at the moment, rather than on what was, or what's next, on your screen.

In a recent article in the *New York Times* (“Now Some Families Are Hiring Coaches to Help Them Raise Phone-Free Children”), Nellie Bowles gets close to the core of the problem. “A new screen-free parenting coach economy has sprung up,” she writes. Screen consultants are engaged “to remind parents how people parented before.” (She reminds us it can be as simple as “Go throw a ball.” Amazing we have to be reminded of such a simple act.) The telling analysis is that “the new consultant boom and screen addiction are part of the same problem” of wanting answers served up to us, as opposed to the hard work of role modeling—being fully present ourselves and actively engaging with others who are equally present in the moment—that is the essence of the challenge.

Darren Walker, who began his career at a large, international law firm and is now president of the Ford Foundation, is a supreme exemplar of this imperative. He was described in a recent *New York Times* article as possessed of a superpower: “To spend time with Mr. Walker is to feel enveloped by his attention. [He] greeted me as the most interesting person he had ever met. When I observed him among strangers, I saw a similar effect on them.”

We may not all be equipped with Darren Walker's superpower, but we have to be present—and help and encourage our colleagues to be present—as our authentic selves, and then have the conversations that matter, the conversations, preferably ones that occur “in the room,” that ultimately give rise to a firm's culture.

Robert Frost quipped, “The brain is a wonderful organ; it starts working the moment you get up in the morning, and does not stop until you get into the office.” Much has changed in the mechanics of the office environment over the past several decades, but the fundamental challenge persists. We do not work optimally in faceless, soulless environments. The individual mixes vary, but each of us is a part of a collection of intelligent, hardworking, well-intentioned—and imperfect—people. The imperatives of presentation, negotiation and collective acceptance of the true selves of these large and diverse groups of people working together toward a common goal requires us to really know the experiences that have shaped each other.

As Emilie Pine poignantly writes in her book *Notes to Self*, “The things we are afraid to say, the things we are ashamed of, or embarrassed by, these are not, after all, the things that isolate us. These are the things that connect us.” This is a tough ask of many lawyers, and a critical point for acceptance by their colleagues. In today's technology-driven world, we cannot lose sight of how to connect one to one, human being to human being. But—in order to know and understand the others, we each need to know, understand—and present—our true selves. ♥

Andrew M. Smulian
is the Chairman
and CEO of
Akerman LLP.

NEWS & EVENTS

IN SESSION

Drawing on his Legal Education, Dallas Mayor Eric Johnson L'03 Relies on Data and Reasoning in Decision-Making

Despite the council-manager system of government in Dallas, in which the city manager is responsible for the day-to-day operations of the municipality, it's not just ribbon cuttings and speeches for Mayor Eric Johnson L'03.

Johnson took office in July after winning a run-off election in June. He used a corporate analogy to describe his role and responsibilities as mayor, comparing city council to a board of directors with the mayor as the chairman. The policy-making power is with the council, or board. And a large amount of that power resides with the chair, or mayor.

"Under our rules," Johnson said, "I, alone, create most of the committees. I select every chairman of every committee of city council, and I select those committees' composition. It's an important responsibility, too, because it's how you determine the policy direction of the city. If no committee deals with arts and culture in your city, then there's a good chance that you're not really



PHOTO: BRIAN MASCHINO

focusing very much on arts and culture in that city. Then who you put on that committee and who you put in charge is important. So, even in a council-manager form of government, the presiding officer of City Council has power.”

Johnson views arts and culture as important, but it’s just one item on his list of priorities.

He also plans a push for much-needed ethics reform. Most recently, a former Dallas city council member pleaded guilty in March 2019 to taking bribes from a real estate developer.

Johnson said he plans to advance ethics reform by bringing in experts and private citizens “to help us figure out how to make our city government more accountable to the people.”

Also on his agenda is the use of data in decision-making.

“I want to tie what we do and what we pay for to performance metrics and what actually has been shown to work. I don’t want to govern based on feelings and emotions,” Johnson said.

With budgeting having commenced in October for the fiscal year, Johnson said he hopes “the council and the city manager’s office got the message that we’re using data to inform our policies and that we are funding initiatives that have either been demonstrated to work or have some reasonable expectation of working. That means taking a fresh look at legacy programs, legacy contracts and even city departments.”

Johnson also plans to focus on education, workforce development and public safety and wants to improve aging infrastructure and mass transportation.

All are laudable goals. But the money to fund them, Johnson acknowledged, will be hard to find. About two-thirds of the budget already goes to public safety. And according to Johnson, the state legislature limits how much money can

be generated through local property taxes, making budgeting a challenge.

But it’s a challenge Johnson has been preparing to take on after turning his attention to public service in college.

“I was always very motivated by the idea that there were people who lived in circumstances where, but for their Zip Code and where they were born, could compete at the highest level of industry, education, you name it. But those people were just not going to get that opportunity because of a very inequitable system that we have in many ways in this country,” Johnson said. “I almost had a chip on my shoulder about how many people I knew personally who would be doing more, had more to contribute to society, but probably never would because they didn’t have some of the opportunities I had been given. I want to scale up those kinds of opportunities for more people.”

One of those opportunities included attending Harvard as an undergraduate. And he took

advantage, earning both the John Lord O’Brian and Stride Rite scholarships for his commitment to community service.

After an unsatisfying stint on Wall Street, Johnson went to work for his state representative in the Texas Legislature. He went to Princeton to earn a master’s in public policy, interrupted his studies to attend Penn Law, which gave him a public service scholarship, and then finished up at Princeton.

Johnson said he draws daily on his Penn Law training for his work at Dallas City Hall. “It is impossible, at this point of my life, to distinguish between how I think and how I approach problems from my legal training. It’s such a big part of who I am now. The way I approach everything I’m doing in the public sector context is informed by that rigorous, very tight logical reasoning that first year of law school drills into you. I learn and teach by asking questions. It’s amazing that Socratic method sort of seeps into you and becomes part of you.”

“
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ERIC JOHNSON L’03
Mayor of Dallas

Tarbert Takes Helm of Agency That Affects Much of American Financial Life

Heath Tarbert '01 was sworn in last summer to lead the U.S. Commodity Futures Trading Commission, a federal agency that he calls “the most important regulator you’ve never heard of.”

His self-deprecating jibe aside, the CFTC, as it’s known, affects almost all aspects of American financial life.

“The CFTC is the world’s foremost regulator of derivatives,” Tarbert says. “And these are financial instruments that are based on the values of other things, everyday commodities. We effectively regulate everything from corn to crypto. So, our markets affect everything from the price that you pay on your groceries, to the gas that you pay for at the pump, and the interest you pay on your home mortgage.”

Regulating the derivatives market amounts to regulating more than four trillion dollars a day in notional amounts, or the value of the underlying assets in the derivatives trade.

“I think one of the things that the CFTC does is regulate the markets that allows the American system of free enterprise to operate,” says Tarbert, the agency’s fourteenth chairman.

The CFTC traces its history to the Grain Futures Act of 1922, which required all grain futures to be traded on regulated futures exchanges. Under the modern-day Commodity Exchange Act, the CFTC regulates futures, swaps, and options involving energy, interest rates, foreign exchange, and many other products.

Now the agency is taking a regulatory bite out of finance’s digital future with new commodities like Bitcoin and other digital assets.

“It isn’t actually money but it’s certainly something of value that people are trading so we view it as a commodity,” Tarbert says “It’s an opportunity for us to bring all of the knowledge that this agency’s

gained for nearly a hundred years. Those same principles that make for a competitive market, we’re now applying those to new twenty-first century commodities. We want to regulate in a responsible manner, in a way that promotes innovation and ensures that the U.S. continues to be a leader in that technology.”

The Baltimore-born Tarbert was always interested in public service. At Penn Law he found his calling when he took courses in securities and international finance regulation. “What I wanted to do is make a career that combined the financial markets with the regulatory and policy stuff of Washington. In other words, focus on the nexus between Wall Street and Washington.”

Early in his career, Tarbert served as associate counsel to President George W. Bush. He also has served as a special counsel to the U.S. Senate Banking Committee and worked as an attorney in the private sector.

Over the years, the CFTC has employed a stable of Penn Law graduates. Top positions currently held by alumni include Josh Sterling, '01, director of the Division of the Swap Dealer and Intermediary Oversight; Bob Wasserman, '89, chief counsel for the Division of Clearing and Risk; and Gretchen Lowe, '87, chief counsel for the Division of Enforcement.

Tarbert spent his first months after being sworn in listening to those inside and outside the CFTC who have a vested interest in the agency. One such listening session took him to Kansas where he met with farmers and ranchers. “One rancher said he wouldn’t be able to stay in business without our markets. In fact, every person I met told me how they actively rely on derivatives to manage their day-to-day risks. It’s one thing to look at the data, but you get an even deeper appreciation and understanding of the importance of the CFTC’s mission when you’re out talking to the everyday Americans who rely on us to do our job.”



↑ CFTC Chairman Heath Tarbert '01 takes the oath of office from Judge Douglas H. Ginsburg alongside his family.

Now Tarbert is focused on putting an agenda in place. Among his goals are enhancing the regulatory experience for those who follow the rules and being tough on those who don’t, fostering responsible innovation, and strengthening the resiliency of the nation’s financial system and institutions.

Tarbert doesn’t intend to let the current superheated political environment become an obstacle for the CFTC’s work. “We want this agency to continue to have a culture of collegiality so whatever is happening elsewhere in Washington in the election cycle it doesn’t affect the agency,” he says. “The agency at the end of the day is a technical focused agency, an agency of expertise, and not a political agency. So, my goal is to focus on being a twenty-first century regulator, doing what’s best for the American people, and not being affected by external politics.”

Under Tarbert’s experienced, even-keeled leadership, that culture of collegiality is one commodity that the CFTC won’t have to regulate.

EVIDENCE

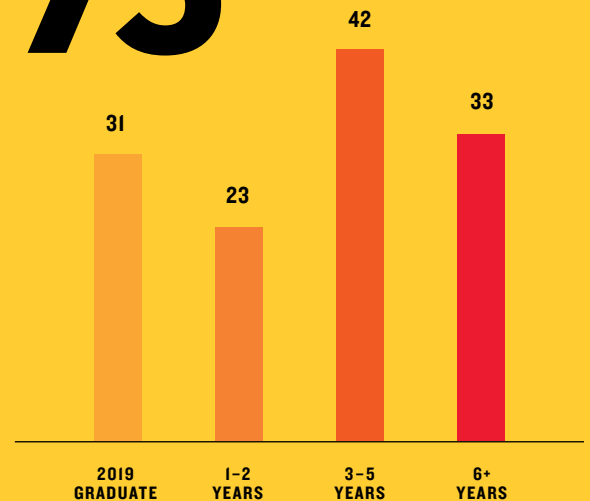
THE PENN LAW LLM CLASS OF 2020

is a study in diversity and reflects the quality and professionalism of the students who seek a grounding in the U.S. legal system.

126 attorneys from **30+** countries



75% have work experience



The class includes:

- Judges**
- Prosecutors**
- Criminal Defense Attorneys**
- In House Counsel**

- Associates and Partners at Law Firms**
- Government Officials**
- Diplomats**

The passage of the First Step Act was cause for celebration for **Yuri Okumura L'89** and her colleagues at the Center for Employment Opportunities (CEO) office.

The legislation was historic. In a rare display of bipartisanship, Congress passed the first significant reforms to the criminal justice system in a generation.

The First Step Act allows federal prisoners to earn an earlier release date and has the potential to reduce future prison sentences. In July, the U.S. Department of Justice announced that 3,100 of the nation's 181,000 federal inmates were being released early as a result of the Act.

"This First Step Act is just that, a first step—it's certainly a positive development, but there's a lot more that can and needs to be done," said Okumura,

CEO's general counsel and director of compliance.

It could affect Okumura's line of work: Center for Employment Opportunities is the country's largest reentry employment provider. The nonprofit enrolls people returning from incarceration into its training classes and offers paid, part-time employment. The program then helps participants find permanent employment and provide retention services for up to one year.

Okumura joined the nonprofit as a legal fellow in 2015 after deciding she wanted a change from her legal career in financial services. Okumura sought an opportunity to give back and joined CEO through Encore, an organization that helps people in for-profit careers move into non-profit. She became full-time in 2016.

"I had always wanted to do something that was socially impactful," Okumura said. She found that fulfillment at the Center for Employment Opportunities. "You sit in a classroom and listen to... people talk about what

Putting Those Returning from Incarceration Back to Work

they've been through, and it's...hard not to feel drawn to the mission."

The nonprofit began as a pilot program of the Vera Institute in New York. By the time Okumura came on board, CEO had become a thriving organization that has continued to expand rapidly.

"In 2015, there were nine, going on 10, sites in four states," she said. "Now there are 26 sites in 10 states."

Several factors have contributed to exponential growth, Okumura said, including increased interest in and news coverage about mass incarceration and the issues relating to it. The American criminal justice system holds about 2.3 million people in various prisons and correctional facilities across the country, according to the Prison Policy Initiative, a nonprofit, nonpartisan research group.

"It's a very high-profile... topic, and people are paying more attention [to reentry]," she said. "The cost of keeping people in prison has also driven political interest and state and local governments are looking for a solution." Funding American public corrections

agencies — that's prisons, jails, parole and probation — costs about \$80.7 billion a year, according to the Prison Policy Initiative.

Stigma around hiring the formerly-incarcerated is also beginning to wane in some arenas, she said. "There are more and more employers who are willing to work with our [program participants], and they're enthusiastic about it."

Data also reflects the program's success in reducing recidivism. One study found a 22 percent reduction rate among participants, and another of New York participants found a 19 percent reduction rate, along with a 52 percent increase in employment rates after a year in the program. "And having a good reputation in corrections circles also has definitely been a big factor," Okumura added.

She is the nonprofit's first general counsel. The Center for Employment

Opportunities employs not only its full-time permanent staff of almost 500 but also approximately 6,500 enrolled participants. "We're really busy," she said. "I deal with a lot of regulatory issues, a lot of employment issues, governance, safety... and a lot of standard corporate compliance."

Okumura said she's proud to be part of an organization that helps so many reenter back into society. Other groups too, she said, are a vital part of the formula for a successful support system, especially for issues like substance abuse.

"Most people want to get back on a better track," Okumura said. "They want to support their families. What we do is really important, but it's just a piece of the puzzle."

