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Fordham Law & The Supreme Court: Celebrating Our Relationship

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Fordham Law School

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FORDHAM LAW & THE SUPREME COURT

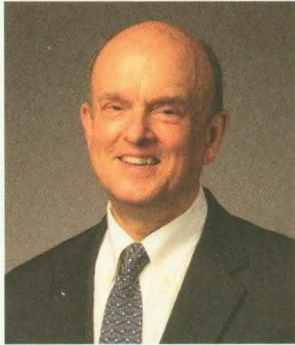
CELEBRATING OUR
RELATIONSHIP



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Dear Friends of Fordham Law:



Fordham Law School has enjoyed a long and distinguished relationship with the Supreme Court of the United States that dates back more than a century. In 1908, just three years after the Law School's founding, New York State Governor Charles Evans Hughes served as principal speaker at Fordham Law's first commencement ceremony. Hughes would later be appointed Chief Justice of the Supreme Court by President Herbert Hoover.

Since that time, Fordham Law's association with our nation's highest court has deepened. The School has honored seven Supreme Court justices with its annual Fordham-Stein Prize, a national ethics award that recognizes individuals whose work exemplifies outstanding standards of professional conduct. Other justices have acted as judges in our moot court competitions, served as distinguished speakers at events, hosted foreign jurists during Fordham-sponsored visits to Washington, and spoken to students as the Law School's Jurist-in-Residence.

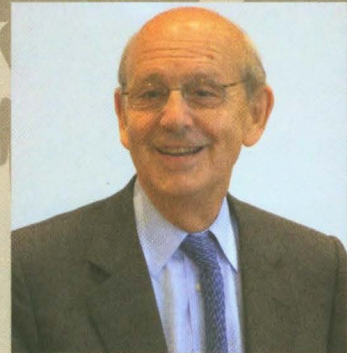
Any visit to Fordham Law by a Supreme Court justice is significant. It is also particularly notable when Fordham makes its annual visit to the Court. Since 1986, select groups of Fordham Law graduates and faculty members have assembled to participate in the Fordham Law Alumni Supreme Court Bar Admission Ceremony. This event has become one of the School's premier alumni activities; to date, more than 1,000 alumni and faculty members have been admitted to practice before the high court.

The Supreme Court has played an important role in Fordham Law's rise in legal education during its first century, and the Law School is committed to strengthening its relationship with the Court throughout the next century. The entire Fordham Law community is grateful to the Court and its eminent justices for all the opportunities offered to Fordham Law School that have bolstered its mission of teaching law in the service of others.

A handwritten signature in cursive script that reads "Michael M. Martin".

Michael M. Martin
Interim Dean and University Distinguished Professor of Law

SUPREME
VISITS





From left: Justice Sonia Sotomayor at the 2010 Fordham Law Film Festival. Justice Stephen Breyer during an April 2008 conference. Justice Sandra Day O'Connor at the same event. Dr. Kwame Bawuah-Edusei, Ghanaian ambassador to the United States; Her Ladyship Mrs. Georgina Theodora Wood, Chief Justice of Ghana; Chief Justice John G. Roberts; and former Dean William Michael Treanor. Professor Abner S. Greene and Justice John Paul Stevens.

Fordham Law is proud of its historical association with the distinguished members of the Supreme Court. Their visits to the Law School have enriched the academic experience of our students and have provided excellent opportunities for the greater Law School community to better understand our judicial system.

Justice Sonia Sotomayor joined the Forum on Law, Culture & Society for its 5th annual Fordham Law Film Festival in October 2010. Having been invited to choose a film for the event, Justice Sotomayor selected *12 Angry Men*, which, when she first saw it in college, proved influential in her decision to pursue a career in the law. “It sold me that I was on the right path,” Justice Sotomayor told the capacity crowd in McNally Amphitheatre. “This movie continued to ring the chords within me.”

