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Stein Center for Law and Ethics Annual Report 2014 to 2015

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Stein Center for Law and Ethics

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LOUIS STEIN CENTER FOR LAW AND ETHICS

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The Stein Center for Law and Ethics 2014-2015 Annual Report

The Louis Stein Center for Law and Ethics serves the Fordham Law School community, the legal profession and the public in multiple ways. It contributes to developing future lawyers who are committed to promoting the public good through law reform, public service and the maintenance of high ethical standards, while at the same time helping those lawyers-to-be gain experiences and build connections in order to successfully commence their legal careers. It seeks to improve the legal profession and the legal system while modeling how to do so. It encourages scholarship that explores how ethical values inform and improve the legal profession, which, in turn, solidifies Fordham Law's reputation among practitioners and academics in the legal ethics arena.

The Stein Center is directed by Professor Bruce Green, the Louis Stein Chair. It is co-directed by Professors Sheila Foster, the Albert A. Walsh '54 Chair in Real Estate, Land Use, and Property Law;¹ Russell Pearce, the Edward and Marilyn Bellet Chair in Legal Ethics, Morality and Religion; and Jennifer Gordon. Sherri Levine is the Center's Associate Director.

We remain grateful to the Stein family for their support of the Stein Center and the Stein Scholars Program, starting with Louis Stein '26 for having had the foresight to establish these programs, and continuing with his granddaughter Sally Bellet '76, who honors his legacy and vision to this day.

This Annual Report describes the public and scholarly programs organized by the Stein Center, as well as the efforts taken to support, oversee and expand the Stein Scholars Program, which trains students to be leaders and prepares them for careers "in the service of others." All of our endeavors contribute to raising the profile of Fordham Law School among alumni, practitioners and the broader academic community.

I. PUBLICATIONS and SCHOLARSHIP

The work of the Stein Center is visible in two types of publications, the *Fordham Law Review's* special annual ethics issue, and the Stein Center's quarterly e-newsletter, Stein Center News. Additionally, the Stein Center plays a pivotal role in encouraging and fostering legal scholarship in three key ways: 1) convening and hosting the Criminal Justice Ethics Schmooze; 2) organizing and hosting Legal Ethics Scholars' Roundtables; and 3) facilitating and promoting students' notes.

¹ While Professor Sheila Foster was a Stein Center Co-Director throughout 2014-2015, she stepped down as Co-Director in June 2015 and Associate Professor Kimani Paul-Emile took her place at that time.

A. *Fordham Law Review*

As a result of the annual ethics conference sponsored by the Stein Center for Law and Ethics, the *Fordham Law Review* has recently published a book containing multiple articles on important aspects of ethics and the legal profession. In fact, the Stein Center's collaboration with Fordham law journals began more than 19 years ago, when the *Fordham Law Review* committed to working with the Center's faculty to publish an annual book on ethics and the legal profession. The articles in the *Fordham Law Review* legal ethics collections regularly lead the list of its most frequently cited articles.

This year's *Fordham Law Review* ethics issue (Vol. 83, No. 5) stems from the October 16-17, 2014 colloquium called **The Challenge of Equity in the Legal Profession: An International and Comparative Perspective**. Throughout the two-day event, which was co-sponsored by Stanford Law School's Center on the Legal Profession and the Centre for Professional Legal Education and Research at the University of Birmingham Law School, the speakers analyzed such themes as the ways the legal profession is diversifying compared to the racial and gender background of those practicing at the higher echelons; the different ways inequality manifests itself in the two jurisdictions; the causes of the disadvantages experienced by the lower status groups; and alternative ways each jurisdiction is addressing diversity.



The colloquium issue contains articles by such well-regarded experts in the field as:

Julie Ashdown • Law Society
Louise Ashley • Kent Business School
Devon Carbado • UCLA School of Law
Richard Collier • Newcastle Law
Michele Goodwin • University of Minnesota Law
Justin Hansford • Saint Louis University Law
Stacey Hawkins • Rutgers Law
Savita Kumra • Brunel Business
Jonathan Lamptey • London School of Economics
Russell Pearce • Fordham Law
Deborah Rhode • Stanford Law School
Hilary Sommerlad • Birmingham Law School

Steven Vaughan • Birmingham Law School
Eli Wald • University of Denver Law
Lisa Webley • University of Westminster School of Law
Kevin Woodson • Drexel School of Law

You can find the issue here: <http://fordhamlawreview.org/symposia/49>.