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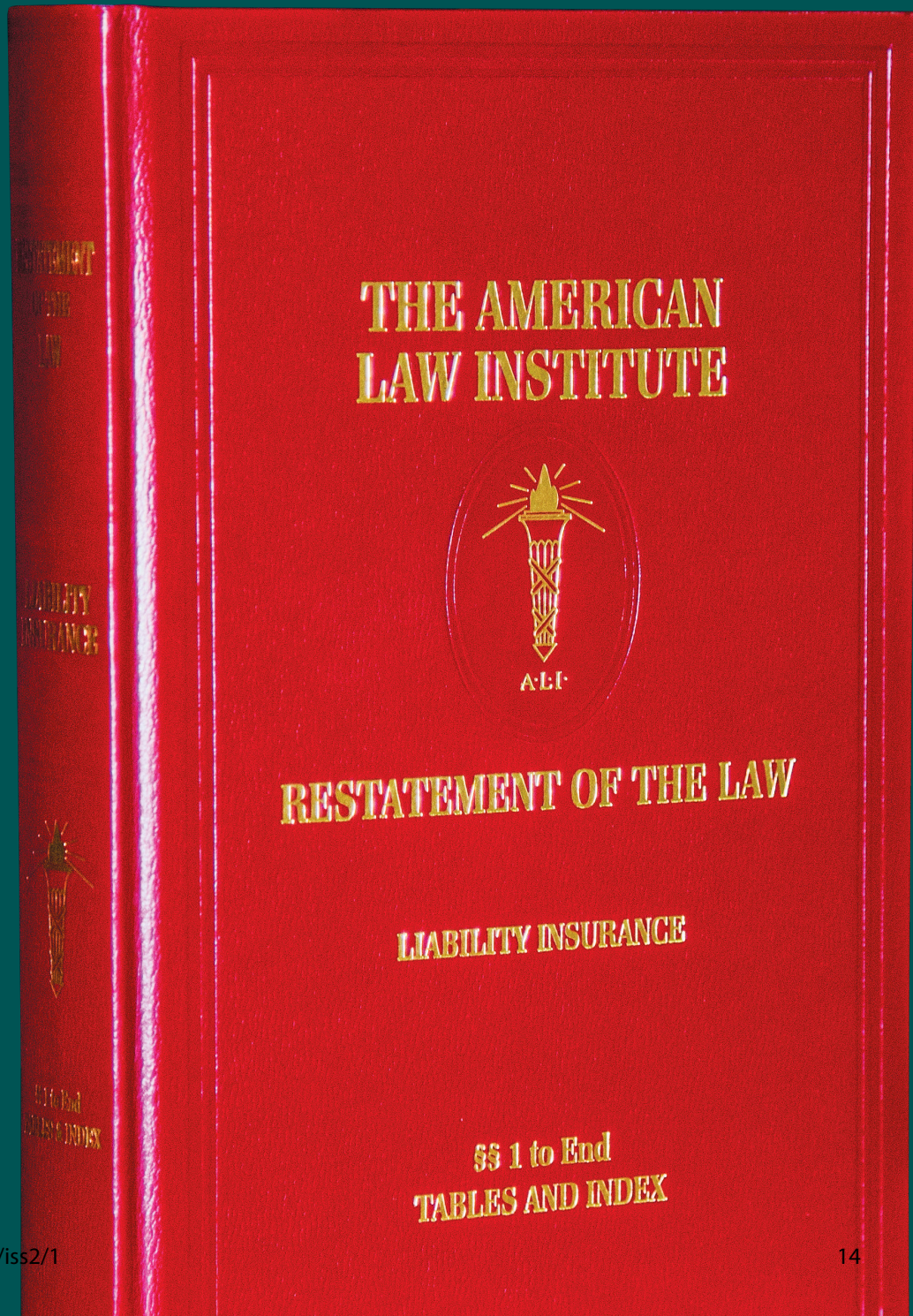
YURI OKUMURA
*Center for Employment
Opportunities*

Restatement of the Law

Liability Insurance

Reporter, Tom Baker
The American Law Institute

THIS RESTATEMENT covers the law of contracts in the liability insurance context, liability insurance coverage, and the management of insured liabilities. The text reveals the extent to which the field of liability insurance evolved from its conceptual building blocks, rooted in the contractual agreement between insurer and insured, to address knotty questions of risk allocation governing decisions such as under what circumstances an insurer's duty to defend its insured is triggered; how to balance an insurer's right to control the defense with the policyholder's right to a confidential relationship with counsel; when an insurer must accept a settlement offer from a claimant suing a policyholder; and when a policyholder may settle without insurer approval.



Renowned Academic Describes the Dilemmas She Faced as a Schizophrenic

Professor Elyn Saks is a certified academic powerhouse, having been awarded a Marshall Scholarship to study at the University of Oxford and a MacArthur “Genius Grant.”

She also happens to live with schizophrenia.

It was both aspects of her identity, the law professor and the patient, that led Penn Law Professor Eric Feldman to invite her to be the inaugural speaker for Penn Law’s Fund for the Study of Behavioral Health Law and Policy, in collaboration with Penn Law’s Center on Professionalism and the Perelman School of Medicine’s Scattergood Program for Applied Ethics of Behavioral Health Care. In a talk titled “Schizophrenia and I: Making Peace with Mental Illness,” Professor Saks drew on her *New York Times* best-seller *The Center Cannot Hold: My Journey Through Madness*, in which she describes her efforts to craft a good life in the face of her dire prognosis.

Approximately 200 people attended her lecture from across campus and from the Greater Philadelphia area.

During her presentation and in the discussion that followed, Saks, the Orrin B. Evans Distinguished Professor of Law, Professor of Psychology, and Psychiatry and the Behavioral Sciences at the University of Southern California Gould School of Law, examined the thorny, difficult issues around how the law treats the mentally ill.

In making her observations and offering her conclusions, Saks poignantly reflected on her own experiences.

Shortly after entering Yale Law School, Saks was overwhelmed, had a psychotic episode and was hospitalized. Her five months of hospitalization included long-term

PHOTO: JAMES DUNCAN DAVIDSON



Elyn Saks, mental health law scholar, speaks at TEDGlobal 2012 in Edinburgh, Scotland.

restraints, seclusion, forcible medication, and little privacy.

That experience contrasted with the treatment she received after an earlier psychotic episode at Oxford. “My analyst was hugely helpful in defusing a sense of shame that went along with the thoughts I was having. My thoughts were violent and deeply disturbing about myself and other people. My analyst was able to tolerate everything. It’s difficult for me adequately to convey how helpful it was to me to have someone listen, not judge me, and not threaten to put me in the hospital or call the police as might have happened in the U.S.,” Saks said.

These and other incidents led her to believe that a hands-off approach, perhaps even benign neglect, is preferable to the over-interventionist approach of the American medical system. Put another way, she is “very pro-psychiatry and very anti-force.”

It was a topic that Penn Law Professor Stephen Morse returned to with Saks during their discussion following her talk. Morse, associate

director of the Center for Neuroscience & Society, asked Saks about the rights of people with severe mental illness to refuse treatment, noting that drugs are only moderately effective, and the side effects can be harmful.

Saks said competency is a key standard for “informed consent.” Currently, she said, about half the jurisdictions in America adopt a standard that absent an emergency, competent patients have a right to refuse treatment.

She emphasized that “the right to refuse is extremely important.”

“If someone were to say to their doctor, ‘a voice tells me if I take the meds it will cause a nuclear explosion,’ I don’t think that person has the capacity to refuse medication and we should empower a substitute decisionmaker to decide for the patient whether to take the meds.”

Toward the end of the program, Saks asked, “Should we be studying ways that we can use force more or should we be studying ways where we don’t need to use it as much?”

Prepping for Retirement

For most, retirement is as inevitable as death and taxes. With Americans living much longer, and a large portion of the 76-million-strong Baby Boom generation leaving the workforce, properly planning for retirement has become essential. As chief executive officer of the American Retirement Association, a nonprofit organization in Washington, D.C., **Brian Graff L'92** educates people about retirement and advocates for policies that improve retirees' prospects. At age 55, the former legislation counsel to the U.S. Joint Committee on Taxation has plenty of time to mull his own retirement.



What constitutes a comfortable retirement?

IT REALLY DEPENDS on what you're trying to achieve. I think a lot of times people are looking for a magic number, and I think that's a mistake. There's no magic number. It depends on a number of factors. How big a house do you want, and does it need to accommodate your children and grandchildren? How much do you want to travel? What are your health care expenditures? If you need a starting point, one common benchmark is to make sure you have in savings an amount that will provide an annual income equivalent to 70 percent of your average annual income over your last five working years in order to cover yearly projected expenses.

How has our view of retirement changed?

THE IDEA OF RETIREMENT is a relatively new phenomenon. Up until the 1940s and 1950s most people worked until they died. When Social Security was enacted very few people lived into their sixties. What has happened since that time is that we had significant gains in mortality. In fact, in the last hundred years our mortality gains have exceeded all of the previous gains in the history of humankind. Now the expectation is that people will have a period of time where they will be able to enjoy their lives.

Are Baby Boomers prepared for retirement?

FOR THE MOST PART, MANY BABY BOOMERS have been saving. That said, some people will have to consider phased or partial retirement, meaning part-time work, due to inadequate savings. That segment will probably grow—and employers will eventually have to accommodate older workers and figure out how to fit them into the workforce.

What will be the impact of the surge of retirements overall?

IT WILL PUT A STRESS on the federal budget and potentially create societal fissures. A sizable percentage of the budget is non-discretionary spending, mainly social services. This will put pressure on millennials who are at a different stage in their lives and might want more money in the budget for other items like education. At the same time, senior services will be a growth industry. The demand for medical services and assisted living facilities, for example, will present new business opportunities for investors. Wall Street is getting more involved in this.



PHOTO: DUBY TAL / ALAMY STOCK PHOTO

↑
The Hebrew
University on
Mount Scopus
in Jerusalem

New Exchange Program Between Penn Law and Hebrew University of Jerusalem

Penn Law School and the Faculty of Law at Hebrew University of Jerusalem reached an agreement that will allow faculty exchanges, student exchanges and scholarly opportunities between the two universities. This is Penn Law's first partnership with a law school in the Middle East.

Every year, both Penn Law and HUJI may nominate up to two law students to enroll at the partner institution. The exchange program will offer Penn Law 2LS and 3LS a unique opportunity to spend a semester studying at Israel's premier university. There, they will learn from scholars who are experts in Israeli law, comparative legal studies, public international law, religion and state and more, gaining invaluable

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THE DYNAMIC LEGAL ENVIRONMENT IN [THE MIDDLE EAST] IS OF TREMENDOUS INTEREST AND IMPORTANCE TO OUR STUDENTS, AND THERE IS NO BETTER PLACE FOR THEM TO BE EDUCATED ABOUT IT THAN AT HEBREW UNIVERSITY.”

ERIC FELDMAN
Deputy Dean for International Programs

exposure to a range of perspectives and legal thought.

The faculty exchange component of the program will permit faculty members of Penn Law and HUJI to teach as visiting professors at the partner institution. In addition to the exchange program, faculty and students from both Penn Law and HUJI will be encouraged to collaborate in scholarly efforts such as joint research and writing or organization of workshops and conferences.

The development of the exchange program was coordinated by Professor Eric Feldman, deputy dean for International Programs at Penn Law, and Rangita de Silva de Alwis, Penn Law's associate dean for International Programs.

"Penn Law has a number of important partnerships with leading law schools in Europe and Asia, but this is our first agreement with a law school in the Middle East," said Feldman. "The dynamic legal environment in that region is of tremendous interest and importance to our students, and there is no better place for them to be educated about it than at Hebrew University."

In addition to its partnership with HUJI, Penn Law offers opportunities for study abroad at the London School of Economics, Hong Kong University, Waseda, Tsinghua, Sciences Po and ESADE, providing students who choose this path a deeper knowledge of foreign and comparative law.

HUJI is one of the leading universities in the world, and its Faculty of Law is the flagship of legal research and education in Israel. Members of the law faculty are internationally renowned scholars, teachers, and practitioners, many of whom have held positions within the leadership of the Israeli legal system.

Penn Law Adds Diverse Group of Scholars

Penn Law bolstered its faculty this past summer with the addition of three scholars with expertise in international legal work, business law, and international law.

Shaun Ossei-Owusu is an emerging interdisciplinary legal scholar with expertise in legal history, criminal law and procedure, civil rights, and the legal profession. His work sits at the intersection of law, history, and sociology, with a focus on how governments meet their legal obligations to provide services and benefits to poor people and racial minorities. He also works on stratification in the legal profession. Ossei-Owusu joined the Penn Law faculty from Columbia Law School, where he was an academic fellow and Kellis E. Parker Teaching Fellow. He will teach Criminal Law and Legal Profession: Critical Perspectives in Law.

Elizabeth Pollman is a widely respected scholar of business law whose research focuses on corporate personhood, the constitutional rights of corporations, startups,

entrepreneurship, and law and technology. Previously a professor at Loyola Law School in Los Angeles, she visited and taught Corporations at Penn Law last fall, and 65 of her students wrote jointly in strong support of her permanent hire. Going forward, Pollman will teach Corporations, Contracts, and other courses on business law, and will serve as co-director of the Institute for Law & Economics (ILE).

Zeid Ra'ad al Hussein is the former United Nations High Commissioner for Human Rights. Recognized worldwide as a leading and outspoken promoter of universal human rights, he was awarded the 2015 Stockholm Human Rights Award and the 2018 Human Rights Tulip Prize. With more than 20 years of direct exposure to the world's most turbulent international crises and serious security threats, his knowledge is steeped in the global security environment. He previously served as president of the UN Security Council, and in 2002 was elected the first president of the governing body of the International Criminal Court (ICC). ♥



Recently appointed Penn Law faculty members, clockwise from top, Shaun Ossei-Owusu, Elizabeth Pollman and Zeid Ra'ad al Hussein.



Sobering REALITY

The Way Forward on
Substance Abuse and
Mental Health Issues
in the Legal Profession

By Larry Teitelbaum

Last year, Penn Law Dean Ted Ruger huddled with senior staff to figure out how to help students navigate the shoals of law school and prosper during what can be a fraught time for some.

Those strategy sessions occurred amid a gathering storm in the legal profession, which had been buffeted by disturbing reports about a growing rate of depression and substance abuse among lawyers and law students, posing unprecedented challenges that called for a broad reassessment of the industry.

What Ruger and his team came up with was simple in design yet revolutionary in its potential impact on Penn Law and on other law schools: a plan to institute wellness into a required professional responsibility course for graduation.

If only such a program had existed when she went to Penn Law in the mid-2000s, maybe Joy Wilson (not her real name) would have had the tools to better cope with the emotional strain and avoid the eventual derailment she experienced during law school.

Wilson recently shared her story in unsparing detail in the hope that it would prove instructive and beneficial to current students and practicing attorneys who are struggling like she did.

IT WAS 3L YEAR. HOMESTRETCH.

It seemed like Wilson had law school nailed. Did well in the first two years despite a burgeoning drinking problem that she had managed to conceal.

But in the spring semester of year three this now-thirtysomething Penn Law alumna capsized.

Her consumption of alcohol and use of Adderall to combat fatigue began early in law school. At first, Wilson spent weekends alone in her apartment draining bottles of wine. She graduated to a box of wine every two days, followed by regular blackouts. By the end of her 2L year, she was going through a month's worth of Adderall in three weeks, using the stimulant to get sober or wake up so she could drink more.

By the summer after her 2L year, Wilson was drinking every night, knocking back six-packs of tall beers that she had purchased on her way home from her internship. As summer turned to fall, things got worse. Wilson was now going through a month's supply of Adderall in one or two weeks; she no longer met friends because she was drunk or wanted to hole up and drink by herself; and she failed to file weekly reports about her clinic externship.

It became unsustainable.

That's when Wilson's clinic supervisor called a meeting at which he warned her that she would have been fired from her job for that kind of behavior and performance. At which point Wilson broke down. "He was the only person who noticed that something was really wrong. And I started crying and I said, 'I'm totally miserable, I'm drinking all the time and I'm really depressed.' We spent an hour together and I sobbed through the whole thing," said the alumna, who requested anonymity to tell her story without having to worry about sully her reputation in the profession given the continued stigma attached to substance abuse and mental health issues.

The alumna said she stopped drinking and taking Adderall for a few weeks but folded under the pressure of finals and her approaching graduation. She went on a three-day bender, prompting her to text a classmate for help. They met in a study room, after which she walked up to the office of then-Dean of Students Gary Clinton, who recommended she take the rest of the semester off. Following the meeting, she called a rehab facility and took a medical leave.

It was a huge disappointment. A biochemistry major in college, Wilson had considered medical school but had changed her mind, in part due to the lure of Penn Law School. Wilson knew people who had gone to Penn Law, all of whom spoke glowingly of the school. Penn Law School was her top choice, and now she was squandering her golden opportunity.

Only in retrospect did she understand what had happened to her. Wilson's depression (she had been diagnosed in fourth grade), her lack of self-esteem, and her feeling of isolation in the early days of law school contributed to her descent into alcoholism.

"I was lonely. I didn't know anyone. I thought I was surrounded by all of these smart, successful people. I wasn't sure of my place and whether I belonged among them. My childhood dog was dying. There was a lot of stuff going on and I had not brought into adulthood a healthy set of coping skills, and so I started drinking to numb that feeling," said the alumna.

Unfortunately, addiction, depression and anxiety are becoming all too common in the legal profession and in law school. In 2016, the American Bar Association revealed the depth of the crisis when it released a worrisome report in conjunction with the Hazelden Betty Ford Foundation. The survey of nearly 15,000 attorneys found that as many as one-third qualified as problem drinkers, and up to a quarter suffered from depression, anxiety and stress — rates that are higher than the general population, according to the ABA. That same year, 15 law schools and more than 3,300 law students participated in a separate survey with similarly disheartening results. Forty-three percent of students said they had at least one episode of binge drinking in the prior two weeks, with one quarter at risk for alcoholism.

While the ABA is quick to point out that the majority of the nation's lawyers and law students do not have a mental health or substance abuse disorder, the statistics were of sufficient scope to ring alarm bells — and to get the attention of more than one hundred law firms and a growing number of law schools, including Penn Law, who have either pledged to address the problem or have created a range of wellness programs aimed at prevention or early intervention.