Justice Stephen Breyer became the seventh member of the Supreme Court to receive the annual Fordham-Stein Prize. In October 2008, former Dean William Michael Treanor presented the award to Justice Breyer, noting, “As teacher, as public servant, as scholar, and as judge, Justice Breyer has worked to help the people of our nation and nations around the world think through difficult problems and work toward the common good. He has championed the principle of the rule of law; he has devoted himself to the principles of liberty and equality. And he has been guided by a spirit of selflessness and a commitment to dialogue that are an inspiration to us all.”

In April 2008, **Justices Sandra Day O'Connor** and **Stephen Breyer** visited Fordham Law as part of a daylong conference on “Enhancing Judicial

Independence, Accountability, and Selection for the State Court Judiciary: A Program for Reform.” Justice O'Connor spoke passionately about the need for an independent judiciary while Justice Breyer addressed the importance of the state legislature as the source of most of the country's laws.

During this same visit, Justices O'Connor and Breyer met with the Chief Justice of Ghana, Her Ladyship Georgina T. Wood, who was in the United States on an official visit organized and sponsored by the Leitner Center's Sustainable Development Legal Initiative. Chief Justice Wood, accompanied by a group of Fordham Law administrators, later traveled to Washington, D.C., to meet with her American counterpart, **Chief Justice John G. Roberts**.

In 2005, **Justice John Paul Stevens** spoke at a two-day symposium that examined his jurisprudence. Organized by the *Fordham Law Review*, “The Jurisprudence of John Paul Stevens” featured more than 20 of Stevens' former law clerks—including Fordham Law Professor Abner S. Greene—and prominent legal scholars who discussed his contributions that were made in the areas of criminal justice, administrative law, federalism, antitrust law, free speech, and equal protection during his 30 years on the Supreme Court.



From left: Justice Ruth Bader Ginsburg, Professor Russ Pearce, former Professor Matthew Diller, Chief Justice William H. Rehnquist, former Professor Mary Daly '72, and Professor Bruce Green. Seated: Former Dean John D. Feerick '61, Irving R. Kaufman '31, Justice Antonin Scalia; standing: Hon. Lawrence W. Pierce '51 (left), George J. McMahon, S.J., and Hon. Joseph M. McLaughlin '59 (third and fourth from left).

Justice Ruth Bader Ginsburg received the Fordham-Stein Prize in 2001. Former Dean John D. Feerick '61 presented the award to Justice Ginsburg, saying, "In a career encompassing academia, community service, and the judiciary, Justice Ruth Bader Ginsburg has been an outstanding trailblazer for women, a sterling advocate for the disenfranchised, an ardent supporter of gender equality, and a jurist whose service on the nation's highest court has been characterized by the same brilliance, moral integrity, and compassion that is the hallmark of her life."

March 2001 marked the third time **Justice Antonin Scalia** came to Fordham Law to judge the School's Irving R. Kaufman Memorial Securities Law Moot Court Competition. He also met informally with the editors of the Fordham Law Moot Court Board.

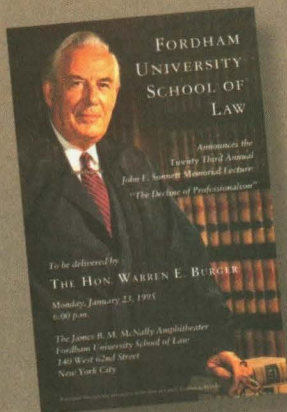
In January 2001, **Justice Anthony Kennedy** served as the Law School's Jurist-in-Residence. In addition to helping teach Professional Responsibility and Constitutional Law classes, he participated in an open question-and-answer session with almost 300 students in McNally Amphitheatre. Justice Kennedy addressed topics such as the Court's involvement in the 2000 presidential election, students' first amendment rights, and the state of legal education.