As always, the intended audience for this special legal ethics issue of the *Fordham Law Review* is broad and includes practicing attorneys, judges, law professors, law students and professional responsibility professors across the country. The Stein Center will publicize this volume to nationally-recognized faculty experts, to highlight Fordham Law's efforts to engage in important national debates.

Moreover, plans are well underway for our Fall 2015 ethics colloquium, **Lawyering in the Regulatory State**, which will take place on October 16, 2015 at Fordham Law School. The articles arising from this colloquium will be published in a special Spring 2016 *Fordham Law Review* book and we expect many cutting-edge articles on a broad range of contemporary issues affecting the legal profession. Specifically, the colloquium will look at lawyers' role and responsibilities in representing clients before administrative/regulatory agencies and in giving clients advice about regulatory law, as well as the role of lawyers working in these agencies.

Confirmed participants for **Lawyering in the Regulatory State** include:

Bernie Bell • Rutgers School of Law-Newark
Daniel J. Bussel • UCLA School of Law
George M. Cohen • University of Virginia School of Law
Katherine Hall • Australian National University College of Law
Sung Hui Kim • UCLA School of Law
Renee Newman Knake • Michigan State University College of Law
David McGowan • University of San Diego School of Law
Milan Markovic • Texas A+M University School of Law
Nancy Moore • Boston University School of Law
Paul Paton • University of Alberta Law
Mitt Regan • Georgetown Law
Dana Remus • UNC School of Law
Tanina Rostain • Georgetown Law
Aaron Saiger • Fordham Law
Jayashri Srikantiah • Stanford Law

For more information, visit law.fordham.edu/stein.

B. Stein Center News

This year, the Stein Center again published four editions of Stein Center News, an e-newsletter. Stein Center News includes announcements about programs and events, articles about topical issues, profiles of Stein Scholars alumni, commentary about current controversies in public

interest law or legal ethics, and photos showcasing the best moments of Stein Center and Stein Scholars Program activities. During the 2014-2015 year, we featured over 18 Stein alumni discussing such diverse topics as labor and employment law, prosecutorial ethics, solo/small firm practice, international diplomacy and teaching.

Stein Center News helps to foster connections between current students and graduates of the Program, while simultaneously raising the profile of the law school by promoting the work of the Center and the Stein Scholars Program to the broader legal community. The Stein Center News is accessible from the home page of the Stein Center (<http://law.fordham.edu/stein>).

C. Scholarship Incubator

By convening the Legal Ethics Shmooze, hosting Legal Ethics Scholars' Roundtables, and encouraging students to write notes on important legal issues, the Stein Center serves as one of the most important incubators of legal ethics scholarship in the country.

1. Legal Ethics Shmooze

In June 2008, the Stein Center collaborated with Columbia, Georgetown, Harvard and Stanford Law Schools to conduct a two-day Legal Ethics Shmooze. Approximately twenty senior and junior scholars from around the country came to Fordham to discuss future scholarship on the legal profession. Each participant contributed a paper that fit within one of several predetermined themes, which included: access to justice, cause lawyering, lawyers' identity and role, and the role of lawyers in governance. Participants discussed works in progress and received feedback in order to strengthen their scholarship for future publication.

The expectation at the time was that one of the other law school co-sponsors would host the next Shmooze, but no school stepped forward, so the Stein Center offered to host and organize the **Second Legal Ethics Shmooze** in June 2013. With the Stanford Center on the Legal Profession and Touro Law Center as co-sponsors, twenty-two senior and junior scholars from across the country again came to Fordham Law School to present works-in-progress and discuss scholarship pertaining to legal ethics and the legal profession.

The **Second Legal Ethics Shmooze** was so successful, that the Stein Center convened three law schools (New York Law School, Cardozo Law School and Touro Law Center) to organize the **Criminal Justice Ethics Shmooze**, which we hosted on June 9-10, 2014 at Fordham Law School. Twenty-three criminal justice scholars prepared draft papers, which they presented to the group for feedback and suggestions, thereby extending our reputation as the primary incubator of legal ethics scholarship in the country.

The tradition was continued this year, when we hosted the 2015 **Criminal Justice Ethics Schmooze**² on June 8-9, 2015. Papers and conversations focused on questions of criminal procedure and professional conduct relating to prosecutors, defense lawyers and the institutions

² The spelling of the word "Shmooze" was changed to "Schmooze" prior to the 2015 Criminal Justice Ethics Schmooze.

in which they work. Specifically, junior and experienced faculty members secured feedback on ideas pertaining to issues such as: prosecutorial discovery violations; community lawyering; conflicts of interest; access to justice; plea bargaining; and prosecutorial accountability and responsibility.