"This is not an abstract issue to us. These are issues that have in recent years hit us

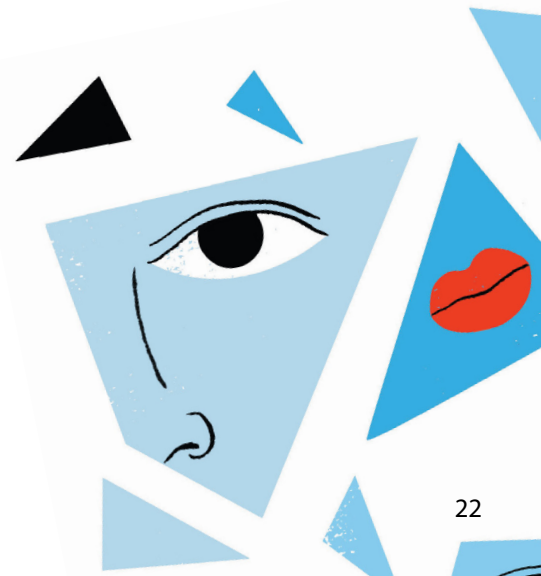
close to home and motivated us to do more," said Ted Ruger, dean of Penn Law School and Bernard G. Segal Professor of Law.

With the impetus of the ABA reports, Dean Ruger led an effort to formally integrate wellness programming into the curriculum, making Penn Law one of the first law schools to do so, just as the University of Pennsylvania was the first Ivy League school to hire a chief wellness officer.

Penn Law's pilot program, which is continuing in the 2019–20 academic year, puts in place a wellness component within professional responsibility courses, the only required upper-level course in the law school curriculum. Its main aim, organizers said, is to teach students how to manage and reframe stress in law school and on the job after graduation.

Jennifer Leonard '04, associate dean of Professional Engagement, developed the class with John Holloway C'92, LPS'18, associate dean and executive director of Penn Law's Quattrone Center for the Fair Administration of Justice. Holloway recently earned his masters at Penn in applied positive psychology, and around the release of the ABA report, he and Leonard had been working on a module for first-year students on the positive reframing of stress.

"Positive reframing of stress is all about realizing that stress does not have to be perceived as this soul-crushing thing," Holloway said. "Stress is a signal from our bodies that something that we care about





“
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of these smart,
successful people.
I wasn’t sure of
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whether I belonged
among them.”

JOY WILSON

FOR ONE FORMER LAWYER, THE EVIDENCE IS IN: MINDFULNESS REDUCES STRESS

Back in August, **Elizabeth J. Coleman** '74 was teaching a class on mindfulness at Columbia Law School. After the class, a student came up to her and asked, "How do I get more of this?"

It is the same question Coleman asked herself nearly twenty years ago during her recovery from cancer. In 2001, she had studied mindfulness and Mindfulness-Based Stress Reduction (MBSR), a meditative practice which teaches people, among other things, to focus on the present moment. The daily practice, she said, promoted healing and made her initial diagnosis less terrifying. Eventually, Coleman became a teacher of MBSR and mindfulness.

Since 2005, Coleman has been teaching lawyers, among others, to, as she put it, get what she has without having "to get what she got."

Coleman, who practiced public interest law for more than twenty years, has taught mindfulness to approximately one thousand lawyers. An impressive feat considering that there was virtually zero interest when she started.

Still, some lawyers, she said, continue to roll their eyes and dismiss the whole thing. None of which deters Coleman, who said she speaks in terms lawyers can understand, couching the practice as a practical skill for which there is ample evidence.

"I think it stands up to scrutiny and cross-examination," Coleman said. "There have been many studies of mindful meditation and particularly of the Mindfulness-Based Stress Reduction course, and there is evidence that mindful meditation and other mindful practices help address anxiety, anger and depression, and help improve satisfaction with life. Secondly, I think it stands up to scrutiny in the practice itself. I find that when I lead even short meditations, participants feel greater calm and equanimity. In a sense, the proof is in the pudding."

Clearly, the tide has shifted in recent years as interest in meditation has grown throughout the culture and among lawyers. Coleman has taught mindfulness at law schools, bar associations,

nonprofit organizations and law firms, from which she has received many referrals for group courses or individual instruction. She did one presentation for trial lawyers that several hundred attended.

"Often lawyers do this (take the course) because they're miserable," said Coleman, adding that some attorneys are so busy that they can hardly find the time to take a class that's one night a week for eight weeks.

Despite their initial qualms, Coleman said she's had success helping lawyers and others in trouble. She said a judge came to her for anger management and managed to retain her place on the bench due to the training.

Coleman's counsel to lawyers: breathe before you say something in anger, and try to remain centered in a meeting, in the courtroom and with colleagues.

Serious depression and addiction are another matter. In those instances, Coleman takes a conservative—and complementary—approach. "I would never let people bank on this," she said. "I insist that people always go to therapy whenever it's called for."

That said, in her estimation mindfulness, with its intense focus on the present moment, offers a safe harbor for lawyers in distress. "The future is the source of our anxiety; the past is where our regret and depression live; and ninety-nine percent of the time the present moment is okay."

For more information on mindfulness training, go to: mindfulnessmeditationnyc.com/mbsr-nyc-teachers/elizabeth-j-coleman



"I find that when I lead even short meditations, participants feel greater calm and equanimity. In a sense, the proof is in the pudding!"

needs our attention, and that we can affect it in ways that are good for us. We can view stress as an opportunity, a chance for me to do something that matters to me, to do it well, and to look at how I manage my reactions and optimize my outcomes.

“Think about somebody who messes up on a cold call in class,” he continued. “One response is, ‘I’m just no good at the law, all my classmates think I’m a moron, I just can’t do this.’ A more productive way of thinking is to say, ‘Hmm, I didn’t do very well on that question, but I learned some things there. I know what I need to work on to do better next time. I’ve seen other people not do well on questions, and I don’t think they’re morons, so let’s chalk this up to an imperfect moment and grow from it.’”

Penn Law has made the new wellness material a part of the Professional Responsibility course that all upper-level students are required to take before graduation. The class includes a discussion of the connection between attorney well-being and attorney professional responsibility, an overview of some of the well-being challenges facing the profession, a discussion of the ABA task force report, an explanation of positive psychology concepts, a video highlighting research on the subject, exercises on meditation, and a character survey that helps students understand their personality and how to take advantage of their strengths and minimize their weaknesses.

Jordana Alter Confino took an in-depth look at law school wellness programming as detailed by the ABA COLAP Law School Assistance Committee, which surveyed half of the nation’s law schools. Her findings will be published this fall in the *Journal of Legal Education*.

In an email, Confino, the director of professionalism and special projects at Fordham University School of Law, noted the sweep of Penn Law’s new wellness program, with its holistic approach that includes a focus on resilience and mindfulness, a meditative practice that emphasizes putting attention on the present moment.

She said the program highlights “the important fact that it is not possible for lawyers to fulfill their ethical responsibilities to their clients if they do not also tend to their own mental health and well-being.”

In her piece, she called Penn Law’s program “the gold standard” among U.S. law schools.

In 2018, the *Harvard Business Review* created a stir when it published a cross-industry study measuring loneliness in the professional world. Topping the list as the loneliest profession: law. The article cited research on isolation in the workplace, concluding that loneliness can be as debilitating and threatening to health as smoking half a pack of cigarettes per day.

The finding tracked with the high prevalence of depression among lawyers, but it begged the question:

Why are lawyers so susceptible to depression and substance abuse?

Dr. Larry Richard L’72 is a lawyer turned psychologist who understands the dynamics of attorney behavior through long

years of study and work with law firms, where he teaches leadership how to build teams and foster greater collaboration and how to innovate.

Picking up where the *Harvard Business Review* article left off, Richard said “the research in the last 20 years shows that social connection is the single most powerful engine that drives all of the outcomes that human beings want: life satisfaction, work satisfaction, physical longevity, a good immune system, and healthy relationships.”

Richard argued that in-bred skepticism, fault-finding, problem-seeking and motive-questioning—prized attributes of a skilled lawyer—do not necessarily equate to happiness, or connection. When you add the pressures of globalization and the ubiquity of technology, both of which drive a 24/7 culture, you’ve got a recipe for anxiety and depression, according to Richard.

“What we should be doing is asking what it is about the way that we practice law that creates the conditions that make people suicidal in the first place?” said Richard, founder of LawyerBrain LLC, a management consulting firm that serves the legal profession. “What are we doing that makes people feel depressed or anxious? What

“

What we should be asking is ...

What are we doing that makes people feel depressed or anxious? What are we doing that makes them feel like they need to narcotize themselves with drugs or alcohol?”

LARRY RICHARD L’72

“
People are looking
for tools to improve
their **well-being**...
They want environments
that support their whole
selves, not just
their professional
identities.”

ERIC FRIEDMAN L'89



are we doing that makes them feel like they need to narcotize themselves with drugs or alcohol?"

While acknowledging how hard it is to change cultural norms in large institutions, Richard offered prescriptions for change, drawing on his work with corporations.

He said the profession should stress positivity and do more research on how people thrive; should issue a moratorium on the use of social media, barring cell phones from meetings; should encourage employees to meet colleagues they don't know; should train partners not to micromanage; and should develop the strengths of young lawyers rather than focus on their flaws and weaknesses.

Penn's Counseling and Psychological Services (CAPS) has seen would-be lawyers up close. In the last fiscal year, CAPS saw more than 160 law students. Three years ago, the University started a pilot program in which it placed a counselor at the Law School and at other professional schools on campus. Dr. Kyra Selwyn, a clinical psychologist at Penn, spends Tuesday and Thursday nights at the Law School.

Selwyn noticed similar trends at Penn Law as those noted in the wider law school community. These include navigating the law school environment, and balancing law school demands (such as a desire to perform well) with maintaining personal relationships. Selwyn said it is important that students recognize a problem and utilize the sources of support available to them such as campus resources, law school advisors, and CAPS.

The ABA itself began to recognize the occupational hazards a few years ago. It was inescapable after the organization collaborated with the Hazelden Betty Ford Foundation on a comprehensive study of addiction and mental health in the world of law. Shocked by the numbers,

the ABA sprang into action, creating a task force that came back with numerous recommendations for stakeholders including encouraging people to seek help, reducing the stigma surrounding substance abuse and mental illness (a few weeks ago, the organization posted the first in a series of anti-stigma videos on its website featuring law students, lawyers, and judges who overcame alcoholism and depression), monitoring employee recovery from substance abuse problems and beginning a dialogue on suicide prevention. Most of all, the task force prevailed upon organizations to commit to establishing well-being programs through a pledge.

The subject of well-being resonates with Bob Carlson, immediate past president of the ABA. Addiction and depression have struck his own family with unusual force. He lost a brother and a brother-in-law to suicide and watched two brothers and a brother-in-law struggle with addiction.

During his tenure, which ended in August, Carlson said he would go to law schools and attorney gatherings and inevitably people would approach him and confide that they had a problem themselves.

It is for them and for the next generation of lawyers that the ABA feels an obligation to provide a better future, he said. "I'm not sure we can continue the (existing) model," said Carlson, a shareholder at Corette Black Carlson & Mickelson, P.C., in Butte, Montana. "We need to be healthy to do our job effectively. Because the ABA is the national voice of the profession, we felt that we couldn't sit back and ignore this problem."

As a result, the ABA's National Task Force on Lawyer Well-Being has called on legal employers, regulators, law schools and judges (who often preside in contentious environments and who face threats to their safety) to immediately address the underlying issues that are plaguing the industry.

Skadden Arps, an influential law firm with 22 offices on three continents, supported the ABA's efforts early on, signing

a pledge to do all it can to emphasize wellness in the workplace. To that end, it created a comprehensive program last year called Live Well Work Well that explores emotional, financial, physical and social well-being. The program focuses on areas such as stress management, drug and alcohol awareness, work/life balance, fitness, nutrition, and interpersonal relationships.

As part of its multipronged approach, in the spring Skadden invited Yale professor Laurie Santos to present a version of her popular course on happiness. She drew a crowd of 200 lawyers and professional staff that practically spilled out of a large conference room in the New York office. According to executive partner Eric Friedman L' 89, it was the largest turnout for a voluntary program in memory.

There was a similar response to a mindfulness program for summer associates and to a meditation app that attorneys could access whenever they wanted. Friedman said the app drew more than 200 downloads in the first few weeks.

"People are looking for tools to improve their well-being... They want environments that support their whole selves, not just their professional identities," Friedman said. "We want to respond to that interest, because we know that when people feel supported as individuals, happiness, performance and collaboration all improve. It's a win-win-win."

Friedman said Skadden is currently rolling out a firm-wide live meditation series where up to 50 people can gather in a room as an instructor guides them through a 30-minute session. Additionally, the firm is planning to work with Penn Law to identify ways to include Penn Law's wellness module into its summer associate mentoring program, in which firm lawyers prepare students for the transition to legal practice.

The new Clinton/Parker Wellness Suite provides a welcoming space for students to relax and recharge.



“
I really appreciate that Penn recognizes that yes, stress is part of the initiation process, but it doesn't have to be. **We're going to do what we can to try to make it less so.**”

GRACE GREENE 3L

When Dean Ruger announced the wellness initiative, practicing lawyers flooded Jennifer Leonard's inbox in praise of the effort, a far cry from when Leonard went to law school in the early 2000s. Back then, alcoholism and depression were taboo subjects, at least in law school.

“I never heard anyone talk about health and wellness as it relates directly to being a law student or lawyer,” recalled Leonard, who focuses on Penn Law's innovation initiatives. “When I graduated into practice, very few of my colleagues discussed the issues openly, either.”

Times change. Now she's leading the discussion with her colleague, John Hollway. In the maiden year of Penn Law's wellness program, Leonard and Hollway delivered two-hour lectures to each class on the dangers facing lawyers and on ways they can maintain mental health. They covered the landscape, speaking about how lawyers who are trained to look for problems can be their own worst critics and about how the daily grind of deadlines



PHOTO: CHARLES SHAN CERRONE

can leave little time for the development of healthy habits.

Kendall Torpey 3L, who took the module last school year, called it a worthwhile effort to teach future lawyers how to “cope not only with the typical ups and downs of life but some of the more acute mental health problems that crop up based on stressful work schedules or the pressures of the industry.”

Added Grace Greene 3L, another student in the first cohort: “Everybody in law school knows what a trying experience it can be. And a lot of times [students will accept it] as just part of the initiation process into the profession. I really appreciate that Penn recognizes that yes, stress is part of the initiation process, but it doesn’t have to be. We’re going to do what we can to try to make it less so.”

Since trial and error are a part of any experiment, Ruger said the Law School solicited feedback from students and will incorporate some of their suggestions. For example, students want more focus on how they can use their strengths to

improve their lives and would like more discussion on how to make law school itself healthier. In their replies to a survey, they also wrote that the Law School could better promote student well-being by having a permanent counselor on site, by taking steps to make the Law School environment less competitive, and by incorporating more wellness activities into the first year.

Ruger said Penn Law plans to share its module with interested law schools so they can replicate the program. “It’s now past time to focus on these issues and demonstrate with our words and our institutional actions that we’re a leader on wellness programming,” Ruger said. “To flourish in the law, as in life, we lawyers must be attentive to our own physical and mental health and aim to develop awareness of risk factors that threaten our well-being as well as of solutions and techniques that can help.”

During the fall semester, the Penn Law Student Affairs Office has sponsored workshops on sleep and nutrition, hosted physical fitness classes, and brought in a cognitive behavioral therapist. The events largely took place in the new Clinton/Parker Wellness Suite, a multipurpose student room with student meeting spaces that complements the new Living Room, a student lounge of sorts which includes a kitchen, televisions and comfortable lounge furniture. Located in the basement of Silverman Hall, it will be a place for students to relax in a quiet environment and take a break from their studies, according to Penn Law Dean of Students Felicia Lin. These new spaces opened in October.

The suite and Penn Law’s wellness program overall are meant to provide a buoy to students like the alumna who ran aground during her 3L year earlier this decade.

The alumna’s road to recovery began after she spent 30 days in rehab, worked with a therapist who helped her understand the sources of her anxiety, and enlisted the aid of a support group for alcoholics. She returned to law school in

the fall and graduated in December. She hasn’t had a drop to drink or swallowed a single drug ever since.

“The decision to leave law school was the scariest decision I ever made,” she said. “It really felt like I was derailing my life and losing time I could never make up.” But in retrospect, she said, it prevented a catastrophe. “The decision to get help and get sober is the thing I am most proud of in my life.”

Today she works in public service and counsels bar applicants who seek advice on how to disclose drug and alcohol problems. Reflecting on her good fortune, she said: “I work in a job I dreamed of having ... I dreamed of the life I have now. There’s a whole beautiful life on the other side.” ♣

WHERE TO TURN FOR HELP

STUDENTS

University of Pennsylvania Counseling and Psychological Services (CAPS)
215-898-7021

Penn Law Student Affairs
215-898-7482
stuaffairs@law.upenn.edu

National Suicide Prevention Lifeline
1-800-273-TALK (8255)

PRACTICING LAWYERS

ABA Commission on Lawyer Assistance Programs (coLAP)
www.americanbar.org/groups/lawyer_assistance/resources/lap_programs_by_state/

There is a directory of lawyer assistance programs for every state in the country.