Chief Justice William H. Rehnquist became the second chief justice to receive the Fordham-Stein Prize in 1999. In presenting the award

to Chief Justice Rehnquist, former Dean John D. Feerick '61 noted, "Chief Justice William Rehnquist has set a standard for integrity which lies at the core of our profession. He has been a steadfast steward of our highest court, serving for 27 years with distinction and impressing upon it—like few individuals in our history—his vision of the Constitution. Most recently, he earned the gratitude and respect of individuals across the political spectrum as he assumed the constitutionally mandated role of presiding over...the second presidential impeachment trial in our nation's history. With his wise and mature leadership, he provided a much-needed balance to the politics of the moment and helped restore confidence to our government institutions at a very turbulent time."

Justice Warren Burger gave the final public speech of his career in McNally Amphitheatre in 1995. His address, "The Decline of Professionalism," subsequently appeared in the *Fordham Law Review*.

In 1992, **Justice Sandra Day O'Connor** received the Fordham-Stein Prize. Former Dean John D. Feerick presented the award to Justice O'Connor, stating, "Justice O'Connor's professional life in [the practice of law], in public office, and in the judiciary has been a model of ethical practice and appearance. Her scholarly opinions transcend partisan political and ideological urges and have earned her the respect of citizens nationwide. Her presence on the Court adds greatly to its legitimacy and acceptance by the people."



From left: Program from 1995 address by Justice Warren Burger. Chief Justice Earl Warren (second from right) looks on as Nelson A. Rockefeller and Fordham University President Laurence J. McGinley shake hands at the 1960 cornerstone ceremony.

Justice Lewis F. Powell, Jr., received the Fordham-Stein Prize in 1987. In presenting the award to Justice Powell, former Dean John D. Feerick '61 said, "Justice Powell had held the highest positions offered by our profession—not only justice of the United States Supreme Court, but president of the American Bar Association, the American Bar Foundation, and the American College of Trial Lawyers. He has served in those positions with great distinction. A mere list of his honors and accomplishments, however, does not do justice to him. He is a central figure on the Supreme Court, both literally and figuratively. He is the person in the center—the moderate—whose vote frequently carries the day between the two wings of the Court. Because of his balanced, moderate views, and because he provides the intellectual bridge between the extremes of the Court, his concurring opinions in important cases have tended to become laws, rather than opinions in the same cases that may have the support of three or four of the other justices."

Justice Sandra Day O'Connor served as the featured speaker at the dedication of the new wing of the Law School in 1984. She challenged lawyers and judges to be mindful of the moral and social aspects of their profession because, as judicial leaders, they hold the keys to justice under a rule of law. On this same occasion, she was awarded an honorary degree from Fordham University.

Justice Potter Stewart received the Fordham-Stein Prize in 1983. Former Dean John D. Feerick '61 presented the award, noting, "The strength of

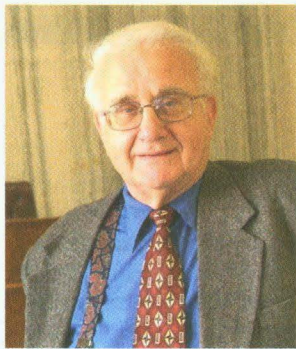
our legal system is the faith that the American people place in the ability of all members of the bench and bar to perform as Justice Stewart has done. His career in the law, especially his 23-year tenure on our nation's highest court, has been a record of scholarship, concern, and leadership that provides a model for the law student, and his demeanor has provided a sense of dependability and confidence for the advocate."

In 1978, **Chief Justice Warren Burger** became the first justice to receive the Fordham-Stein Prize. Former Dean Joseph M. McLaughlin '59 presented the award, stating, "In his role as Chief Justice of the United States, Warren Burger has worn two hats: one as a judge effectively insulated from political controversy and substantive policy issues, and the other as an advocate for the courts to be made more effective in serving the people. In decrying professional error and incompetence in trial advocacy, the Chief Justice has said things that required saying to spark an evaluation of the legal profession and the educational process that serves it. He has shown that he will not be deterred from letting the Congress, the President, and the people of this country know what is needed in the judicial system. By always seeking cooperation from the legislative and executive branches and the legal profession, Chief Justice Warren Burger has improved the quality and prompt delivery of justice."

Chief Justice Earl Warren spoke at the cornerstone ceremony for the Law School's Lincoln Center home in May 1960.