2015 Criminal Justice Ethics Schmooze participants included:

Miriam Baer • Brooklyn Law School
Lara Bazelon • Loyola Law School
Tony Brown • AUSA, Central District of CA
Alafair Burke • Maurice A. Deane School of Law at Hofstra University
Tucker Carrington • University of Mississippi School of Law
James E. Coleman, Jr. • Duke Law School
Russell Gold • NYU School of Law
Bruce Green • Fordham Law School
Janet Hoeffel • Tulane Law School
Peter Joy • Washington University Law
Laurie Levenson • Loyola Law School
Kate Levine • NYU School of Law
Samuel Levine • Touro Law Center
Saira Mohamed • University of California, Berkeley, School of Law
Jane Campbell Moriarty • Duquesne University School of Law
Jenny Roberts • American University Washington College of Law
Rebecca Roiphe • New York Law School
Veronica Root • Notre Dame Law School
Jed Shugerman • Fordham Law School
Kami Chavis Simmons • Wake Forest University School of Law
Abbe Smith • Georgetown Law
Alice Woolley • University of Calgary
Ellen Yaroshefsky • Cardozo Law

2. Legal Ethics Scholars' Roundtable

Launched in 2012 by Susan Fortney while she was the Director of the Institute for the Study of Legal Ethics at Maurice A. Deane School of Law at Hofstra University, and Bruce Green, Stein Center Director, the **Legal Ethics Scholars' Roundtable** also nurtures the development of legal scholarship by providing opportunities for area legal ethics professors to discuss their work in progress.

In addition to generally supporting and promoting the Roundtables, this year, the Stein Center hosted a Roundtable discussion on November 24, 2014. At that time, Professor Dana Remus (University of North Carolina School of Law) came to Fordham Law School to present her piece, *Reconstructing Professionalism*, in which she argues that instead of embracing market discourse, lawyers should instead emphasize core values such as trust, compassion, empowerment, and service.

3. Students' Notes

Students interested in writing notes on issues pertaining to legal ethics and the legal profession are supported throughout the process by Stein Directors Bruce Green and Russell Pearce.³ Both teach small 2L seminars - Ethics in Criminal Advocacy and Lawyers and Justice - where students are encouraged to write papers that can be the foundation for a publishable note. Both also provide extensive feedback and supervision throughout the note-writing process. Finally, the Mary Daly Prize in Legal Ethics, which is awarded to a graduating student who publishes the most significant writing relating to lawyers' professional responsibility and/or the legal profession, also promotes note-writing by publically recognizing it.

This year, the Mary Daly Prize was awarded to Naseem Faqih, author of the note *Choosing Which Rule To Break First: An In-House Attorney Whistleblower's Choices After Discovering a Possible Federal Securities Law Violation*, 82 Fordham L. Rev. 3341 (2014). In addition, Professor Green supervised 5 student notes, one of which was already published and received an award for best *Law Review* note of the year: Brandon P. Ruben, *Should the Medium Affect the Message? Legal and Ethical Implications of Prosecutors Reading Inmate-Attorney Email*, 83 Fordham L. Rev. 2131 (2015).

II. STEIN SCHOLARS PROGRAM

The Stein Scholars Program continues to play a key role in students' professional development, while advancing Fordham's mission to cultivate lawyers "in the service of others." Specifically, the Stein Scholars Program offers approximately 60 Fordham Law School students with an expressed desire to work in public interest law an opportunity to receive tailored academic guidance, mentorship, community, leadership development, support and hands-on experience in charitable, non-profit, government and pro bono law settings. The Stein Scholars Program offers student-student, faculty-student, and alumni-student mentorship, as well as frequent workshops and conversations on career options and current issues of importance to the public interest

³ Professor Pearce was on sabbatical during the 2014-2015 academic year.

community. The alumni network of Stein Scholars now exceeds 440 graduates and those graduates can be found throughout the country in nearly every area of the legal profession.

Through academic coursework and exposure to a variety of public interest law practices, the Stein Scholars Program provides participating students with a firm grounding in legal ethics, the analytical tools needed to examine the role of lawyers in society, practical experience and training, and opportunities for developing relationships with practitioners in a variety of fields. Moreover, the Program contributes to Fordham's reputation as a pioneer and leader in the fields of ethics and public interest law.

