

5-2013

Stein Center News - May 2013

Stein Center for Law and Ethics

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Recommended Citation

Stein Center for Law and Ethics, "Stein Center News - May 2013" (2013). *Stein Center News*. Paper 9.
http://ir.lawnet.fordham.edu/stein_news/9

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STEIN CENTER NEWS

The e-newsletter for alumni and friends of the
Stein Center for Law and Ethics at Fordham



LOUIS STEIN CENTER
FOR LAW AND
ETHICS

May 2013

Stein Center News - May 2013

Read Director Bruce Green's [welcome letter](#).

Celebrate 20 Years with the Stein Scholars



Reconnect with Stein Scholars alumni and faculty and meet many of the current Stein Scholars. We are excited to commemorate two decades of accomplishments of the Program, celebrate the achievements of the students and graduates, and recommit ourselves to our three core principles: ethical leadership, service, and scholarship. Join with us as we recognize the ever-growing network of Stein Scholars alumni and celebrate the future of the Stein Scholars Program.

We look forward to seeing you on June 6 from 6:00-8:00 p.m. at the beautiful Chelsea art gallery of Marianne Boesky '95. Over 180 people have already RSVPed for the reception and, by the time you are reading this issue of Stein Center News, we may have reached capacity. [Sign up now](#) to register or to be placed on the waiting list for this special occasion!

Visit the [event webpage](#) to see who is coming.

Global Legal Profession Workshop on Asian Social Justice Lawyers in 11 Countries

On February 27, 2013, the Stein Center presented "Asian Social Justice Lawyers: Reflecting on Practice," part of the Global Legal Profession Workshop series co-sponsored with the Leitner Center for International Law and Justice.



Workshop speakers Louise Trubek, Clinical Professor of Law Emerita University of Wisconsin Law School, and Frank Munger, New York Law School Professor of Law and Co-Chair of the Law and Society Colloquium, presented a paper (also co-authored by Scott Cummings) analyzing the emergence, development, and transformation of social justice lawyering in 11 Asian countries: Bangladesh, China, India, Indonesia, Malaysia, Mongolia, Myanmar, Philippines, Singapore, Thailand, and Vietnam. Fordham Law Professors Martin S. Flaherty and Carl Minzner provided comment on the study, and Fordham Law's Russell Pearce, a Co-Director of the Stein Center, moderated the conversation.



The speakers identified three factors of particular importance when studying this issue: the autonomy of law, political space, and access to global resources. The autonomy of law, in turn, has two important components, judicial autonomy and the independence of the legal profession. The openness of political space also has two subparts, legal regulation of public spaces (such as permits for assemblies, media censorship, and group registration) and, closely related, the ability to mobilize others in support. The speakers analyzed the different ways these factors interact and combine to shape the space for social justice lawyers in each of the eleven countries.

Visit the [event webpage](#) to view additional photos and watch video of the presentation.

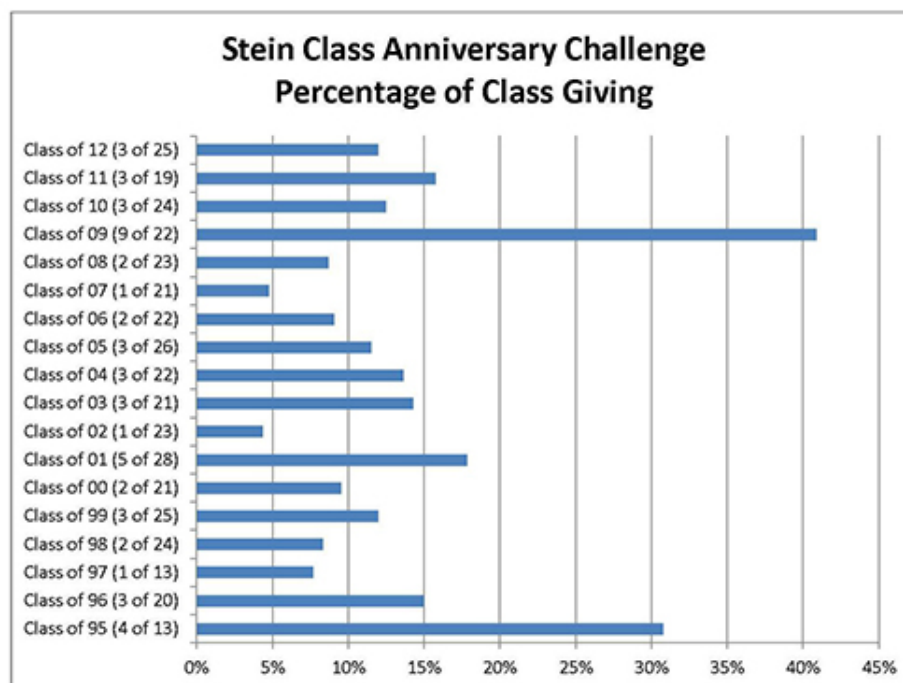
Stein Alumni Class Challenge Continues

In the last newsletter, we announced the Stein Alumni Class Challenge, a fun and friendly competition to see which Stein class can reach the highest percentage of donors to the Stein Scholars Program. Donations of various sizes continue to come in as we approach the June 6 anniversary celebration and the end of the fiscal year on June 30.