ADMITTING EXCELLENCE

When the select group of Fordham Law alumni travel to Washington to be admitted to practice before the Supreme Court this year, they will celebrate the 25th anniversary of the Fordham Law Alumni Admission Ceremony. Since its inaugural year in 1986, the Admission Ceremony has remained one of the School's most exciting alumni activities.



On May 5, 1986, approximately 150 Fordham graduates, their families, and friends assembled to partake in the first Fordham Law Alumni Supreme Court Bar Admission Ceremony.

Since then, this ceremony has been a mainstay of our alumni activities each year, resulting in the admission of over one thousand of our graduates to practice before the high court. These occasions have often been personalized by informal visits by members of the Court with our alumni in the historic North Conference Room of the Court. Moreover, they have often been witness to historic events. In one instance, the Court announced its famous *Texaco-Pennzoil* decision before our graduates as they awaited admission. On another occasion, in the absence of Chief Justice Rehnquist, Justice Sandra Day O'Connor became the first woman justice to preside over the Court.

Although there are many interesting scenarios surrounding the admission of various alumni, I take special satisfaction in reflecting upon the role of our Admissions Ceremony in the Supreme Court's landmark decision in *Shearson/American Express, Inc. v. McMahon*, 481 U.S. 787 (1987). In 1986, a former student, Theodore Kresbach '78, was assigned by Shearson to argue this appeal before the high court; however, he had not yet been admitted before the Court. Barely months before the oral argument, Ted was so admitted in the first Fordham Admission Ceremony in 1986—with the Honorable William Hughes Mulligan and myself acting as his sponsors. In deciding that 1934 Act claims could be arbitrated pursuant to pre-dispute arbitration agreements, the Court (5–4) agreed with Ted and effectively diverted over one hundred thousand securities disputes from the courtroom to arbitration. To complete Fordham's involvement in the *McMahon* case, it should also be noted that the dissent thrice cited the *Fordham Law Review's* article "The Arbitration of A Public Securities Dispute," which appeared at 53 *FORD. L. REV.* 279 (1984).

The thrill of partaking in the Admission Ceremony has grown with each passing year. The pure joy of watching the expressions of the admittees as they are admitted to practice before the highest court this side of Heaven is breathtaking. It has been an honor to have been permitted to act as sponsor of so many of our alumni, faculty, and friends.

A handwritten signature in black ink that reads "Constantine N. Katsoris". The signature is written in a cursive, slightly slanted style.

Constantine N. "Gus" Katsoris '57
Agnes and Ignatius M. Wilkinson Chair of Law

1986 CEREMONY

Charles J. Adams '81
William R. Admirand '70
Daniel J. Ashley '62
Joseph J. Aulenti '78
Hon. Deborah A. Batts
Connie K. Beck '79
Anthony J. Bellitto '56
Francis W. Benner '74
Richard F. Birmingham '77
Frances M. Blake '45
Brian P. Boland '81
Guy C. Bosetti '52
Murray Boxer '36
John D. Boykin '81
George Y. Bramwell '62
Neil D. Bramwell '65
William J. Burke, Sr. '68
Maryellen Calamari-Righi '80
Linda J. Carpenter '81
John T. Carty '80
James L. Casey '56
Ronald B. Cavalli '71
Victor H. Chechanover '59
James C. Clerkin '81
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Barry W. Conroy '66
Dennis P. Costigan '69
Manuel A. Cuadrado '73
Maurice F. Curran '58
Sen. Alfonse M. D'Amato
Joyce P. Davis '71
Mary C. DeVita '80
John J. Dillon '57
Gerald T. DiManno '57
Hon. Joseph A. Doran '33
William Duggan, Jr. '61

Richard S. Elmiger '60
Louis Escobar '79
Florence M. Fass '79
John D. Feerick '61 *
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William E. Fisher '52
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A. R. Giordano '64
Gary A. Grasso '78
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Abbe I. Herbst '79
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Philip S. Krieger '80
John H. Kupillas, Jr. '79
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Rose F. Lowe
Michael A. Maillet '77
Thomas J. Maimone '77
Antonio Mareno '52