A. Internships

The Stein Scholars Program includes an internship component that gives students the opportunity to work in public interest law settings during their 1L and 2L summers. These internships, supported by stipends available through the generous support of the Stein family, facilitate the development of skills and experiences needed to be effective attorneys, provide exposure to different institutions and the role lawyers play in each, and promote the cultivation of contacts and connections necessary when embarking on careers in public interest law.

Continuing the long-standing Stein Scholars tradition, students are interning this summer at dozens of different types of judicial, government, direct service and law reform organizations:

Connecticut Office of the Attorney General	Inter-American Courts of Human Rights
The Door	Day One, Domestic Violence
National Union of Philippine Lawyers	NJ Institute for Social Justice
NYLAG Immigration	Legal Aid Society, Trafficking Advocacy
Legal Aid Society	Neighborhood Defender Service of Harlem
Queens Anti-Trafficking	USAO, EDNY
Kings County District Attorney	Hon. Paul Crotty (SDNY)
Legal Aid Society Criminal Defense Div.	The Fortune Society
Center for Reproductive Rights	Legal Aid Society, Civil Law Reform
US DOJ National Security Division	South Brooklyn Legal Services LGBT/HIV
Brooklyn Family Defender Services	US DOJ Antitrust
Georgia Resource Center	Communication Workers of America
NYC Department of Investigation	NYS Supreme Court Judge Gerald Lebovits
Advocates for Children	Yale Immigration Clinic
NJ ACLU	Chief Judge Loretta Preska (SDNY)
Legal Aid Society, Juvenile Rights	NYC Corporation Counsel
Federal Defenders of NY	NYLAG Storm Response Unit
National Lesbian & Gay Task Force	Philadelphia Health Project
Center for Constitutional Rights	Federal Trade Commission
Riverkeeper	NYC Dep. of Youth & Community Dev.

B. Collaborations with Public Interest Organizations and Practitioners

During their second year, Stein Scholars enroll in two courses dealing with ethics and public

interest law. In the Fall semester, Stein Scholars choose between Professional Responsibility: Lawyers and Justice, which focuses on civil practice, and Ethics in Criminal Advocacy, which examines the ethical responsibilities of lawyers who work in the criminal justice system.

In the Spring of their second year, Stein Scholars enroll in the Advanced Seminar in Public Interest Lawyering. In the Advanced Seminar, students work in small groups on projects in conjunction with public interest law offices and practitioners in New York City. These group projects enable Stein Scholars to apply the principles considered in the classroom to real life situations, while also providing opportunities to cultivate collaboration and teamwork skills. By working in conjunction with a public interest legal organization on a project intended to protect or expand the rights of the disenfranchised, the Advanced Seminar not only helps prepare students to engage in meaningful work that will make a difference, but it fosters exposure to practicing lawyers in compelling and diverse fields. During the Spring 2015 semester, Stein Scholars undertook five projects:

- Four students working with ACLU-NJ produced a concise and accessible Know-Your-Rights pamphlet to guide middle and high school students in their interactions with police and school security officers.
- Three students who collaborated with The Legal Society Homeless Rights Project prepared a comprehensive manual on benefits and services available to runaway and homeless youth, with a particular emphasis on services for LGBT youth, since they make up a disproportionate share of the runaway and homeless youth population.
- After observing hundreds of arraignments and interviewing dozens of attorneys and judges, four students partnering with The Bronx Freedom Fund created a checklist and overview of effective bail arguments, a necessary tool since bail decisions have a profound impact on indigent defendants' case outcomes.
- Four students working with the Safe Horizon Anti-Trafficking Program prepared detailed and sophisticated PowerPoint and Prezi trainings that are already being implemented by the organization.
- Three students working with Families for Freedom and the Immigrant Defense Project conducted extensive client interviews and prepared a White Paper exposing immigration officials' violations of rules governing documentation in deportation cases.

Additionally, each year, we bring several Stein graduates back to the school to talk with the Advanced Seminar students about issues having to do with the legal profession, including mentoring, public interest lawyering and leadership. This semester's Stein speakers included: Janelle Winston '04, labor attorney with MTA New York City Transit Labor Relations; Annie Chen '09, Associate Program Director, Unaccompanied Children Program, Vera Institute of Justice's Center on Immigration and Justice; and Kimberley Chin '97, Senior Visiting Fellow with the Feerick Center for Social Justice and Programme Executive at Atlantic Philanthropies. These conversations expanded the students' connections and understanding of the world of

public interest law, while simultaneously providing opportunities for graduates to remain engaged with the law school.