The Class of 2009 has a rather commanding lead, but any class could catch up. Remember, it's not the size of the donation, but the total number of alumni from each class that counts. If you have not yet given, please consider making a donation now by visiting law.fordham.edu/giving and choosing the Stein Scholars Program under Fund Choices. If you prefer to make a multi-year pledge, give anonymously, or via phone or check, please contact Michele Galioto by [email](#) or phone at 212-636-7637.

Meanwhile, the Stein Scholars Council has voted on the best use of the funds raised thus far: reviving the Stein Scholars Bar Review Fund.

The Stein Scholars Bar Review Fund was conceived several years ago by the Stein Council and grants were distributed for multiple years until difficult financial markets caused the fund to be suspended. This year, donations from numerous Stein alumni and friends made awards again possible. Awards were made to those graduating Stein Scholars who: 1) applied based on financial need; 2) worked at least two summers in qualifying public interest work; and 3) are entering or intend to enter public service immediately following graduation. Awards for 2013 have been made to eight Stein Scholars to assist with the costs of their bar review courses and bar exams. Every dollar helps and has significant impact supporting students at the critical beginning of their public interest careers. Thanks to our alumni for their generous donations.



Updated May 15, 2013

Business and Ethics of 21st Century Law Firm CLE Series a Success

This year the Stein Center teamed up with the Corporate Law Center to produce a three-part Monday evening CLE series focused on answering questions about how the business of law is changing and the ethical implications of those changes. Series presenters asked and answered questions about the struggles of big law to remain financially solvent, emerging firm structures and the constraints placed on them by rules of professional responsibility, and how technology can bridge the gap between client expectations and economic pressures.

On January 28, the panel "Lessons Learned and Reflections on the State of 'Big Law' in 2013" featured presentations by James Bernard '95, Partner, Stroock & Stroock & Lavan LLP, Scott Green, CEO, Pepper Hamilton LLP, and Bruce MacEwen, President, Adam Smith, Esq. Fordham Law Adjunct Professor Silvia Hodges moderated the discussion. Information from the panel, including video, can be found [here](#).

On February 25, the second part in the series, "New, Smart and Ethical Business Models," included Anthony Davis, Partner, Hinshaw & Culbertson LLP, Andy Daws, Vice President, North America, Riverview Law, James Peters, Vice President, Attorney Services, LegalZoom, and was moderated by Fordham Law Professor Bruce Green. Information from the panel, including video, can be found [here](#).

Finally, on March 18, the series concluded with "The Impact of Technology on the Future of Law Firms," featuring Larry W. Bridgesmith, Chief Relationship Officer at ERM Legal Solutions LLC, on "At the Corner of Where We've Been and Where We're Going"; Daniel Martin Katz, Assistant Professor of Law & Co-Director of ReInvent Law: A Law Laboratory Devoted to Innovation, Technology and Entrepreneurship at Michigan State University College of Law, speaking about "Innovation in the Legal Services Industry: The Future is Already Here, It is Just not Evenly Distributed"; Dr. Silvia Hodges, Director of Research Services, TyMetrix Legal Analytics, on "At the Corner of Big Data and the Business of Law"; Suzie Scanlon '95, Professional, Berger Legal LLC, addressing "The Virtual Lawyer: Virtual Law Firms and Other Legal Models"; and moderator Ron Lazebnik, Clinical Associate Professor of Law and Director of Fordham Law's Samuelson-Glushko



Intellectual Property & Information Law Clinic.

The conclusion of the series focused on the many kinds of technology influencing the way today's law firms do business and the ethical questions this technology raises. Panelists shared their views on what to expect in the future in terms of increased innovation, transparency, technological efficiencies, new business models, and expanded use of data in the provision of legal services. For more information, including links to the CLE materials, two online articles about the panel, and soon-to-be posted video of the discussion, click [here](#).

Each presentation offered practical takeaway ideas for practicing lawyers and posed challenging academic questions for additional scholarship. Approximately 40 people attended each of the three panel discussions including Fordham students and alumni, area lawyers, and academics. The Stein Center and Corporate Law Center hope that the success of the program will lead to similar seminars in the future as a way of engaging with the New York legal community on issues of legal ethics.

Stein Scholars Lend a Hand at New York Cares Day of Service



Bruce Green & Kathryn Krase

On Saturday, April 20, Fordham Law alumni, students, staff and faculty were among the 5,000 volunteers helping to give New York City a spring "greening" for New York Cares Day–Spring. The Fordham Law team cleaned up the grounds around the Bartow-Pell Mansion Museum. Nestled in the woods of Pelham Bay Park, the museum is a New York City Landmark, a National Landmark, and home to one of the most beautifully situated historic houses in the city. Volunteers removed invasive species, spread woodchips and mulch, and picked up fallen tree branches.