Stephen Markstein '76
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Richard Meisenheimer '79
Ronald S. Melnyk '74
Thomas M. Mierswa '59
Stephen M. Miller
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Gerald P. Noonan '71
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F. Sheldon Prentice '77
Barbara M. Prentice '68
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Jeremiah J. Quinlan '75
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Robert C. Rapp '66
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Robert John David Reilly '75 *

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Stanley H. Rieder '81
Paul L. Robert '80
Stephen G. Rooney '80
Jane C. Rubens '79
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Joseph J. Salvatore '51
Raymond A. Sanseverino '72
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Hon. Peter B. Skelos '80
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Kelly A. Thompson '79
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James A. Treanor '65
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Georgene M. Vairo '79
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Ernest G. Weiss '41
Robert F. Welch '41
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Henry Wolff '73
William S. Youngman '70
Daniel Zendel '72

*Fordham University faculty and staff

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Robert L. Barry '60
Josephine Benton '80
Charles W. Benton '78
Robert J. Bishop, '75
Hon. Eileen Bransten '79
John V. Bresnahan '72
William R. Brick, Jr. '64
Charles J. Caridi '67
B. Vincent Carlesimo '76
Dennis P. Casey '69
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William J. Cosgrove '64
Howard W. Crusey, Jr. '68
Thomas J. Cullen '75
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Irving Eng '80
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Gary J. Groot '78
Patricia Hackett '78
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Joan T. Harnes '54
Joseph W. Henneberry '71

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Malcolm D. Keen '81
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Donald J. Kennedy '72
Patrick J. Kenny '76
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Peter J. LaRose '82
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Carol L. Lutz '76
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William J. Lyons '79
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William H. Mulligan, Jr. '74
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James Panos '80
Kim M. Parker '80
Robert E. Patterson '80
Philip M. Perlah '69
Henry M. Rosler '81
James F. X. Rudy '79
J. R. Ryan '54
David R. Schachter '72
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Edward G. Williams
Joel A. Windman '59

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Michael F. Hughes '84
Patricia M. Hynes '66
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Maureen Crush Whelan '85
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Glenn Gray '82
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Richard E. Joseph '79
Michael G. Keenan '83

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Ronald Kim '89
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George A. Reilly '84
Bruce Rivkin '82
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Stephen V. Rossettie '84
Carl J. Rossi '84

Robert J. Sambrato '85
Angelo G. Savino '81
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Frank D. Senerchia '49
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Martin Tackel '85
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James G. Villa
Joseph Vita '76
John F. Ward '84
Thomas E. Ward
Mary M. Welch
William T. Wilkins '78
Archie E. Williams '77
Julie A.S. Williamson '77
Hon. Malcolm Wilson '36
James D. Yellen '83

1992 CEREMONY

Edward F. Abbott
Ellen C. Auwarter '87
Maureen Bateman '68 *
Ravi Batra '80
James M. Bergen '62
Laurie Berke-Weiss '83
Alan Bernstein '72
Jeffrey E. Bigman '83

Barbara Bispham '81
Joel A. Brandt '66
Joan L. Brown '88
Michael A. Calandra '71
Thomas M. Campbell '83
Gerard P. Cavaluzzi '87
Joseph DeGiuseppe '77
Mark Dryer '81
Cesar A. Estrada, Jr. '86

1993 CEREMONY

Robert J. Aiello '84
William M. Bryk '89
Judith A. Bryngil '83
Patricia A. Dewitt '87
Carlos Duran
Victor Duran
Mary Ellen L. Kris '76
Teresa E. LaBosco '85
May M. Lyons '33
Kathleen A. Lyons '87
Allison M. Manning '81
Sheila J. McCartney '77
Thomas R. Melloni '84
Clara Duran Reed '88
Vasilis D. Tsamis
Donna Tsamis '82
John P. Wallace '60
John E. Wilson '66
Francis H. Wright '71
Theresa I. Yard '87