Suicide Prevention Resource Center
www.sprc.org

Alcoholics Anonymous
212-870-3400
www.aa.org

Start Your Recovery
www.startyourrecovery.org

Lawyers with Depression
www.lawyerswithdepression.com



a bucket list *life*

How many people do you know who break their necks traveling through the Bermuda Triangle on a photography assignment? That's what happened to Sivani Babu L'10, who left her job as a public defender to travel the world... and get paid for it.

As career changes go, hers was a doozy. Sivani Babu '10 went from advocating for indigents to becoming a champion for the conservation of the night sky. It has been quite a career journey for Babu, a former federal prosecutor in Texas who returned to her native California to co-found *Hidden Compass*, a digital travel magazine and worldwide community of journalists, writers and artists that promotes the power of exploration and storytelling. She herself is an award-winning nature photographer and writer, who literally puts her neck on the line, most recently while sailing through the Bermuda Triangle during the height of a lightning storm. Babu suffered a broken neck and concussion when a crewmate fell and landed on her head and neck. A contributor to *BBC Travel*, *AFAR* and *Backpacker*, as well as a host of other magazines, Babu has also chased storms through Tornado Alley and searched for polar bears in the Arctic Circle—all for the sake of art and adventure. Her work has been displayed in exhibitions from the Sorbonne to San Diego.

Her courtroom days ended after a sailing expedition to Antarctica in 2014. The blog she started to chronicle that adventure gained notice, leading to her first published piece in a small photography magazine. She decided to seize the opportunity to become a writer and photographer.

More than five years later, Babu is working on her first book, *Saving the Night: Shedding Light on the Importance of Darkness*, which she describes as a rescue mission to save starlight. By her account, studies estimate that 80 percent of North Americans cannot see the core of the Milky Way at night, and scientists estimate that by 2025 virtually nobody in the continental United States will be able to clearly see with the naked eye the core of our galaxy. The book will discuss the science and philosophy of dark sky conservation as well as share her travels chasing and capturing the darkest night skies across the planet.

“
I loved being a lawyer and happily saw myself being one for the rest of my life, but I also had this draw to photography and travel.

SIVANI BABU
Hidden Compass



PHOTO: LAURENT DICK



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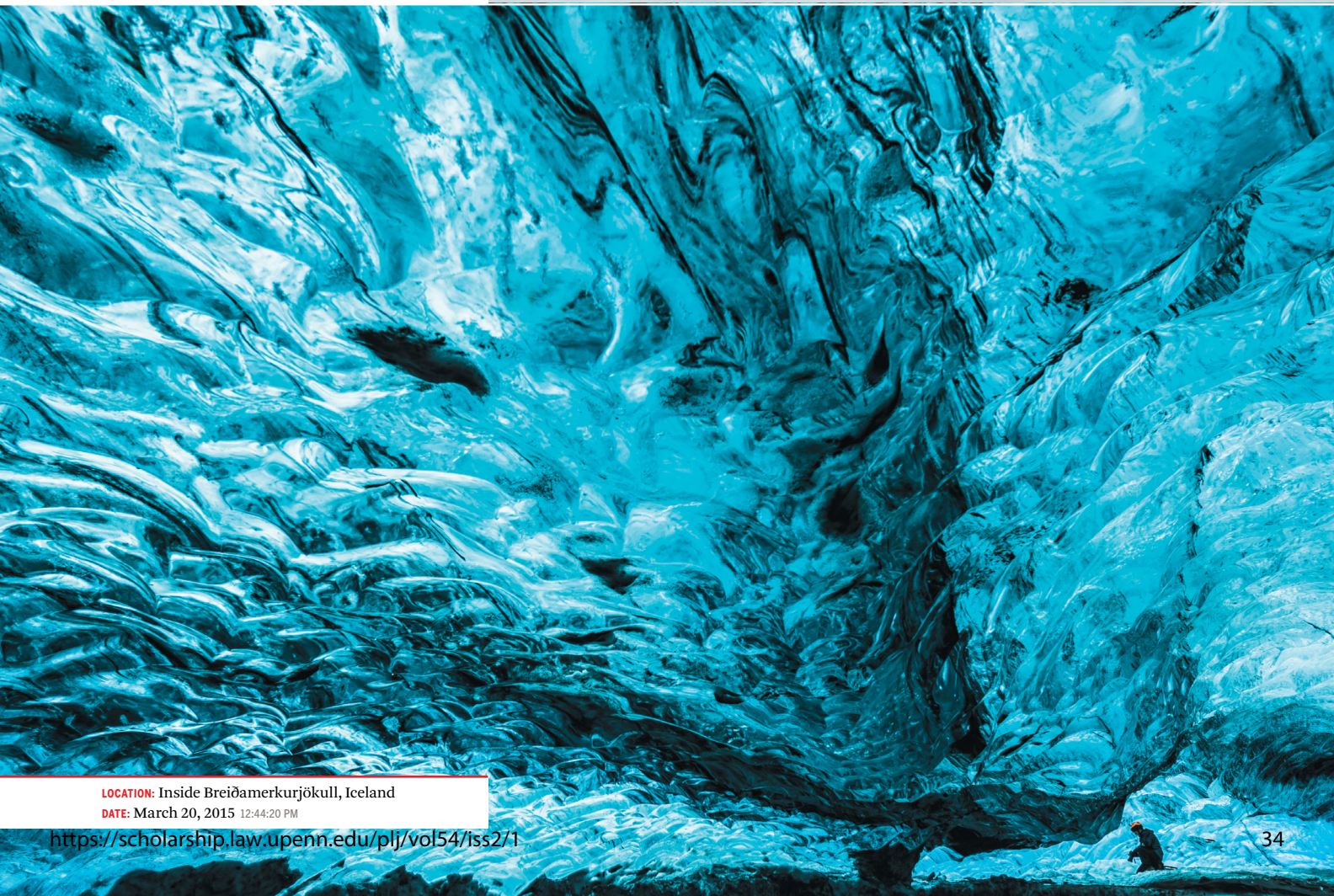


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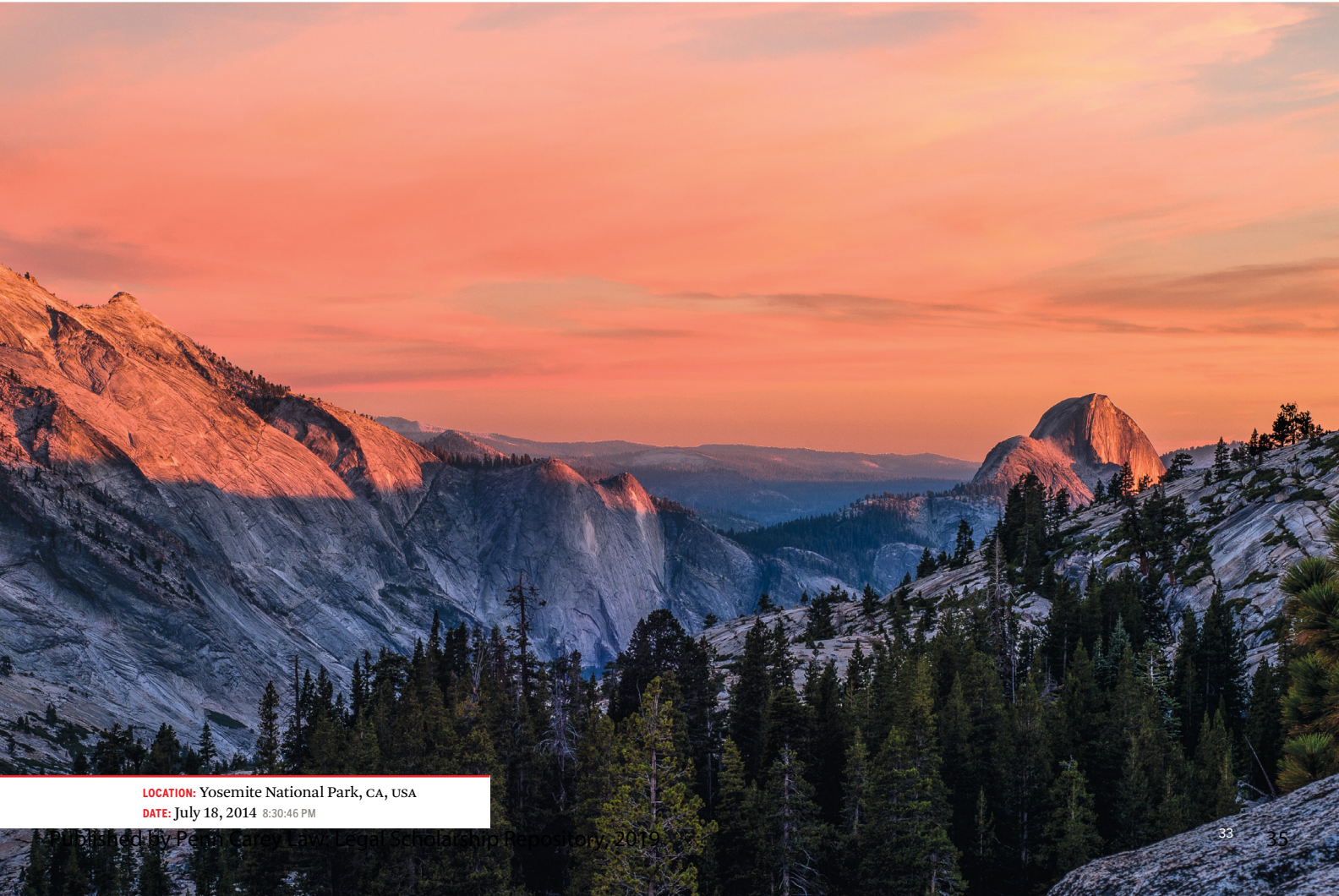
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CAMPAIGN PRIORITIES

1

ACCESS AND OPPORTUNITY

Penn Law's important assets are people: those who are learning the law and those who educate them.

2

INVESTING IN LEADERS

Penn Law anticipates the changing environment in which law is practiced.

3

PATHWAYS TO PUBLIC SERVICE

Penn Law will continue to build upon programs that create pathways to careers in public interest and government.

4

TRANSFORMATIVE THINKERS

Penn Law is committed to retaining and recruiting transformative thinkers and scholars.

5

NEW ERA DISCOVERIES

Penn Law's 11 cross-disciplinary academic centers and institutes promote research that yield solutions in law and policy.



PENN LAW BUILDS A COMMUNITY FOR PUBLIC SERVICE STUDENTS

Picture this: Penn Law is the destination law school for students interested in public service. Thanks to the Penn Law Service Corps—a newly established program to support students committed to advancing equity and justice as public interest lawyers—that could happen.

“We really have such a robust public interest program here [at Penn Law],” explains Emily R. Sutcliffe, director of Social Justice Programs. “Many students and prospective students come in and they’re shocked, because they don’t initially view Penn as a public interest school. Then they see our center, the financial support we provide through public interest scholarships, summer funding, and loan repayment, and all the staff and faculty that we have dedicated to supporting public interest students, and they’re blown away.”



Emily Sutcliffe, director of Social Justice Programs at Penn Law, extols the Service Corps as the key to making Penn Law the public service law school.

Penn Law established its first formal public interest program in 1989—now known as the Toll Public Interest Center—and, since then has been deeply invested in integrating public service into its legal education. It was one of the first institutions to set pro bono requirements for all students and, later, was the first school to receive the ABA's Pro Bono Publica Award.

The Service Corps builds and expands on this tradition of service. Made possible through ongoing support from Robert Toll L'66 and Jane Toll GSE'66, the program—now in its second year—has created a home for students interested in public service and offers resources to help them succeed in this challenging field. It also houses an expanded Toll Public Interest Scholars Program, which offers full academic scholarships, and the Toll Public Interest Fellows Program, which offers partial academic scholarships.

“Through the Service Corps, I see the community of public interest students really growing and thriving,” Sutcliffe says. “In the past, students have shared with me that as 1Ls interested in public service, they felt quite alone and disconnected. Now, we're getting feedback from students saying it's amazing to begin law school already feeling like part of a community comprised of others who are committed to the public interest journey.”

The Service Corps is open to all students who are willing to commit to program requirements, including regular community meetings, learning modules, retreats, academic seminars, and more. These events—which in the past have touched on issues of race and ableism—are focused on developing students into the most effective public interest advocates, activists, and attorneys possible.

“We want to really drill down on skill areas that the students have let us know they want to develop,” Emily notes. “This year we're focusing on storytelling...We found that students often struggle with telling their clients' story in a way that doesn't feel exploitive but

gets the point across about what their clients are experiencing.”

And students are grateful for the opportunity to build skills they can apply to their service work in a community of like-minded individuals.

“I feel really lucky that the Service Corps began while I was here,” says Allison Perlin L'20, a Toll Fellow. “It is creating a community among peers that can share and question and learn together, focused on justice. I think there are not a lot of spaces like that in the world. And having that place where you can be thoughtful, and caring, and aware is not something you find often, and I think that it makes me a better law student and a better advocate.”

More than that, the Service Corps is providing a space where students can talk and think about what they are working towards. “I find it completely inspiring,” affirms Sherrod Smith L'21, a Service Corps ambassador and Toll Scholar. “I can apply some of the skills I'm learning in law school, but also honor my commitment to public service and helping others...It helps ground my education in something larger and serves to motivate, inspire, and reinvigorate me—especially when I'm tired from studying all night.”

“**I really want—and believe that it's possible—to be the destination public interest law school.**”

EMILY R. SUTCLIFFE
Director of Social Justice Programs

The program has already experienced enormous growth in its brief existence, growing from 27 students in its first year to more than 70 students this fall—just a year later. Sutcliffe sees this expansion as a natural next step for Penn Law's public interest programming.

“I really want—and believe that it's possible—for Penn Law to be the destination public interest law school in the country,” Sutcliffe says. “That doesn't mean we don't do Big Law and we don't do it exceptionally well... but it means that all of the best, brightest, most amazing, and most diverse students from all over the world want to come to Penn Law, more than any other school, to do public interest. That's my dream.” ♥

CLASS NOTES

FINE PRINT

1950s

The **Hon. Harold Berger EE'48, L'51** was the recipient of a National Lifetime Achievement Award from *Marquis Who's Who in America* and *Who's Who in American Law*. He is co-founder and managing partner emeritus of Berger & Montague, P.C. Judge Berger has participated in many complex litigation matters including the Exxon Valdez Oil Spill litigation where he served on the case management team

and the Three Mile Island litigation where he served as litigation counsel. A former judge of the Common Pleas Court of Philadelphia, he is the recipient of the Special Service Award of the Pennsylvania Conference of State Trial Judges and is past chair of the National Committee on the Federal and State Judiciary of the Federal Bar Association. At Penn, he serves on the board of overseers of the School of Engineering and Applied Science, as chair of the Friends of Biddle Law Library, as a member of the executive board of the Center of Ethics and The Rule of Law, and is the recipient of the inaugural Lifetime Commitment Award of Penn Law.

Jules Silk W'49, L'52, PAR'90 was interviewed by NPR's Lulu Garcia-Navarro about organizing the 75th consecutive annual reunion for Central High School in Philadelphia, from which he graduated in 1944. A World War II veteran, Silk admitted that he did not attend the initial reunion because he was serving in the U.S. Navy, but that he's been a part of the reunion committee ever since the third event. This May, Silk and nine other alumni enjoyed a lunch reunion with a former principal of the school. Silk said 26 of 173 members of the class are living, and those who attended live in the Philadelphia area. "Old friends are important," he told NPR. "When you get to be 92, you have a paucity of friends. And therefore, it's wonderful to have old friends that you can get together with and talk about old times."



David Marion W'60, L'63, PAR'86, PAR'90, PAR'93 was named a 2019 Lawyer of the Year by *Best Lawyers in America* for his work in legal malpractice defense. He is also listed by the publication for the practice areas of appellate practice, litigation, commercial litigation, first amendment law and media law. Marion has successfully represented a number of local Philadelphia law firms in litigation and serves as senior counsel of White and Williams LLP in the city. A former chancellor of the Philadelphia Bar Association and president of the Lawyers Club of Philadelphia, Marion currently serves as national chancellor of the Tau Epsilon Rho Law Society and general counsel of the Philly Pops Orchestra.