C. Roundtables

During the 2014-2015 academic year, current Stein Scholars organized six roundtables on a variety of compelling contemporary legal issues. By conceptualizing and producing the panels, Stein Scholars expanded their knowledge about key legal and policy issues and enhanced their leadership skills, while also connecting with practicing attorneys from multiple fields and types of practices.



This year's topics were: 1) Domestic Violence (October 1); 2) Alternatives to Incarceration (October 29); 3) Standards of Police Conduct (November 5); 4) Town Hall on Race and the Criminal Justice System (February 4); 5) Reproductive Rights in Texas: Zooming in on the Rio Grande Valley (February 25); and 6) Prosecuting Juveniles as Adults in NYS (March 25).



D. Mentorship Program with Alumni

For the third year in a row, the Stein Center organized a Mentorship Program, whereby 2L and 3L Stein Scholars were matched with Stein Scholars alumni based on common areas of interest or practice. Mentors were asked to meet with their mentee at least twice during the school year and to communicate on an as-needed basis via phone, email or Skype. Approximately 25 student/graduate pairs participated in the Mentorship Program. The ability to develop a relationship with a Stein graduate who has experience in the student's field of interest, or practices in an area of law that the student wants to learn more about, is invaluable.

Here's what two students recently said about the Mentorship Program:

"It was great to go down to [my mentor's] office and get to see her work environment and learn about her experience in law school and getting to her current position. I really enjoyed speaking with her and definitely got a lot of good advice about choosing courses, learning about fellowships, and thinking about what I want to do later on."

"I thought the Stein Alumni Mentorship Program last year was amazing and I really loved meeting my mentor. I was placed very well -- my mentor and I had very similar professional interests and he was also based in NY but spending lots of time in DC. I appreciated the thought that went into the pairing and found him to be very inspiring and helpful. I will definitely continue to keep in touch with him!"

E. Fundraising

We continued the fundraising campaign we initiated in 2013 in conjunction with our 20th Anniversary Celebration of the Stein Scholars Program, in order to raise additional funds to provide grants to 3L Steins (Class of 2015) to help offset the cost of the bar review and bar exam. This year, grants totaling \$9,500 were provided to ten 3Ls, all of whom are committed to pursuing a public interest law career. We received generous contributions from approximately 40 Stein Scholars alumni during the year and we hope to increase the rate of participation before the end of the fiscal year.

F. Scholarships

This past year, the Stein Center continued to administer the Bellet Scholarship, which was initiated by Sally Bellet '76 in order to support one Stein Scholar from each class who demonstrates a particular commitment to leadership in the public interest. Through support and mentoring, Bellet Scholars are encouraged to develop the leadership skills and values needed to become future ethical legal leaders.

Additionally, with the assistance of the Development office, we helped to administer the Monsignor James J. Murray Prize for Achievement in Public Service, which was awarded to a 2015 graduate who is pursuing a career in voting rights and electoral reform.

G. Stein Public Service Fund

With alumni support and in collaboration with the Stein Council, the Stein Center created and launched the new Stein Public Service Fund, which awarded seven grants to help expand social justice efforts at the law school and within the broader community:

- Safe Passage Project's May 2nd Field Day for unaccompanied minors from Central America;



- Fordham Law Defenders panel on the Prosecution of Juveniles as Adults in New York and FLD's upcoming Professional Development Day;



- Volunteer efforts in Texas in conjunction with the undocumented minors program at Refugee and Immigrant Center for Education and Legal Services;

- Environmental Law Advocates Alternative Spring Break trip to a community in Wedgewood, Florida affected by their proximity to landfills;



- Universal Justice Alternative Spring Break trip to Santo Domingo to conduct legal and field research to facilitate a written report on the legal treatment and protections of LGBT people in the Dominican Republic;



- A panel discussion to educate about the need to eliminate solitary confinement, organized in tandem with the National Lawyers Guild and Prisoner Rights Advocates in recognition of Eliminate Solitary Confinement Week; and

- Data processing and analysis for the Advanced Seminar best practices guide for bail arguments, produced in conjunction with the charitable bail organization The Freedom Fund and the Bronx Defenders.

These projects facilitated the expansion of public service undertakings by dozens of students at the law school, in other parts of the City (the Bronx), the country (Florida and Texas) and beyond (Dominican Republic).