1994 CEREMONY

Vincent N. Amato '78
Robert M. Berson '63
Peter O. Bodnar '70
Stanley A. Bowker '89

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1994 (continued)

Jamie M. Brickell '83
Alphonse S. Di Benedetto '49
Elaine Gay '84
James P. Hartnett '70
William P. Hurley, '60
Stanley S. Leffler '60
Martin M. McGlynn '63
George N. Proios '90
Jeanne C. Ray '67
Denis F. Sheils '86
Hon. Ronny Siegal '72
James W. Smith '82
Elizabeth B. Starkey '76
John F. Tague '86
Ernest G. Thifault '74
Paul W. Thornwall '69
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MAKING THEIR CASES

Members of the Fordham Law community have been arguing before the Supreme Court since the 1930s. Following is a list of the professors and alumni who have presented their cases before the Court.

JOSEPH E. BRILL '28

Berger v. State of NY, 388 U.S. 41 (1967)

ROBERT BRUCE '79

Solorio v. United States, 483 U.S. 435 (1987)

ROBERT J. CARLUCCIO '55

Massiah v. United States, 377 U.S. 201 (1964)

DONATO CARUSO '67

NLRB v. International Longshoremen's Ass'n., 472 U.S. 61 (1985)

DeBuono v. NYS-ILA Medical and Clinical Services Fund, 520 U.S. 806 (1997)

PROFESSOR JAMES COHEN

Young v. United States ex rel. Vuitton ets Fils, 481 U.S. 787 (1987)

PHILIP R. FORLENZA '66

Touche Ross & Co. v. Edward S. Redington, 442 U.S. 560 (1979)

HENRY HAMMER '32

Byrd v. Blue Ridge Electric Cooperative, Inc., 356 U.S. 525 (1958)

Neese v. Southern Railway Company, 350 U.S. 77 (1955)
Small v. Atlantic Coast Line Railroad Company, 349 U.S. 907 (1955)

United States v. Edens, 342 U.S. 912 (1952)

JOHN G. HOLL '77

Hilton v. Braunskill, 481 U.S. 770 (1987)


LAWRENCE KILL '60

John Hancock Mutual Life Insurance Co. v. Harris Trust & Savings Bank, 510 U.S. 86 (1993)

THEODORE A. KREBSBACH '78

Rodriguez de Quinas v. Shearson/American Express, 490 U.S. 477 (1989)

Shearson/American Express v. McMahon, 482 U.S. 220 (1987)



RAYMOND G. KUNTZ '62

Board of Education of the Hendrick Hudson Central School District v. Rowley, 458 U.S. 176 (1982)

JACOB LAUFER '74

Pavelic & LeFlore v. Marvel Entertainment Group, Div. of Cadence Industries Corp., 493 U.S. 120 (1989)

EDWARD C. MAGUIRE '22

Bakery & Pastry Drivers & Helpers Local 802, International Brotherhood of Teamsters v. Wohl, 315 U.S. 769 (1942)

LAWRENCE J. MAHONEY '48

United NY and NJ Sandy Hook Pilots Association v. Halecki, 358 U.S. 613 (1959)

ANDREW J. MALONEY III '88

Gutierrez v. Lamagno, 515 U.S. 417 (1995)

PROFESSOR MARIA MARCUS

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Smith v. O.F.F.E.R., 431 U.S. 816 (1977)
Mancusi v. Stubbs, 408 U.S. 204 (1972)
Samuels v. Mackell and Lefkowitz, 401 U.S. 66 (1971)

EDWIN S. MURPHY '37

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EMANUEL REDFIELD '30

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Zwickler v. Koota, 389 U.S. 241 (1967)
Redrup v. State of NY, 386 U.S. 767 (1967)
Mishkin v. State of NY, 383 U.S. 502 (1966)
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Kingsley Books, Inc. v. Brown, 354 U.S. 436 (1957)
Ellis v. Dixon, 349 U.S. 458 (1955)
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SHEILA G. RIESEL '69

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HON. THOMAS R. SULLIVAN '77

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PROFESSOR CHARLES WHELAN, JR.