H. Robert Fiebach W'61, L'64 was named to *Best Lawyers in America* for the 26th consecutive year. He was recognized for his work in the following practice areas: commercial litigation, legal malpractice law — defendants, litigation — real estate, and litigation — securities. Fiebach is senior counsel to Cozen O'Connor's commercial litigation department and co-chair of the firm's legal malpractice group.

Patricia Ann Metzger CW'63, L'66 was appointed a commissioner of the Massachusetts Appellate Tax Board. Her nomination by the Governor was approved by the Governor's Council for a six-year term.



Richard Siegal W'69, L'72, PAR'96 joined Royer Cooper Cohen Braunfeld as a partner at the law firm's New York office. Previously, the trusts and estates lawyer was at Schiff Hardin.

Bruce Rich L'73, a senior partner at Weil, Gotshal & Manges and co-head of the firm's intellectual property & media practice, announced his retirement at the end of 2019. He had been at Weil for the past 46 years — his entire legal career — and is a nationally recognized expert in intellectual property law. He headed the firm's IP/Media practice for about 30 years, where he concentrated in the areas of communications, entertainment, and the Internet industry and focused his litigating and counseling in the fields of copyright, music licensing, trademark, antitrust, and the First Amendment. Rich was recently honored as the first private practitioner to deliver the Horace Manges Copyright Lecture at Columbia Law School. In January, he will become a fellow at Harvard's Advanced Leadership Institute, a yearlong program in which he will focus on furthering his work on public education initiatives. Rich has been chairing the board of EL Education, an education reform nonprofit, since the fall of 2017.

Ian Comisky W'71, L'74 was a lecturer on The Knowledge Group's October webcast titled "How to Effectively Deal with Financial Crimes: What Every Company Needs to Know." He is a litigation partner at Fox Rothschild LLP. Comisky concentrates his practice in representing individuals and entities with respect to U.S. tax and foreign asset reporting obligations under FBAR and FATCA as well as other information reporting requirements. He is also an adjunct professor at Penn Law, where he teaches a course covering FBAR reporting and related issues.

H. Ronald Klasko L'74 was awarded the American Bar Association's highest award, The Founders Award, in Orlando at the Annual Conference of the American Immigration Lawyers Association (AILA) in June. The award recognizes a person or organization who has had the most substantial impact in the field of immigration law or policy, and it has been bestowed just three times in the past decade. Klasko was the first recipient in history to have received the award twice. He was recognized for leading AILA's newly-formed Administrative Litigation Task Force, which has increased successful litigation across the country that challenges restrictive immigration policies, legal interpretations and unreasonable delays in adjudications. Klasko also served as co-counsel for the federal court litigation challenging a U.S. Citizenship and Immigration Services (USCIS) memorandum that purported to reverse 21 years of consistent USCIS policy by imposing 3- or 10-year bars to admission to the U.S. for many foreign students and scholars. The litigation resulted in the issuance of a nationwide preliminary injunction that forced USCIS to withdraw its policy.

Wendy White L'75 was elected to the board of directors of the U.S. Exchanges for NASDAQ. She serves as senior vice president and general counsel of the University of Pennsylvania and Penn Medicine, and she previously served as deputy general counsel of the University.

The Hon. Gordon Goodman C'74, L'77 wrote an article, "Ethics of Punishment," that was published by *In Chambers*, the journal of the Texas Center for the Judiciary. He is a judge for the Texas First District Court of Appeals.

Ruthanne Beighley George L'76 and her husband, Joe, were specially honored at this year's annual Buhl Day, a Labor Day tradition in Hermitage, Pa. The festive day celebrates the century-old contributions of Frank and Julia Buhl, who built a 300-acre park for the community, with a parade, food, games, music and arts. The Georges were chosen as guests of honor for their efforts to improve the community. Beighley George started her own law office in the area in 1984, and now one of her daughters, Jessie Hull, works in that office.

Nancy Baron-Baer L'78, the regional director of the Anti-Defamation League of Philadelphia, announced plans to retire in November after 17 years with the organization. She had been regional director since 2014. During her tenure, she expanded the No Place for Hate initiative, which aims to reduce bias and bullying and increase appreciation for diversity and respect within specific schools and organizations. The Philadelphia ADL also created the Black-Jewish Alliance in 2017 under her leadership. She additionally continued a focus on training law enforcement agencies to combat extremism, terrorism and hate crimes. Baron-Baer

said she looks forward to international travel with her husband and spending more time with her two grandchildren.

Lawrence Schall L'78, GRD'03 announced he will end his service as President of Oglethorpe University in June 2020. He joined the University in 2005 and is currently the longest-serving sitting college or university president in Georgia. During his tenure, he significantly improved the school's finances, having increased net assets by 174 percent, reduced debt by 51 percent and grown enrollment by almost 51 percent. He also led successful financial campaigns and invested millions in restoring the historic campus. In 2012, he founded College Presidents for Gun Safety, which unified the support of more than 300 college and university presidents. Schall gained national attention in the summer of 2015 by driving for Uber to better understand the "gig-economy" his students face. Under Schall's leadership in 2019, Oglethorpe became the first partner institution in Georgia to join TheDream.US, which offers scholarships to DACA students.

Anthony Haller GL'79 was elected as a Master of the Bench of Gray's Inn, London. A Master of the Bench, also known as a Bencher, of an Inn of Court in England and Wales is a lifetime office in recognition of the contribution that a barrister has made to the life of the Inn or to the law. The Benchers of an Inn constitute its governing body and are usually Queen's Counsel or judges; it is a rare distinction for a barrister admitted and practicing in a foreign jurisdiction to be elected as a Bencher. Haller was named a Bencher for his contributions to the American Inns of

Court movement, the links he has helped forge between Gray's Inn and the American Inns of Court, and the bonds he has helped foster between the American and English Inns of Court, including the establishment of a National Advocacy Program in conjunction with the English Inns of Court College of Advocacy. He serves as a trustee and executive committee member of the American Inns of Court Foundation and is a past president and current member of the executive committee of the Temple American Inn of Court in Philadelphia, where he lives and works. Haller is a partner and member of the Blank Rome's executive committee, where he focuses on all aspects of labor and employment law, including preventative counseling, complex litigation, trial, and appellate work. He currently leads the Trade Secret and Unfair Competition practice. Earlier this year, *The Philadelphia Inquirer* named Haller an Influencer of Law in employment litigation, and in 2018 he received *Finance Monthly's* Trade Secrets Lawyer of the Year Award. He has been regularly recognized by *Chambers USA* and *Chambers Global* as a leader in labor and employment law.

David Hartford L'79 was appointed to IronGate Capital Advisors' senior advisory board. He is a founding partner of Calibrium AG, where he is now a senior advisor.

Robert Schneider L'79, WG'79, PAR'04, PAR'13 retired as special counsel after 22 years at Cuddy & Feder. As special counsel, he handled commercial and public finance transactions including the purchase and sale of businesses and assets, commercial finance including asset-based lending, long-term and revolving credit

loans as well as commercial, real and personal property financing. Schneider represented borrowers, banks, trustees and bond purchasers in the areas of tax-exempt and taxable bonds, interest-rate swaps and similar derivatives, and the privatization of municipal assets. He also represented a diverse group of business and municipal clients varying from manufacturing to distribution, equipment leasing, healthcare, airlines and a wide range of service companies.



Jeffrey Chester L'81 joined Greenberg Traurig as a shareholder in the Los Angeles office and the firm's global head of energy project finance. He was previously at Morrison Foerster, where he led the firm's renewable energy efforts.

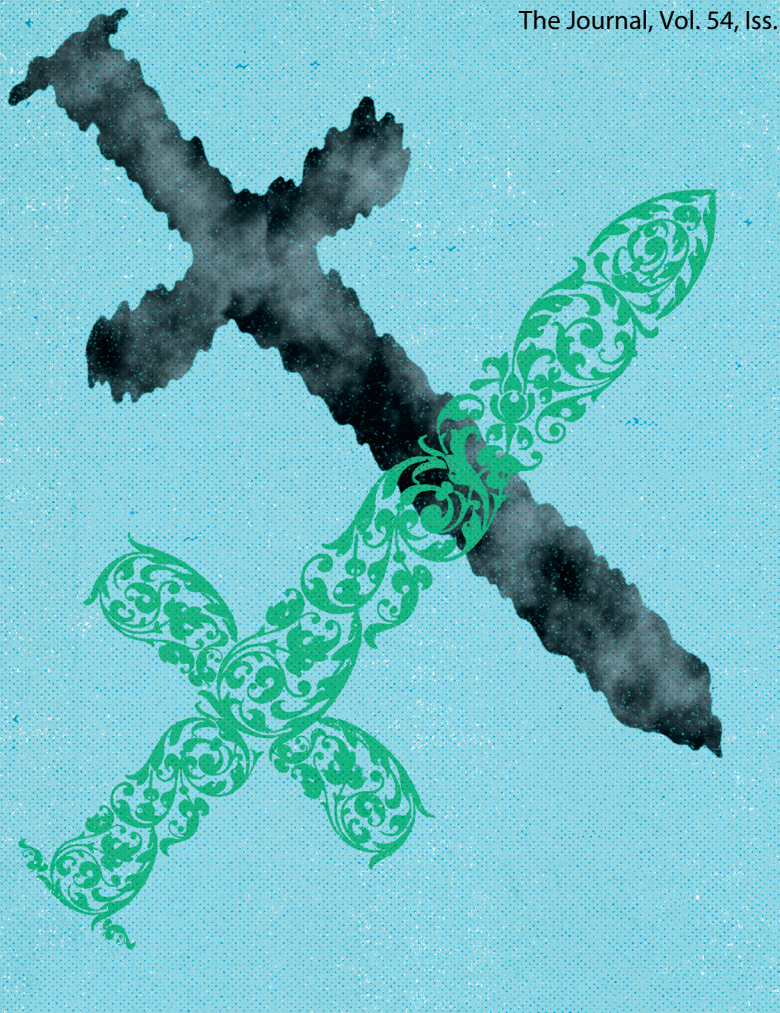
David Cohen L'81 received Roman Catholic High School's 28th Annual Greater Philadelphia Leadership Award. Cohen, the senior executive vice president and chief diversity officer of Comcast Corporation, was recognized for his philanthropy and generosity to the Delaware Valley region. Cohen currently serves as chairman of the Trustees of the University of Pennsylvania and is a member of the Trustee Board of Penn Medicine. He serves on both the board of directors and the executive committee of the Greater Philadelphia Chamber of Commerce and is a member of the Chamber's CEO Council for Growth. He is an honorary chair of Campus Philly's board of directors and is chair of the Philadelphia Theatre Company. Cohen is also a member of the United States Semiquincentennial Commission.

He serves as chair of the national board of City Year, as well as sits on the national board of the National Urban League and is chair of the Corporate Advisory Board of UnidosUS.

Magdeline Coleman L'81 was sworn in on Sept. 6 as Chief Judge of the United States Bankruptcy Court for the Eastern District of Pennsylvania. She joined the U.S. Bankruptcy Court as a judge in Philadelphia in 2010.

Jeffrey Kwall L'81, WG'81, the Kathleen and Bernard Beazley Professor of Law at Loyola University of Chicago, was voted Professor of the Year by Loyola's graduating law class. Kwall was also voted Professor of the Year in 2016. He teaches advanced corporate tax, business and the law, corporate and partnership tax and federal income tax courses. Kwall has been a leader in developing Loyola's tax law curriculum, tax certificate program, and accelerated LLM in taxation program. Additionally, he has published tax articles in several journals and has authored *The Federal Income Taxation of Corporations, Partnerships, Limited Liability Companies and Their Owners*, which has been adopted by more than 60 law schools.

Randy Mastro L'81 was ranked seventh in *City & State New York's* 2019 Law Power 50 list, which names the most powerful people in New York politics working in law. During the 1990s, Mastro served as New York City Mayor Rudy Giuliani's deputy mayor for operations, in which he was often the mouthpiece for the administration. He and his family once required personal bodyguards because of his work in fighting organized crime in the city. Mastro is now a partner at Gibson, Dunn & Crutcher in New York.



Tilting at Windmills To Achieve Hard Fought Environmental Progress

When **Jim Pew L'89** joined the Natural Resources Defense Council in 1995, his boss dumped a bunch of paper-laden boxes, brimming with environmental issues, onto his desk. His task: find a compelling case to argue from anything he found in the paperwork.

"One of the first boxes I dug into was on medical waste incinerators, and it turned out to be broader than I expected," said Pew, who is a staff attorney at Earthjustice.

A 1990 amendment had been added to the Clean Air Act to reduce toxic air pollution like mercury and dioxins, but the Environmental Protection Agency had done little to cut the incinerators' pollution.

"I was really so intrigued by this area of the law and the idea that there were big benefits that were being left on the table," he said.

The issue eventually made its way to the U.S. Court of Appeals for the D.C. Circuit. "It was a fun case, and it set some good precedent," Pew said. The EPA, for instance, was held to explain why the standards it sets actually reflect the emission levels achieved by the cleanest incinerators. This affected subsequent attempts by the agency to circumvent the minimum standards for air toxics from other types of polluters.

Pew, who has loved nature since childhood, didn't always know he'd one day be litigating against powerful lobbies and the federal government to help protect the environment.

Unfulfilled by a stint in commercial litigation, he eventually landed at the Natural Resources Defense Council, where he soon learned the realities of federal bureaucracy.

"I naively thought the government would be taken by the logic presented in policy papers," Pew said, particularly regarding rules ignored in the Clean Air Act. "That notion was dispelled very quickly."

So, two years later, he joined Earthjustice as a litigator in 1997. The nonprofit now has 15 regional office and employs 137 lawyers to litigate cases aimed at protecting the environment, which the organization has been doing since 1971. Over the years, Pew has worked on placing controls on many polluting industries, including cement plants, which he said are among the country's worst individual emitters of mercury. Although the government repeatedly refused to set limits over several years, and the process took four rounds of litigation, mercury limits are now in place. Cement plants' mercury emissions have been cut by more than 90 percent, he said.

"You have to take the long view," Pew said. "It's harder to force the government to do the right thing than it is to stop it from doing the wrong thing. Often it takes several rounds of litigation to get to the point where you need to be."

He is also working on emissions limits for coal-fired plants—in his words, "the worst of the worst polluters"—and paper mills. President Trump's administration has been trying to deregulate coal-fired plants. Another proposal that worries Pew calls for the deregulation of thousands of air pollutants across many industries. It redefines major sources of pollutants as minor sources so that emission control requirements no longer apply to them.

Industry groups routinely argue that achieving pollution reductions isn't economically feasible, he said. "Almost every time a rule comes out, an industry insists it's going out of business, and then a few years later, there it still is," Pew said. "The truth is, they have the money to install control equipment, but very few plants do it voluntarily."

The litigation process, Pew said, is simultaneously discouraging and rewarding. "There's no question it's frustrating to beat your head against the wall on the same issue for a while," he said.

But he wouldn't trade it: "I feel really lucky to get to do this."

Oluwagbemiga Oyebo GL'82, PAR'18, PAR'23 was appointed to The Ford Foundation's board of trustees. He is a founding partner and chairman of the Nigerian law firm Aluko & Oyebo, where he advises corporations on energy and natural resource matters, telecommunications, project finance, and aviation.

David Prager L'84 was named in the 2020 edition of *Best Lawyers in America* for his work in employment law—management. He is an attorney at Bond, Schoeneck & King.

Daniel Guadalupe L'86 co-presented “Navigating the Legal Minefield—Protecting Your Food Business at Each Stage of Growth” at the World of Latino Food Show held at the Meadowlands Expo Center in Secaucus, N.J. He covered how to identify and prioritize your legal needs at various stages of growth to effectively protect and promote your business. Guadalupe is a member of Norris McLaughlin PA, and co-chair of the firm's litigation practice group. He represents clients in commercial litigation and provides “outside” general counsel assistance with a specialty in business disputes. He has many clients in the food industry and is outside counsel for Tropical Cheese, Ferrero, and Delicioso Coco Helado, as well as supermarkets and restaurants.

Amy De Shong L'86 was included in the 2020 edition of *Best Lawyers in America* for her work in family law. She is a partner at Wisler Pearlstone, LLP.

Kenneth Trujillo L'86, PAR'22 was named to *Super Lawyers'* 2019 “Pennsylvania Super Lawyers” list. He is a shareholder at Chamberlain Hrdlicka and represents domestic and foreign corporations and government

entities, executives, lawyers and other individuals with a focus on contract disputes, securities, antitrust, education and other regulatory issues. His practice involves complex civil litigation and class actions, and he counsels clients on governance, regulatory matters, internal investigations and government relations. Trujillo has been selected for inclusion in the “Pennsylvania Super Lawyers” list annually since 2005.