H. Stein Alumni Advisory Board

The Stein Alumni Advisory Board, which consists of one representative from each Stein Scholars graduated class, for a total of 20 Advisory Board members, continues to actively support the work of the Stein Center and the Stein Scholars Program. For a list of current alumni members of the Advisory Board, please go to our website: <http://law.fordham.edu/louis-stein-center-for-law-and-ethics/31833.htm>. The Advisory Board meets regularly and maintains contact with classmates via emails in between in-person meetings. The Advisory Board was instrumental in conceiving and implementing events such as the 20th Anniversary Celebration, the Hot Topics lecture series, and the Stein Alumni Awards Reception, as well as in initiating the Stein Alumni LinkedIn group and supporting the annual fundraising campaign.

I. Stein Alumni Awards Reception

By bringing back the Stein Alumni Awards Reception, we started the year with a terrific celebration of the Stein Scholars Program. During the event, which took place on October 21, 2014, the Stein Alumni “in the Service of Others” Award was bestowed on Afua Atta-Mensah ’04 and Eric Montroy ’03. Afua is the Director of Litigation for the Urban Justice Center’s

Safety Net Project and Eric is an Assistant Federal Defender in the Capital Habeas Unit of the Federal Community Defender Office of the Eastern District of PA. Before an enthusiastic crowd of more than 100 students, graduates and law school staff and faculty, heartfelt remarks were shared by the two honorees, as well as Assistant Dean Tom Schoenherr, Stein Center Director Bruce Green, James Gatta '02 and Aimee Perez Codero '03.



The Stein Alumni Awards Reception was a wonderful way for Stein Scholars alumni to re-ignite connections with each other and the law school, while also allowing students in the Program to meet and develop bonds with graduates employed in jobs across the legal profession.

Plans for the 2015 Stein Alumni Awards Reception (November 5) are already well underway. This year we will be honoring Seth DuCharme '03 (Deputy Chief of the National Security & Cybercrime Section at the U.S. Attorney's Office for the Eastern District) and Jessica Rose '01 (Director of the Community and Economic Development Program at Brooklyn Legal Services Corp. A) for their dedication and commitment to public service.

III. THE ACADEMY, THE BAR and FORDHAM ALUMNI

During this past academic year, the Stein Center organized and sponsored many events that fostered connections with the academy, the bar and Fordham Law alumni. Some programs were designed principally for legal academics, as was true of **The Challenge of Equity and Inclusion in the Legal Profession: An International and Comparative Perspective**, the **Criminal Justice Ethics Schmooze** and **Representing Palestinian Rights in the Israeli Supreme Court: Client Loyalty, Social Change and Political Legitimacy**, and will be the case with the upcoming **Lawyering in the Regulatory State** colloquium and the **International Legal Ethics Conference**, while other projects have been directed primarily at practitioners, as was the focus of our three CLE programs: **Current Ethical Issues in Corporate Representation** (February 10, 2015), **Hot Topics: Ethical Issues in Public Interest Lawyering** (March 30, 2015) and **Ethical Issues in FCPA Compliance and Investigations: Practical Advice from the Front Lines** (May 11, 2015).

1. The Academy

A. **The Challenge of Equity and Inclusion in the Legal Profession: An International and Comparative Perspective**

This year's annual ethics colloquium (October 16-17, 2014) co-sponsored by the Stein Center and the *Fordham Law Review* was entitled **The Challenge of Equity and Inclusion in the Legal Profession: An International and Comparative Perspective**. Through deliberations

among distinguished panelists from more than 15 institutions from the US and UK, this one and a half day colloquium analyzed and reappraised the legal, ethical and practical issues at play in the legal profession from historical, contemporary and international perspectives. A review of topics addressed and participating academics can be found above on page 2.

B. Criminal Justice Ethics Schmooze

Both last year and this year, the Stein Center prioritized convening the Criminal Justice Ethics Schmooze. The Schmooze is designed to provide both established and junior scholars working in the fields of legal ethics and criminal procedure a chance to consider and discuss emerging topics in the field. In addition to collegial interchange, its object is to promote legal ethics as an important area for future scholarship, provide ideas about where such scholarship might take us, and promote Fordham Law School's reputation as the central place to discuss and debate these issues. More information can be found above on pages 4-5.