Diffendenfer v. Central Baptist Church of Miami, 404 U.S. 412 (1972)

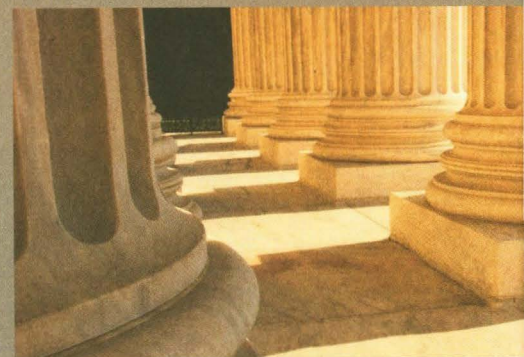
FRANKLIN H. WILLIAMS '45

Shepherd et al. v. FL, 341 U.S. 50 (1951)
Watts v. IN, 338 U.S. 49 (1949)

DONALD J. ZOELLER '58

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MORE THAN JUST CITATIONS



Fordham's six student-edited law journals are not only highly regarded in the academic sphere, they are also cited in many Supreme Court decisions. The *Fordham Law Review*, for instance, has been cited by the Court more than 70 times.

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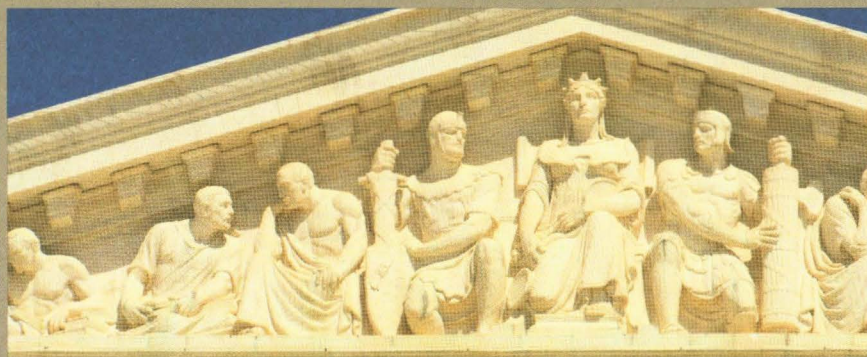
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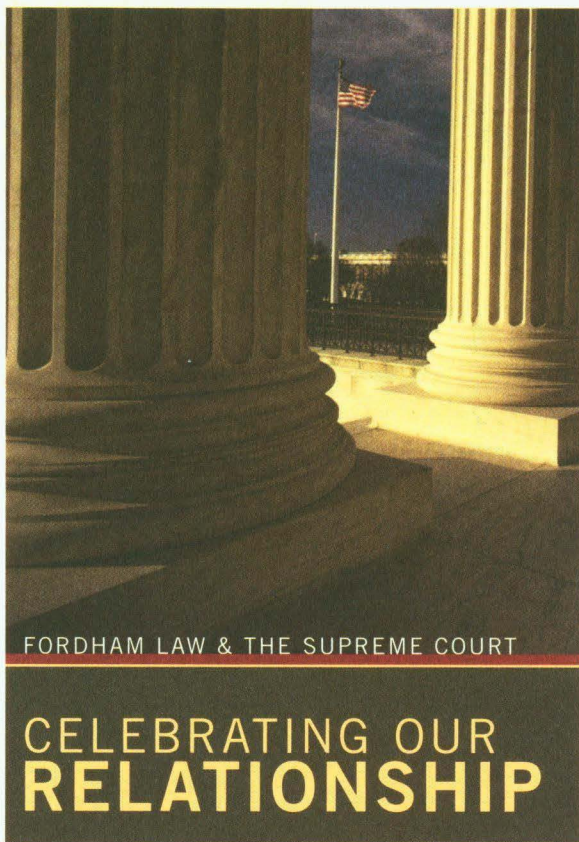
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