Timothy Kolman L'87 was named Top Attorney of the Year for 2019 by the International Association of Top Professionals. He will be honored at IAOTP's Annual Awards Gala in December at the Bellagio Hotel in Las Vegas. Kolman was selected for his legal experience, peer recommendations and immaculate record. He has 30 years' experience as a practicing complex litigator and is founder and attorney for Kolman Law PC, which includes practice areas of employment law, discrimination, trade secret litigation, medical malpractice, legal malpractice, civil rights, wrongful death, catastrophic injury and appellate practice. The firm, founded in 1991, concentrates on clients with highly complex cases that involve significant damages. Kolman has received many awards and accolades over the years and graced the cover of *TIP (Top Industry Professionals) Magazine* last year.

Linda Swartz L'87 was featured in *Law360 Tax Authority's* Influential Women in Tax Law series. She is a partner at Cadwalader Wickersham & Taft LLP, where she chairs the firm's tax group and is a member of the firm's management committee. She has worked on billion-dollar transactions, advised on major spinoffs and mergers and simultaneously worked to empower women at her firm by starting a committee that

focuses on the retention and promotion of women and diverse attorneys.

The Hon. Leo Strine, Jr. L'88 announced his plans to retire from his post as Delaware Chief Justice after almost 27 years of service on the Delaware bench. He was appointed Chief Justice of the Delaware Supreme Court in February 2014 by Gov. Jack Markell. Previously, he served as Chancellor of the Delaware Court of Chancery from 2011 to 2014, and Vice Chancellor from 1998 to 2011. Before becoming a judge, he served as legal counsel to Delaware Gov. Tom Carper.

Karen Heaphy Davis L'89, PAR'16 was promoted to partner in the Exton, Pa., office of Fox Rothschild LLP. She advises clients on a variety of compliance issues, identifying practical and creative solutions to complex challenges.



The Hon. Thomas Barber L'92 was confirmed by the U.S. Senate as a federal judge of the U.S. District Court for the Middle District of Florida, which covers 35 counties and Naples to Jacksonville. He had been serving as a Hillsborough circuit judge since 2008.

Matthew Biben L'92 joined Gibson, Dunn & Crutcher LLP's New York office as a partner. He serves as co-chair of the firm's financial institutions practice group, in which he focuses his practice on complex regulatory and litigation matters. He was previously a co-lead of Debevoise & Plimpton LLP's banking industry group.

Peter Jones L'92 was named the 2020 *Best Lawyers in America* “Lawyer of the Year” for Litigation—Labor and Employment. Only one lawyer in any practice area in a city is honored as the “Lawyer of the Year.” Jones was also named to the New York edition’s list for his work in employment law—management, labor law—management, and litigation—labor and employment. He is a member of Bond, Schoeneck & King, where he is deputy chair of the labor department. Jones counsels and represents employers in employment litigation, wage and hour proceedings, union organizing campaigns, unfair labor practice proceedings, collective bargaining negotiations, labor arbitrations, strikes and picketing situations, and discrimination claims. He also represents a number of municipalities in labor matters.

Peter Rooney L'92 joined Morrison & Foerster’s New York office as a partner in its mergers and acquisitions group. He also focuses on private equity transactions. Rooney represents several financial services firms, including broker-dealers, securities exchanges and trading venues. Much of this work involves matters at the convergence of technology and financial services.

Christopher Smith C'87, L'92, PAR'17 was named by *Chambers USA* as a top practitioner in general commercial litigation in North Carolina. He is a partner at Smith Anderson in Raleigh, N.C.

Norberto Garcia L'93 became the first Latino president of the New Jersey State Bar Foundation. Garcia is a personal injury lawyer who specializes in medical malpractice cases at Blume Forte Fried Zerres & Molinari.

Deborah Miller L'93 joined Timoney Knox, LLP as an associate in Fort Washington, Pa. She serves in the firm’s wills, trusts and estates practice and is cross-listed in the family law practice. Her practice focuses on estate planning and administration, as well as representing clients in family court and orphans court. Miller regularly volunteers for the Senior Law Helpline to guide seniors through their estate and family law concerns.

Craig Barnett L'94 joined Stearns Waver Miller’s Fort Lauderdale, Fla., office as a shareholder in the litigation group. He focuses on complex commercial litigation in state and federal court and in administrative law tribunals. He had previously practiced at Greenberg Traurig for 22 years.

Marni Beck Pedorella L'94 was named general counsel of NBC Entertainment. She joined NBCUniversal in 2000 as vice president, intellectual property counsel and has had a diversity of experience in production, legal and NBC Entertainment Legal Affairs. Most recently, she served as senior vice president, legal affairs for NBC Entertainment, supporting the Late Night & Specials business and production teams.

Parth Munshi L'95 joined Taylor English Duma LLP as a partner in the firm’s corporate practice group. His practice focuses on matters related to corporate governance, securities regulation and disclosure, mergers and acquisitions, and NYSE and NASDAQ compliance. He was previously at CKR Law and also has experience serving as a primary disclosure and governance lawyer for The Coca-Cola Company and Molson Brewing Company.

Melissa Ganz L'97 was promoted to associate professor with tenure at Marquette University, where she teaches in the English Department. She specializes in eighteenth- and nineteenth-century British literature and culture, with a particular focus on the relationship between literature, law and ethics. Her book, *Public Vows: Fictions of Marriage in the English Enlightenment*, was recently published by the University of Virginia Press as the winner of the 2018 Walker Cowen Memorial Prize. The book offers a new account of the marriage plot, arguing for the centrality of nuptial law to eighteenth-century fiction and of novels to nuptial regulation. At the same time, the book shows how early innovators of the novel genre can help us think through our own era’s controversies about the nature of marriage, the value and limits of individualism and the role of law in intimate life.

Priscilla “Sally” Mattison L'97, of counsel to Bernard M. Resnick, Esq., P.C., co-wrote an article titled “The Reality of Reality Television Competition Programs,” which was published in the July/August 2019 issue of *The Pennsylvania Lawyer*. She also joined the board of directors of Pennsylvania Public Radio Associates, Inc./Echoes.

Todd Foreman L'99 was appointed chief legal officer of Makor Group, an international agency brokerage group trading cash equities, fixed income, FX and derivative products. Foreman is based in London, and in his new role, reports to the Makor Group Board of Directors. He was previously vice president and assistant general counsel at JPMorgan Chase.

Lori Marino L'99 was appointed executive vice president, general counsel and secretary of New Senior Investment Group Inc., a publicly-traded real estate investment trust with a diversified portfolio of senior housing properties across the country. In her new role, she is responsible for the company's legal and compliance function as well as its human resources function. She was most recently vice president, deputy general counsel and corporate secretary for ITT Inc., a publicly traded global multi-industrial manufacturer.

Ben Marsh L'99 joined Goodwin Procter LLP's New York office as a partner in the firm's life sciences and technology practices. He advises U.S. and international issuers and underwriters on a broad range of transactions, including the life sciences and technology industries.

Matthew McDonald L'99 joined Klehr Harrison Harvey Branzburg LLP's Philadelphia office as a partner in its corporate and securities practice group. He focuses his practice on advising clients on mergers and acquisitions, investments, securities compliance and corporate governance, and he has extensive experience in contract drafting and negotiation, litigation management, regulatory compliance and HR legal support. McDonald was previously senior vice president and deputy general counsel to GAIN Capital, a NYSE-listed provider of foreign exchange and over-the-counter derivative trading services.

Marlon Paz L'99 joined Mayer Brown as a partner and leads the firm's Broker-Dealer Regulatory & Compliance Practice. His practice focuses on advising broker-dealers and other

financial services firms in matters related to securities regulation, examinations, internal investigations, SEC and FINRA enforcement and compliance. He has previously served in senior positions at the SEC, where he had a key role in developing the SEC's positions on many regulatory and enforcement matters, including the regulation of foreign financial institutions, shorting, Regulation M, soft dollar payments and the standards of care for broker-dealers.



Phyllis Staub Wallitt L'00 was featured in *Law360*'s "15 Minutes With" series about her role as senior vice president and general counsel at Priceline. She joined the company in 2008 and shared her insights on building trust amid cybersecurity risks, the nuanced role of a general counsel, how Priceline has evolved over the years and her favorite travel deal.

Joshua Sterling L'01 was appointed as the director of the Division of Swap Dealer and Intermediary Oversight at the U.S. Commodity Futures Trading Commission (CFTC) in Washington, D.C. The CFTC is the federal agency that oversees the markets for futures, swaps, and other commodity interest transactions. In his new role, he heads one of the CFTC's four operating divisions that oversees the banks, dealers, brokerage firms, asset managers and advisers that participate in those markets. He was appointed by fellow Penn Law alumnus Heath Tarbert L'01, GRL'02, the newly-appointed CFTC chairman. Sterling was previously a partner in Morgan, Lewis & Bockius LLP's investment management practice group.

Jae-Min Han L'02 was named a Luminary for the National Association for Multi-Ethnicity in Communications. She is the vice president and chief counsel for Charter Communications.

Constantine ("Gus") Petropoulos L'02 was promoted to senior vice president and general counsel of Park Electrochemical Corp., an aerospace company that develops and manufactures materials for the global aerospace markets. He had been vice president and general counsel of the company since September 2014.

John Stapleton L'02, opened Stapleton Law LLC in June 2019. Stapleton Law LLC represents clients in business and government litigations, including trials, appeals, mediations and arbitrations. Stapleton was most recently a shareholder at Hanglely Aronchick Segal Pudlin & Schiller. This year, *The Philadelphia Inquirer* named him one of 12 "Influencers of Law" in business litigation.

Eric Johnson L'03 joined Locke Lord's Dallas office as a partner in the firm's nationally-recognized public finance practice group. He was also elected mayor of Dallas in June. Before becoming mayor, he served nine years in the Texas House of Representatives, and in that time, served on 20 major legislative committees and as the chairman of the Dallas Area Legislative Delegation. Johnson most recently worked at Orrick, Herrington & Sutcliffe LLP.

Sara Temes L'03 was highlighted in the annual *Upstate New York Super Lawyers* for her work in bankruptcy business. She is a member at Bond, Schoeneck & King.

Andrew Weiner L'03 joined the faculty of the Temple University Beasley School of Law as director of the graduate tax program and practice professor of law. He is also developing a tax research and writing class and plans to explore interdisciplinary opportunities with Temple's trial advocacy program. He was most recently an attorney in the appellate section of the Department of Justice's Tax Division, where he served more than a decade, and he also taught corporate tax and partnership tax at American University Washington College of Law for several years.

Patrick Doherty L'04 joined Polsinelli's New York office as a shareholder in the firm's corporate and transactional practice. He advises clients, which include private equity sponsors and publicly- and privately-held companies, on a range of corporate and transactional matters. His experience includes a particular focus on leveraged buyouts, taking private and other merger and acquisition transactions. He was previously an attorney at Westerman Ball Ederer Miller & Sharfstein.

Ilana Eisenstein L'04 was named to the *Legal Intelligencer's* 2019 list of Unsung Heroes for her work involving the Supreme Court that addresses emerging legal issues for businesses. She is a Philadelphia-based partner and co-chair of the appellate advocacy practice at DLA Piper. Eisenstein focuses her practice on appellate, complex commercial and white-collar litigation. She has argued five cases in the U.S. Supreme Court, including cases involving novel questions of statutory and constitutional law and procedure, and has been the lead author of dozens of briefs at the merits and certiorari stage in

the Supreme Court and in the federal courts of appeals. In her career, she has worked on more than 100 federal cases.

Erica Mason L'04 joined Akerman LLP's Atlanta office as a partner in its labor and employment practice group. As national and regional employment counsel for her clients, she routinely defends employment claims before state and federal courts and agencies across the country, including successfully litigating five sexual harassment class actions against the U.S. Equal Employment Opportunity Commission and dozens of class and collective actions against privately represented individuals and groups. Mason was previously an attorney at Constangy, Brooks, Smith & Prophete LLP.

Josh Scala L'04 joined Hogan Lovells' San Francisco office as a corporate partner in the U.S. real estate investment trust tax practice. His practice focuses on the ownership, development, and disposition of commercial real estate and related federal income tax issues. He was previously a principal at Ernst & Young.

Arian June L'06 was promoted to partner at Debevoise & Plimpton's Washington, D.C., office, where she is a member of the white collar and regulatory defense group. Her practice focuses on securities enforcement defense, internal investigations, state attorneys general inquiries, white collar criminal defense and sensitive investigations, with a particular emphasis on investigating corporate whistleblower reports and counseling clients on how to mitigate whistleblower-related risks.

Alexander Simkin C'03, L'06 joined Ropes & Gray's New York office as counsel in the firm's litigation and enforcement practice group. He particularly focuses on representing financial institutions, including those involved in private equity, banking, insurance and other financial services. He was previously special counsel in the litigation group at Kasowitz Benson Torres.

Alison von Rosenvinge GR'00, L'03, under the pen name D.A. Bartley, authored a murder mystery titled *Death in the Covenant* that was published by Crooked Lane Books in August. The novel explores uncovered secrets within the Mormon Church and the conflicting feelings of Detective Abbie Taylor, the case's investigator and a former Church member.

Greg Cooper L'07 was appointed the Dean of Studies at Ransom Everglades School in Miami, Fla. In addition to leading the school's academic program, Cooper also teaches U.S. Government, Comparative Government, Criminal Justice and a class about 9/11.

Matthew Olesh L'07, who is senior counsel at Chamberlain Hrdlicka, was named to the 2019 "Pennsylvania Rising Stars" list. He is a business lawyer who focuses on a wide array of litigation, and additionally, handles matters involving antitrust, bankruptcy, class actions, corporate governance, employment, environmental compliance and litigation, insurance, international law and business disputes, real estate and white-collar compliance and defense. He has been selected for inclusion in the "Pennsylvania Rising Stars" list annually since 2013.



‘World’s Oldest Influencer’ Owns a Veritable Museum of Sneakers

Fresh out of law school, when **Adam Leaventon L’97** was working at the law firms of Proskauer Rose and Skadden in New York, he wore sneakers with his suits.

“I told them I had a bad back,” he recalls.

Leaventon’s back is fine.

What his colleagues didn’t know was that Leaventon, a Philadelphia native who grew up in Center City, had been painstakingly curating a collection of rare designer sneakers from early adolescence.

“Market and Chestnut streets were a hotbed of style, and the most interesting part of it was having something that no one else had and getting that ‘where’d you get that?’ look,” Leaventon said, adding that being the only one on the block with a unique pair of sneakers always gave him a rush.

Digging for rare pairs in tiny shops or random attics was a thrilling treasure hunt, he said. Back then, certain

styles were often only sold in specific cities, so ordering a coveted pair online was not an option.

These days, his collection racks up to about 1,000 pairs, and his love of interesting sneakers has led him to his present career in marketing.

Leaventon wasn’t fulfilled working for a big law firm in New York. In 1999, he became a key player in something that interested him much more—an internet message board called Nike Talk, where people chatted not only about sneakers but also additional common interests like hip hop and basketball.

“Before we knew it, we had 250,000 members, and sneaker companies were sneaking on there to see what people were talking about,” Leaventon said.

Through connections in the forum, shoe companies began offering him jobs. He accepted one with PUMA in product management, where he was tasked with understanding the trends and movements popping in pop culture and helping apply those ideas to footwear.

“I really stopped buying shoes when I began working for PUMA in 2004 because people started sending me shoes,” he said.

Leaventon eventually became PUMA’s lifestyle merchandising head for North America. After eight years, he moved his family to Laguna Beach, Calif., for a job as global head of merchandising at DC Shoes.

“Six months later, it was pretty clear the ship was sinking,” Leaventon said.

He was at a crossroads: His wife wanted to return to Philadelphia, but the City of Brotherly Love wasn’t home to any major shoe companies. She convinced him, Leaventon said, that he wasn’t tied to shoe companies because his real skill was understanding brands and culture.

He admitted that sounded a lot like marketing. So, he moved home and landed at Red Tettemer O’Connell + Partners, a full-service creative agency that works with a range of brands, including Keurig, Stanley Black & Decker, Dietz & Watson, Southern Comfort and Dick’s Sporting Goods. Leaventon is the firm’s head of strategy. He loves it.

“At this company, they took a significant roll of the dice and put a lot of faith in me, and it turned out to be my happy place,” Leaventon said.

All the while, his passion for sneakers has never wavered. And people still send him shoes. “I’m the world’s oldest influencer,” Leaventon joked. “I’m 47, and I don’t think any kids are saying, ‘What is Adam wearing?’ but people are nice enough to still send them.”