C. Representing Palestinian Rights in the Israeli Supreme Court: Client Loyalty, Social Change and Political Legitimacy

Before a packed room at the law school on November 5, 2014, Visiting Professor Neta Ziv (Buchmann Faculty of Law, Tel Aviv University, Israel) and Fordham Law Professor Russell Pearce jointly presented a program titled **Representing Palestinian Rights in the Israeli Supreme Court: Client Loyalty, Social Change and Political Legitimacy**. The event was co-sponsored by the Institute on Religion, Law and Lawyer's Work and the Leitner Center for International Law & Justice.



The speakers introduced the policy, political, and legal issues that result from the Israeli High Court of Justice jurisdiction over Palestinians in the occupied territories, including cases regarding administrative detention, house demolition, curfews, torture, and use of public resources by Palestinians. The speakers further explained that within this framework, Israeli lawyers considering representing Palestinians must decide how to balance issues of rule of law, advocacy, and client loyalty on the one hand, with the possibility of lending political legitimacy to a legal system viewed by many as biased, unilateral, and illegitimate.

D. International Legal Ethics Conference VII

The Stein Center was selected to host the **International Legal Ethics Conference (ILEC) VII, *The Ethics & Regulation of Lawyers Worldwide: Comparative and Interdisciplinary Perspectives***, at Fordham Law School on July 14-16, 2016. ILEC will involve over 300 members of the legal profession from around the world speaking about issues of critical importance to the legal profession, including rule of law, globalization, legal education and regulation.

To assist in organizing the conference, the Stein Center formed six committees (International; Interdisciplinary; Legal Education; Waiver; Fundraising; and Social) and invited bar associations, law firms and law schools to serve as co-sponsors. The *ILEC VII* website (law.fordham.edu/ilec2016) can now be utilized to: (1) register to attend; (2) submit a paper or program proposal; (3) sponsor the conference as an individual, law firm or law school, thereby helping to ensure robust international participation from under-represented countries; and (4) apply for a travel subsidy or registration waiver. Although the conference is more than a year away, we have already received 6 program and 25 paper proposals and have raised more than \$20,000 to subsidize international travel.

2. The Bar

A. CLE Ethics Programs for Practitioners

This Winter and Spring, the Stein Center co-sponsored three ethics CLE programs: 1) **Current Ethical Issues in Corporate Representation**; 2) **Ethical Issues in Public Interest Lawyering**; and 3) **Ethical Issues in FCPA Compliance & Investigations: Practical Advice from the Front Lines**.

Current Ethical Issues in Corporate Representation

On February 10, 2015, the Stein Center for Law and Ethics, the Fordham Corporate Law Center, and Cardozo Law School's Center on Corporate Governance co-sponsored a panel called **Current Ethical Issues in Corporate Representation**.



Michael H. Stone, Senior Fellow at the Samuel and Ronnie Heyman Center on Corporate Governance at Cardozo School of Law, moderated the panel, which consisted of the following

four speakers:

- Stephen M. Cutler, General Counsel & Member of Operating Committee, JPMorgan Chase
- Bruce Green, Louis Stein Chair & Director of Stein Center for Law and Ethics, Fordham Law School
- Nicole Hyland, Partner in the Litigation and Professional Responsibility Groups, Frankfurt Kurnit Klein & Selz PC
- Harry J. Weiss, Partner and Chair of Securities Litigation and Enforcement Practice Group, WilmerHale

With more than 150 members of New York's legal community in attendance, the speakers engaged in a dynamic conversation and debate about the real life application of the rules of professional responsibility to matters involving corporate representation. Topics ranged from solicitation of corporate employees to conflicts that arise when in-house or outside counsel seek to sue a former client and from confidentiality of internal investigations to a lawyer's responsibility when she inadvertently receives improperly produced or disclosed documents.

Ethical Issues in Public Interest Lawyering

On March 30, 2015, the complex ethics issues faced by public interest attorneys took center stage at a CLE panel discussion called **Ethical Issues in Public Interest Lawyering** sponsored by the Stein Center. With more than 70 New York legal professionals in attendance, four Stein Scholars graduates - **Elizabeth Joynes '10**, Supervising Attorney, Make the Road NY; **Amelia Tuminaro '03**, Partner, Gladstein, Reif & Meginniss, LLP; **Alejandro Forte '99**, Principal Attorney, Mental Hygiene Legal Service; and **Joseph Krummel '00**, Of Counsel, Ween & Kozek, LLP - analyzed and discussed real life public interest legal scenarios, in order to explore options available under the Rules of Professional Responsibility.



With Stein Center Director Bruce Green as the moderator, the four panelists shared their views on how to address complicated and tricky dilemmas involving conflicts and confidentiality, representing incapacitated clients, allocation of decision making and encouraging autonomy by

disenfranchised clients. At the conclusion of the program—the fourth in the Hot Topics series launched in Fall 2012— participants received 2 CLE ethics credits for free.

Ethical Issues in FCPA Compliance & Investigations

Then on May 11, more than 70 participants learned what corporate counsel should do if confronted with potential wrongdoing in the context of the Foreign Corrupt Practices Act at a panel discussion titled **Ethical Issues in FCPA Compliance & Investigations: Practical Advice from the Front Lines**. Using a hypothetical example situated in the imaginary country of Briberia, the five speakers shared their expertise with the audience by identifying ways to help corporate counsel spot illegal behavior and offering them guidance on the most prudent ways to proceed.



The audience learned from the following five panelists:

- Charles E. Duross, Partner in the Securities Litigation, Enforcement and White-Collar Defense Practice Group and head of the global anti-corruption practice at Morrison & Foerster LLP
- Bruce Green, Louis Stein Chair of Law and Director of the Stein Center for Law and Ethics at Fordham Law School
- Devika Kewalramani, Partner and Co-Chair of Moses & Singer's Legal Ethics & Law Firm Practice
- Stephen R. Reynolds, Executive Vice President, General Counsel and Secretary at Aramark
- Stephen F. Stander, Senior Advisor, International, Legal & Business Affairs at A&E Television Networks, LLC

At the conclusion of the program, participants received 2 CLE ethics credits.

B. Amicus Briefs

Continuing in a long tradition of law reform and legal advocacy efforts, the Stein Center signed onto two amicus briefs this year.

The Stein Center joined 16 other organizations in [an amicus brief before the Second Circuit Court of Appeals](#) in support of the defendants-appellants' request to reverse the lower court's decision in *Berman v. City of New York*. The amici urged the Court to hold that specific NYC consumer protection laws are not preempted by sections of the New York Judiciary Law and that such regulation does not violate the New York City Charter, in order to prevent debt collection law firms from engaging in abusive and deceptive non-litigation activities and concealing those debt collection practices behind the shield of attorney conduct.

Additionally, the Stein Center, in conjunction with Fordham Law Professor Deborah Denno, filed [an amicus brief to the U.S. Supreme Court in *Glossip v. Gross*](#) seeking to have the judgment of the Tenth Circuit reversed, arguing that in switching to lethal injection, legislatures delegated implementation of the method to prison officials who adopted procedures without medical study or meaningful analysis. The specific issue in the case is whether the use of midazolam in lethal injections violates the Constitution's ban on cruel and unusual punishment. If the Court prohibits the use of the compound, it will mark the first time the Justices have ruled a particular method of capital punishment unconstitutional in U.S. history.

C. Fordham-Stein Prize Dinner

First awarded in 1976, the Fordham-Stein Prize is presented annually to a member of the legal profession whose work embodies the highest standards of the legal profession. Before a large crowd of distinguished judges, practitioners and Fordham alumni on November 18, 2014, this year's Fordham-Stein Prize was awarded to Mary Jo White, Chair of the U.S. Securities and Exchange Commission. For additional information about the Fordham-Stein Prize and a list of past recipients, please go to our website: <http://law.fordham.edu/louis-stein-center-for-law-and-ethics/1953.htm>.

D. Criminal Justice Forensics

Finally, the Stein Center recently co-sponsored a conference of importance to the legal profession. On June 5, 2015, the ABA Criminal Justice Section and the Stein Center for Law and Ethics presented **Prescription for Criminal Justice Forensics** conference. This sixth annual day-long conference brought together distinguished panels of speakers - including academics, prosecutors, defense lawyers, judges, scientists and others - to discuss cutting edge forensic evidence issues in the criminal justice arena. Topics covered in this year's program included: legal updates, ineffective assistance of counsel and forensic evidence, National Institute of Justice Research Agenda and Low Copy Number ("LCN") DNA admissibility.

IV. CONCLUSION

The Stein Center is proud to be a part of Fordham Law School and excited to continue to offer programs and conferences that explore contemporary issues having to do with legal ethics and the legal profession, facilitate publication of special journal issues on these critical topics, and do our part to train the next generation of ethical, proactive and proficient lawyers committed to practicing law "in the service of others."