He keeps most of his collection, which includes sneakers from the 1970s and many from the ‘80s and ‘90s, in storage.

“I do wear the ones I really love,” he said, which includes a beloved pair of original 1985 black and red Air Jordans he still wears. Perhaps his most unusual shoe, Leaventon said, is a 1986 Adidas Concord in silver patent leather.

Ultimately, his sneakers are a form of self-expression.

“It’s got to be something I personally love,” he said of a pair. “What makes it worthy of this collection is whether it’s worthy to me. It’s very personal.”

Dominic Draye GR'07, L'09 joined Greenberg Traurig's Phoenix and Washington, D.C., offices as a shareholder in the litigation practice. He previously served as the Solicitor General of Arizona, where he briefed and argued the state's highest-profile civil and criminal appeals and served as lead counsel for several multi-state coalitions litigating over agency rule-making in the D.C. Circuit. His practice focuses on constitutional, regulatory, and environmental matters, and he has represented clients in both the public and private sectors.

Jasmine Zacharias L'09 joined DLA Piper's Miami office as a partner in the firm's private equity department. She primarily represents private equity sponsors, portfolio companies, individuals and public and private companies as borrowers in syndicated and bilateral financings. She was previously a shareholder at Greenberg Traurig.



Fredric "Rick" Bold, Jr. L'10 was elected vice president of the Atlanta Lawyers Chapter of the Federalist Society. He is a corporate litigation attorney at Bondurant Mixson & Elmore, where he handles complex, high-stakes trial and appellate business litigation and specializes in contract, fraud, and business tort matters.

Michael Carlson L'10 became deputy general counsel for administrative law at the Federal Communications Commission. He previously served as special counsel to the general counsel.

Elliot Choi L'10 joined Vicente Sederberg LLP, one of the country's leading cannabis law firms, as counsel at the firm's new New York office. He advises clients on corporate transactions involving licensed and ancillary cannabis companies in addition to advising on marijuana and hemp licensing, regulatory, and compliance matters for New York and New Jersey. Choi was previously a corporate associate in the New York offices of Friedman Kaplan Seiler & Adelman LLP and Skadden, Arps, Slate, Meagher & Flom LLP.

C. David Johnson, Jr. L'10 was appointed by Calif. Gov. Gavin Newsom as deputy director of legislation at the California Department of Motor Vehicles. He had previously been legislative director at the Department of Toxic Substances Control since 2016 and held the same role from 2014 to 2016 in the office of Assemblymember Sebastian Ridley-Thomas.

Cristine Pirro Schwarzman C'07, L'10 joined Ropes & Gray's New York office as a partner in its business restructuring practice group. She focuses on representing debtors in out-of-court restructurings, chapter 11 cases and distressed acquisitions. She was previously a partner at Kirkland & Ellis. In 2018, Schwarzman and her team won the "Restructuring of the Year (\$500M to \$1bn)" award from the Turnaround Management Association for her work leading a complex \$760 million restructuring.

Meena Sharma L'10 was elected as a term member with the Council on Foreign Relations.

Kevin Yeh L'10 was appointed a deputy city attorney in the San Francisco City Attorney's Office, where he serves in the Complex & Affirmative Litigation Unit. Previously, he was a senior associate in the San Francisco office of Gibson, Dunn & Crutcher LLP. Yeh and his wife also welcomed their daughter, Madeleine, into the world on March 31.

Jennifer Ying L'10 was appointed to the Delaware State Bar Association's executive committee for the 2019-20 term. She is a partner at Morris, Nichols, Arsht & Tunnell, where she is an intellectual property litigator with a focus on patent and trade secret disputes. She handles cases through all stages of litigation in both federal and state courts, representing clients in industries such as pharmaceuticals, medical devices and telecommunications and wireless technologies.

Sarah Edri L'11, an associate at Blank Rome's Los Angeles office, joined the firm's nationally-recognized insurance recovery group.

Daniel Thiel L'11 was promoted to member at Cozen O'Connor's Philadelphia office. He is a litigator with broad experience across multiple practice areas and industries but focuses on representing insurers challenging stranger-originated life insurance policies as well as cases involving software licensing disputes.

Kulsoom Hasan L'12 was highlighted in the annual *Upstate New York Super Lawyers* for her work in intellectual property. She is an associate at Bond, Schoeneck & King.

Rahman Connelly L'13 became engaged to Erin Banco, who is a national security correspondent for *The Daily Beast* in Washington, D.C. Connelly is an associate in New York at Morrison and Foerster LLP in the corporate restructuring division. They plan to marry Oct. 4 in Jersey City, N.J.

Amy Ovecka L'13 was appointed an attorney in Ice Miller LLP's business services group. The firm focuses on emerging growth companies, Fortune 500 companies, and nonprofits. She is responsible for corporate transactions, financing, mergers and acquisitions, and general corporate matters. Ovecka was previously an attorney at Day Ketterer.

Shireen Nasir L'14 joined Kilpatrick Townsend's New York office as an associate in the firm's trademark and copyright team. She concentrates his practice on trademark and copyright litigation. Previously, she was an intellectual property litigation associate at Fox Rothschild.

Paul Courtney L'15 joined the U.S. Attorney's Office for the District of Columbia as an Assistant United States Attorney. He recently completed clerkships for the Hon. Paul S. Diamond of the U.S. District Court for the Eastern District of Pennsylvania and the Hon. Anthony J. Scirica of the U.S. Court of Appeals for the Third Circuit.

Preeti Krishnan L'15 married Brantley Hawkins on Aug. 17 at Oheka Castle in Huntington, N.Y. She is the chief of staff at DailyPay, a company in New York that works directly with employers and payroll companies. Hawkins is an associate specializing in investment management law at Davis Polk & Wardwell in New York. The couple met at the law firm in 2014 when Krishnan was a summer associate there.

Kendrick Davis GEN'14, GL'17, GR'18 was hired by The Campaign for College Opportunity as vice president of policy research in the Los Angeles office. He monitors the local, state and national education landscape to set the strategic research vision of the organization.

Michael Joseph L'19 was named a fellow of the Juvenile Law Center in Philadelphia. He is a project-based fellow with the organization's Economic Justice team supported through the Penn Law Review Public Interest Fellowship. His project will focus on ending juvenile costs, fines and fees.

Will Matson GL'19, WG'19 joined Alpine Investors, a software-and services-focused private equity firm, as chief financial officer of Apex Service Partners. Previously, he worked at J.P. Morgan's London office in the firm's mergers and acquisitions group. ♥

A Guide on How to Straddle the IP Divide in the Digital Age

The debate rages in legal circles on whether intellectual property law stifles access or rewards creativity.

In *Cultivating Copyright: How Creators and Creative Industries Can Harness Intellectual Property to Survive the Digital Age* (Routledge Research), **Bhamati Viswanathan GL'02, GRL'15** argues that both sides have merit, and that balancing those two ideas is a vital part of the creative ecosystem.

“What my book is really about is how creators and creative industries can think about how to survive in the digital age when content is being more easily accessed than ever, and in some ways, more in demand than ever before,” Viswanathan said.

She outlines four solutions in tailoring intellectual property (IP) law toward specific needs: through business models and strategies, legal policies and practices, technological measures and cultural and normative features.

A representative from Routledge Research approached Viswanathan about writing the book after hearing her have a spirited discussion about intellectual property in the developing world at a Fordham University School of Law IP conference.

She initially became entrenched in IP-related work as director of business development for a dotcom company in the late 1990s after spending a few years in corporate law. “I sort of just fell in love with it, it was so fascinating,” Viswanathan said.

For several years, she worked at a think-tank that focused on IP in developing countries. In 2016, Viswanathan joined the Center for the Protection of Intellectual Property at George Mason University Antonin Scalia School of Law as a legal fellow, and she was asked to write the book as her fellowship was concluding.

Viswanathan said she took care to include many real-world anecdotes in the book to illustrate the subject matter. “I really wanted it to be a lively read,” she said. “It is an academic book, but it has tons of examples.”

For instance, filmmaker Ava DuVernay abandoned her effort to secure licensing rights to famous Dr. Martin Luther King speeches for the movie *Selma*. DuVernay had said pursuing licensing rights, which apparently King’s estate sold to Steven Spielberg, was a lost battle, lamenting, “we know those rights are gone.”

“That’s a property right used in a self-defeating way, not getting Dr. King’s work out there and undermining valuable projects,” Viswanathan said.

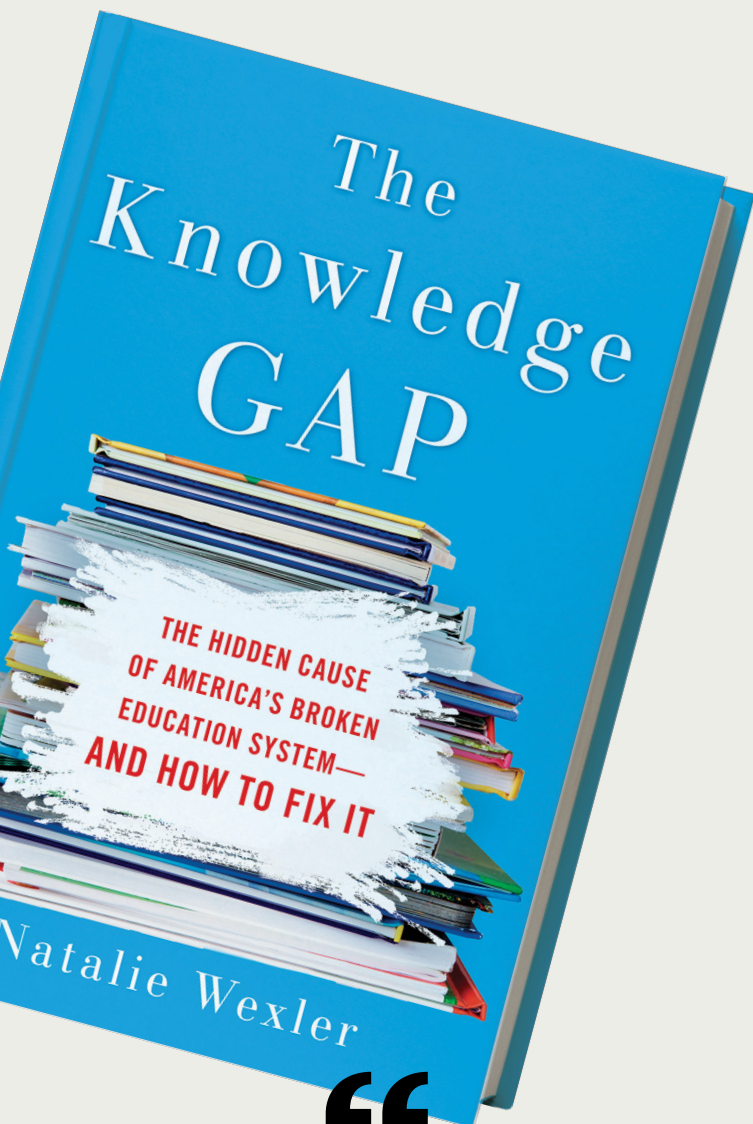
She hopes the book is helpful to both people in the creative industry and to young lawyers interested in IP law. “I tried to make it as broad as possible,” she said, “because there are so many stakeholders in the world of intellectual property law.”

“

WHAT MY BOOK IS REALLY ABOUT IS HOW CREATORS AND CREATIVE INDUSTRIES CAN THINK ABOUT HOW TO SURVIVE IN THE DIGITAL AGE WHEN CONTENT IS BEING MORE EASILY ACCESSED THAN EVER, AND IN SOME WAYS, MORE IN DEMAND THAN EVER BEFORE.”



The School Knowledge Gap Explained



Education writer **Natalie Lewis Wexler L'83, PAR'13** knew there had to be a reason why the achievement gap in test scores between students from differing socioeconomic backgrounds has remained a chasm in the American school system.

“One mystery I couldn’t seem to solve in education was that things seemed to fall apart in high school,” said Wexler, who is a senior education contributor at Forbes.com and has written op-eds on the subject for publications including *The New York Times* and *The Washington Post*.

Her eureka moment came after speaking with a veteran educator who informed her that most elementary schools weren’t even trying to teach kids much substance.

“I realized the standard approach in elementary schools is a focus on reading comprehension skills that’s completely divorced from content,” she said. “I realized this is bigger than an article, and somebody needed to write a book about it.”

The Knowledge Gap: The Hidden Cause of America’s Broken Education System—and How to Fix It (Avery) explores the cognitive science of how children actually learn and spends a year in two classrooms with differing approaches.

“I’m not against testing per se—I think what tests have done is uncover pretty well-hidden inequities in the system,” Wexler said. “Testing is useful for pointing those out. It’s not useful for telling us what to do about them.”

Teachers focus on how to make inferences, draw comparisons and find the main idea of passages partly because that’s the apparent focus of standardized tests, she said.

“If you’re a child who doesn’t have enough background knowledge and vocabulary relating to the topic, you’ll never get a chance to demonstrate skills like making inferences because you can’t understand that passage,” Wexler said. “That’s why there’s this gap.”

Children from lower socioeconomic backgrounds tend to arrive at school with less exposure to knowledge and vocabulary, she said. When they don’t learn new subject matter in school, they continue to fall behind. She’s concerned that this system inflicts unnecessary psychological damage on kids by damaging their self-esteem, but says she hopes ‘the knowledge gap’ can be reduced.

For starters, the school systems in Baltimore and Detroit and 80 percent of schools in Louisiana have adopted knowledge-based curricula, which eschews a focus on concepts, such as finding the main idea, and instead concentrates on building knowledge in areas of traditional subjects like English, social studies, science and the arts. Wexler said support for teachers learning a new teaching style will also be important.

“It’s not going to happen overnight, but... it is beginning to happen,” Wexler said. “More and more schools are changing.”

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2019

IN MEMORIAM

1940s

Paul F. Toolan L'49 died on July 25. He was 100 years old.

A former vice president of PNC Bank, Mr. Toolan was a veteran of World War II and the Korean War. He retired from the Army as a lieutenant colonel.

He was married for 62 years to the late Jeanne Merrick. A resident of a retirement community in Lansdale, Pa., Mr. Toolan is survived by son P. James Toolan and daughter Kathleen Casey; grandchildren Kate, Jen, Heather, Jimmy, Brendan, CJ, Paul III, Terry, Trish and Mike; and 15 great-grandchildren.

1950s

George C. Xakellis L'53, WG'54, who practiced law in Lancaster, Pa., for more than 50 years, died May 27 at the age of 91.

Mr. Xakellis was one of the first Greek-American lawyers in Lancaster and a founding partner of Xakellis, Perezous & Mongiovi Attorneys at Law. He served as legal aid officer and assistant city solicitor under Lancaster Mayor George C. Coe.

He was a member of The Order of Ahepa for more than 70 years, a member of the Masons and Shriners for more than 50 years, and a lifelong

member of the Annunciation Greek Orthodox Church.

He is survived by his wife Ann; children George, Jr., Cynthia Xakellis Wiederholt, Christopher II, and Michael; sisters Dolores Perezous and Mary Chapman; and 13 grandchildren.

1960s

Robert Dickman L'68, an attorney in North Carolina, died on March 12. He was 74.

Mr. Dickman graduated from Dickinson College before earning a degree at Penn Law School. He was an attorney his entire career.

A Vietnam War veteran, he served in the Army from 1969 to 1973.

Mr. Dickman is survived by his wife Cynthia; children David and Jennifer; and grandchildren Ella, Leila, Nathaniel, Dylan and Brendan.



Kenneth I. Rosenberg L'72, a retired Philadelphia real estate lawyer who lived in Abington, Pa., died on May 31. He was 72.

Mr. Rosenberg practiced commercial real estate law at Mesirov Gelman Jaffe Cramer & Jamieson, which later merged with Schnader Harrison Segal & Lewis. He worked there until his retirement in 2007.

Colleagues described him as honest and adept at bringing about deals that satisfied all parties in a negotiation.

A figure in Philadelphia's Jewish community, Mr. Rosenberg was president of the *Jewish Exponent* from 1998 to 2001. He also served as vice chairman of the Jewish Federation of Greater Philadelphia and as an officer of the Jewish Community Relations Council. He was the first chairman of the Jewish Information & Referral Service. Mr. Rosenberg and his wife were one of six founding families of Fort Washington-based Orhadash.

After receiving a cancer diagnosis in 2015, he ventured across the world with his wife, traveling to more than 50 countries spanning all seven continents and all but five states.

In addition to his wife and granddaughter, Mr. Rosenberg is survived by

his son Michael and daughter Jessica; one brother and one sister.

Robert S. Forster, Jr. L'73, a lawyer in Philadelphia, died on May 27. He was 75.

After completing Penn Law School, Mr. Forster served as an assistant U.S. Attorney for the Eastern District of Pennsylvania, and then moved into private practice for the remainder of his career.

Following his retirement in 2015, Mr. Forster devoted himself to spending time with his family, especially the grandchildren, gardening, caring for his beloved dog Teddy, and enjoying the pleasures of small-town life.

A longtime resident of Wayne, Pa., was deeply committed to the community, and over the years he was involved in the boys' and girls' youth sports programs, the North Wayne Protective Association, the Radnor Conservancy, and the Wayne Presbyterian Church.

He is survived by his wife Bernadette; children Gwendolyn, Robert III, and Catherine; four grandchildren; and his brother Arthur.

Nina Segre L'74, a real estate lawyer active in liberal causes, died August 12. She was 79.

After law school, she clerked for U.S. District Court Judge Arlin M. Adams before joining Dechert LLP, where she became co-chair of its real estate department. When the firm held partners meetings at a city club that made women come in through the basement, she refused to go. The firm got the message and changed the venue. She left in 1993 to form her own firm, Segre and Senser.

In 1998, the partners joined Montgomery McCracken Walker & Rhodes, where Ms. Segre had an active commercial real estate practice and served

Kenneth I. Rosenberg L'72

Mr. Rosenberg was president of the *Jewish Exponent*, served as vice chairman of the Jewish Federation of Greater Philadelphia and as an officer of the Jewish Community Relations Council.

as chair of the real estate department. She retired as senior counsel to the firm more than a year ago.

Ms. Segre was elected to the *University of Pennsylvania Law Review*—at a time when few classmates were women. After a divorce, in 1985 she married Frank S. Furstenberg, a professor of sociology at Penn. Together, they supported many liberal causes, mainly related to education.

Through the Philadelphia Futures program, the couple began supporting students, and mentored and supported twin brothers for nearly two decades. Later, they started College Works, a program to prepare high school students for the SATs, help them apply to college, and provide support while they were in school. She also supported the Curtis School of Music.

Ms. Segre used her real estate knowledge in various programs including The Reinvestment Fund that promoted low income housing and revitalization of lower-income communities. She was active in Democratic politics and worked with RepresentPA to get more women elected to the Pennsylvania legislature.

Ultra-organized and even-keeled, Ms. Segre was a person friends counted on when in crisis, and she was always willing to investigate some new artistic performances, and comment with a pertinent quip.

Ms. Segre died on a family vacation in Alaska, surrounded by family, and eager to plan parties for her and her husband's 80th birthday and their 35th wedding anniversary.

In addition to her husband, Ms. Segre is survived by her daughters Katia, Julie, and Michele; stepchildren Sarah Furstenberg and Ben Furstenberg; six grandchildren; brothers Fred Gordon and Eric Gordon; and sister, Ilse Gordon.

Rafael Medina L'77, an in-house lawyer at McDonald's for almost 30 years who was known as a champion for legal industry diversity and a mentor for attorneys of color, died in August at the age of 66. He had retired earlier in the year.

In recent years, he oversaw all litigation issues for McDonald's labor and employment practice group. In addition, Mr. Medina, who was born in Venezuela, helped McDonald's grow in Latin America in his previous role as managing counsel for all employment and labor issues in the region, according to *Corporate Counsel* magazine.

Those who knew him best professionally said they'll remember him most for his unwavering commitment to helping others, especially early-career lawyers of color. Many attorneys of color called him a mentor and friend.

In 2017, the Rafael E. Medina In-House Scholarship was established for in-house counsel who wish to attend the National Employment Law Council's annual conference but face cost constraints. Mr. Medina was a longtime NLEC board and executive committee member.

After his passing, the NELC put out a statement. "Rafael was a true champion for the NELC, its members, and legal diversity ... He hired many of our members as outside counsel for McDonald's. He sought out minority associates to work on his cases and coached them on how best to serve their clients. He helped many of our members land their first jobs in-house, or to move to better ones. He mentored law students, associates and partners, as well as in-house counsel, from all over the country. He recruited a diverse team

CONTINUED ON PAGE 59

Rafael Medina L'77

The Rafael E. Medina In-House Scholarship was established for in-house counsel who wish to attend the National Employment Law Council's annual conference but face cost constraints.

U.S. DISTRICT JUDGE JEROME SIMANDLE, A GIANT OF THE NEW JERSEY JUDICIARY, DIES AT 70

David Hennes L'95 has fond memories of former Chief U.S. District Judge **Jerome Simandle L'76** sitting at his desk in his Camden chambers, writing his own decisions on a legal pad, case books spread out in front of him.

"It was his desire to move cases forward. He wasn't waiting for his law clerks to do the work. He was pitching in wherever he could to make sure that cases were decided," said Hennes, who clerked for Simandle from 1995 to 1996.

Simandle, a longtime giant of the New Jersey legal community, died in September after an illness. He was 70.

After graduating from Penn Law, he was a law clerk for U.S. District Judge John F. Gerry until 1978 and then served as

an Assistant U.S. Attorney for five years. In 1983, Simandle was appointed as a United States magistrate judge at the age of 33, and when he became a district judge in 1992 at the age of 43, after being nominated by President George H.W. Bush, he was the youngest in the district of New Jersey.

He served as New Jersey's chief federal judge from 2012 to 2017. He took senior status in 2017 and continued to hear cases full time until he became ill.

Simandle was a native of Binghamton, N.Y., and graduated from Princeton University magna cum laude with a bachelor of arts in engineering. While at Princeton, he worked for Ralph Nader's Center for Study of Responsive Law, studying aviation safety and regulation.

Colleagues, upon learning of his death, unfailingly recalled his fairness and kindness.

"He was the best," said Joel B. Rosen, a retired United States magistrate judge who served with Simandle in the Camden courthouse for 20 years and knew him for more than 30. "He was smart and incredibly fair and believed in the rule of law completely and was a real gentleman. Even if you lost, and no one liked to lose, you knew that he gave you a fair shake."

Rosen added that he treated people the same, both professionally and personally, whether it was a janitor or a lawyer with a significant client.

"It was very clear from the clerkship interview that he was a special human being, a special type of person for whom I thought it would be great to clerk," Hennes said. "He was humble. He was open. He was empathetic. And he was intelligent."

"Judge Simandle was committed to the law and to fairness. You always got a fair hearing in front of Judge Simandle whether someone was rich or poor, represented or pro se. All he cared about was reaching the right result as dictated by the law," he said.

Hennes said that over his more than three decades on the bench Simandle authored a series of notable decisions. Among them, Hennes said, was his handling of multi-party hazardous waste litigation in the early 1990s that gained nationwide attention. Simandle authored a law review article describing his novel and successful approach to resolving these complicated cases.

In more recent years, he presided over nationwide class actions concerning defective ignition switches, handled large class actions asserting constitutional challenges to overcrowding in New Jersey jails, and he denied a request for a preliminary injunction against the implementation of New Jersey's Criminal Justice Reform Act.

Hennes said his former clerks are organizing a tribute for Simandle to commemorate his impact on the law, the legal community and the community at large.



THE HONORABLE MEENU SASSER, DESCRIBED AS A 'FORCE OF NATURE' ON THE BENCH, DIES AT 48



PHOTO: JILL KAHN

W

hen the Honorable **Meenu Sasser L'95** was appointed to the Palm Beach County Circuit Court, she quickly earned the nickname "The Rocket" for her speed in efficiently handling foreclosure cases during the housing crisis.

"Meenu Sasser was a force of nature," said the Honorable Bruce Reinhart L'87, who is a federal magistrate judge based in Palm Beach County in Florida. "There was nothing she couldn't accomplish when she put her mind to it."

Judge Sasser was highly regarded for her efficiency, compassion and sense of justice on the bench, and she routinely ranked highest in Palm Beach County Bar attorney surveys.

Judge Sasser, the county's first Asian-American judge, died July 6 from esophageal cancer. She was 48.

Judge Sasser grew up in Maryland after her family emigrated from India. Not knowing any English, she began her American education as a first grader in English as a Second Language classes. In 1992, she earned her undergraduate degree from the College of William & Mary. Before graduating from Penn Law in 1995, she married her husband, Thomas, in 1994.

She joined Gunster, Yoakley & Stewart as an associate in West Palm Beach and by 2002, became a shareholder in the firm. Seven years later, then-Gov. Charlie Crist tapped her for a seat on the County Circuit bench.

Notable cases in her tenure included her 2009 dismissal of a civil suit against the parents of a convicted murderer who were being held responsible for their son's actions. Last year, she allowed a lawsuit to proceed against a distinguished real estate developer whose daughter accused him of sexual abuse. Judge Sasser also green-lighted a defamation case against the Diocese of Palm Beach. A priest wanted to sue the diocese for defaming

him after he publicly said the diocese covered up sexual abuse. Judge Sasser let the case proceed.

Judge Reinhart said she was one of the first judges in the legal community to embrace online scheduling. In 2018, the New York University law school's Civil Jury Project named her the Most Innovative Jurist of the Year. She also volunteered to hear hundreds of lawsuits filed against tobacco companies by smokers and their families.

At the end of last year, she led a forum for NYU's Civil Jury Project that covered issues on civil juries and jury duty.

Judge Sasser valued the American judicial system and what it meant for the country. Particularly, she wanted jurors to understand their importance in the process. Her husband told *The Daily Business Review* that they regularly went on Costco runs to stock her courtroom with snacks and coffee expressly for jurors.

"Judge Sasser was very involved in community service activities, outreach programs, mentoring—all those sorts of things that are ancillary to the primary goal of adjudicating cases but are so important to the quality of the profession," Judge Reinhart said, noting that she mentored many female lawyers.

Judge Sasser was a board member and past president of the Palm Beach County Bar Association, where she was said to encourage women and minorities to take leadership positions. She also was active with the Palm Beach County chapter of the Florida Association of Women Lawyers. One of her last accomplishments, Judge Reinhart said, was working with other judges to set up a private nursing room in the courthouse for mothers with babies.

He emphasized that she also loved her family. "She was a great mom and a great wife to her husband," he said. "You couldn't talk to her for more than 10 minutes without hearing how proud she was of her kids."

Judge Sasser was preceded in death by her father, Rajendra Talwar, and her son, James. She is survived by her mother, Shukla Talwar; her husband, Tom; teenage children Andrew, Caroline and William; sister Rinku Tribuiani and nieces and nephews.

of employment lawyers to work with him at McDonald's and they are now valued members of our NELC family."

Mr. Medina began his legal career at the National Labor Relations Board in Puerto Rico. He passed the bar in Puerto Rico, Illinois, Florida and Pennsylvania, all on the first try.

He was raised in the borough of Queens in New York City. Mr. Medina is survived by his wife Nuncia and two daughters, Alana and Marissa.



Joy Oberman L'81, a labor lawyer who loved to sing, died Jan. 13. She was 62.

While mulling a career as a professional classical or theatrical singer, Ms. Oberman spent a year as a paralegal at Schnader, Harrison, Segal and Lewis.

She enrolled in Penn Law, where, in addition to joining the *Law Review*, she participated in the Law School Light Opera Company and starred as Josephine in *H.M.S. Pinafore*.

Upon graduating in 1981, she joined the New York firm of Epstein, Becker, Borsky and Green as a labor lawyer. In Manhattan, she was able to indulge her passions for vocal music, musical theater and Bruce Springsteen songs.

In the early 1990s, Ms. Oberman joined the labor and employee benefits section of the New York telephone company that eventually became Verizon. She was known for her deft handling of multiple negotiations and lawsuits when regional labor contracts expired simultaneously; for her precision in practice; and for her persuading the company to respect employee policies including parental leave. After her

daughter, Peri, was born, she continued to work at Verizon as a single mother.

In 2014, Ms. Oberman was diagnosed with a rare condition typically fatal within months, but with new experimental treatments, battled her illness for five years. She is survived by her daughter, sister Caryl, brother-in-law Kenneth Gelburd L'80 and nephew Michael.

Allen Wasserman L'83, who had a distinguished career in commercial litigation for 35 years, died on September 1. He was 61.

Mr. Wasserman distinguished himself as well at Penn Law School, where he editor in chief of the *Journal of Comparative and Business Law* and a member of the award-winning Jesup International Moot Court team.

Allen Wasserman L'83

Recently, Mr. Wasserman's artwork was exhibited at Silvermine Art Guild as part of a one-man show entitled *Second Life Art*.

He retired in 2018 as a partner at Locke, Lord LLP, where he represented domestic and international clientele.

Mr. Wasserman was an avid gardener and tennis player. As his legal career was winding down, he pursued his love of the arts and music. He was the founding member and lead guitarist of the Decimators, a multi-genre band that performed a sold-out show at Rockwood Music Hall in New York City.

Recently, Mr. Wasserman's artwork was exhibited at Silvermine Art Guild as part of a one-man show entitled *Second Life Art*. He is the founder of the IFLIFE Foundation, a charitable organization devoted to facilitating random acts of kindness in local communities.

Mr. Wasserman is survived by his wife of 35 years, Lory; daughter Danielle; son Matthew and daughter-in-law Erin; and sister Mindy.

Michael Kuritzkes L'85, who held senior legal positions in New York, Pennsylvania and California, died on August 8. He was 58.

According to the family, those who knew him relied on his calm demeanor and ability to find solutions to life's challenges.

He was dedicated to several local organizations, particularly the Salvation Army Kroc Center of Philadelphia.

Mr. Kuritzkes is survived by his partner Ellen Wright; children James, Evan and Thomas; and sister Linda.



Todd Izzo L'94, an international tax lawyer and equity partner with Deloitte in Pittsburgh, died in March. He was 49.

Diagnosed with stomach cancer, Mr. Izzo spent the last year of his life devoted to his family and community, tending to his garden — which included flowers and a horseradish plant — and playing with Rosie, his 8-year-old Havanese dog who never left his side, according to an obituary in the *Pittsburgh Post-Gazette*.

Mr. Izzo earned a bachelor's degree in accounting from Penn State University in 1991, graduating summa cum laude.

Mr. Izzo, who worked for his father's accounting firm during college breaks, won an award for achieving the highest score in the state in the Certified Public Accountant exam in 1991. He went on to the University of Pennsylvania Law School, where, in 1994, he graduated summa cum laude before he successfully pursued a master's degree in taxation from Georgetown University in 2000.

In 1994-1995, Mr. Izzo clerked for the late Chief Judge Edward Roy Becker

at the U.S. Court of Appeals for the Third Circuit in Philadelphia, then joined the Washington, D.C., law firm of Dewey Ballantine.

During his first month of law school, Mr. Izzo met fellow law student Margaret Scott L'94 and felt an instant connection, telling his roommate that he would marry her.

In 1995, he surprised her with a horse and carriage ride at a romantic bed and breakfast in St. Michaels, Md. He hopped out of the carriage and dropped to one knee to propose.

"I was just thrilled," said Mrs. Izzo, who married him in August 1996.

By 2000, Mr. Izzo accepted a job as an international tax lawyer with Deloitte in Pittsburgh, finding that his passion for his hometown eclipsed his ambition.

Mr. Izzo became an equity partner in the firm in 2003 and the family often scheduled their vacations to coincide with his business trips, which took him all over the world.

Mr. Izzo played the clarinet since childhood, along with his father and daughter. The trio played together with the Red Coat Band in New Castle.

He also loved playing golf and reading, especially biographies.

Mr. Izzo was passionate about religion and served as a lector at St. Bernard Catholic Church in Mt. Lebanon, where he loved attending Mass when he could with his family.

Along with his wife, Mr. Izzo is survived by his daughter Katherine Izzo; his son Jonathan, both of Mt. Lebanon, Pa.; his parents Bob and Rose Marie Izzo, of New Castle, Pa.; and his brother Mark Izzo, of Erie. ♥

Todd Izzo L'94

Mr. Izzo played the clarinet since childhood, along with his father and daughter. The trio played together with the Red Coat Band in New Castle.



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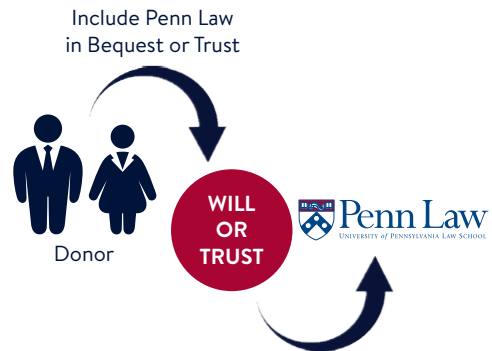
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