Andrew Chapin

Kathryn Krase '01, a Stein Scholar, member of the Stein 20th Anniversary Advisory Board, and an organizer of Fordham Law's participation in NY Cares Day Spring, summarizes her sentiments about the day this way: "I was glad that Fordham Law and the Stein Scholars Program provided me with an opportunity to demonstrate to my son that "service to others" is not only very important, but it can be a lot of fun too!"



Kathryn Krase & her son Jake

Stein Center Hosts Discussion with Professor Neil Hamilton about Law Student Professional Formation

At the Legal Ethics Scholars' Roundtable on April 23, Professor Neil Hamilton, Director of the

Holloran Center at St. Thomas University School of Law (Minnesota), discussed his article "Empirical Evidence that Legal Education Can Foster Student Professional Formation to Become an Effective Lawyer," which he co-authored with Verna Monson and Jerome Organ (*University of St. Thomas Law Journal*, forthcoming 2013).



During his comments, Professor Hamilton shared his theory that legal education should move toward more authentic engagement to cultivate each student's professional formation, as a way to improve each student's effectiveness as a lawyer. As Professor Hamilton explained, the challenge is to help each student internalize responsibilities for the client, as well as for the student's own development on multiple levels.

Professor Susan Fortney, the Howard Lichtenstein Distinguished Professor of Legal Ethics at the Maurice A. Deane School of Law at Hofstra University, and Stein Center Director Bruce Green, began convening the Legal Ethics Scholars' Roundtable last year to provide opportunities for area legal ethics professors to discuss their works in progress.

Stein Scholars Program on Women and Minorities in Public Interest Law

A March 20 panel discussion organized by the Stein Scholars focused on the experiences of women and minorities in public interest law. Panelists included the Hon. Carmen R. Velasquez, Queens County Civil Court Judge, and Stein Scholars graduates Caroline Hsu '09, Staff Attorney, Legal Aid, and Afua Atta-Mensah '04, Supervising Attorney, Urban Justice Center. Fordham Law Professor Tanya Hernandez moderated the discussion.



The panel discussed the historical struggle for women and minorities to gain entrance to the bar and the general stigma against entering the field of public interest law as barriers to adequate representation. The panel agreed that the glass ceiling still exists today and particularly noted that the ratio of minority clients to minority lawyers is still unbalanced due to socioeconomic differences in opportunity.



In today's public interest workplace, women and minorities feel pressured to outperform their peers to combat perceptions that they are less intelligent or qualified than their non-minority coworkers. Ms. Atta-Mensah and Judge Velasquez spoke about showing identification to enter courtrooms in order to prove they were not relatives of the defendant. The panelists were also concerned that women and minorities hired only for "diversity standing" get offered the worst assignments and the fewest opportunities to advance.

The panelists' advice for women and minorities included finding a mentor, networking with bar associations, researching an agency before applying for a position (to see what they have actually done in terms of diversity), and volunteering for assignments to avoid getting handed the less desirable caseload. The panelists also stressed the value of making thoughtful choices about work/life balance, family choices, and making realistic sacrifices.

2013 Mary Daly Prize in Legal Ethics Awarded to Jerry Dickinson '13 and Joanna Zdanys '13

Jerry Dickinson and Joanna Zdanys were awarded this year's Mary Daly Prize in Legal Ethics. Jerry and Joanna received the award at the Fordham Law diploma ceremony, which took place on Sunday, May 19.

The Mary Daly Prize in Legal Ethics is awarded to the Fordham Law School graduating student who

publishes the most significant writing or makes the most significant other contribution relating to lawyers' professional responsibility and/or the legal profession. It was established by the directors of the Stein Center for Law and Ethics in memory of their beloved colleague Mary Daly '72, who directed the Stein Center in the 1980s and 90s.

Jerry, a Stein Scholar, was Editor-in-Chief of the *Fordham Environmental Law Review* and a board member of Fordham's Housing Advocacy Project. Jerry was also a member of Fordham Law's Brendan Moore Trial Advocates, and as such was part of a team that finished first among fifteen teams to win the ABA Section of Labor and Employment Law's Regional Trial Competition. It was Jerry's position and contributions as a Teaching Assistant in the Professional Responsibility: Lawyers and Justice seminar, as well as the Housing Law Clinic, that made him a particularly strong candidate for the Mary Daly Prize. After graduation, he plans to join Reed Smith's Real Estate group in Pittsburgh, Pennsylvania.



Joanna, a Stein Scholar, was Editor-in-Chief of the *Fordham Urban Law Journal*, and a board member of the Fordham Moot Court Board, Universal Justice and Disaster Relief Network. As Editor-in-Chief, Joanna oversaw the publication of a book of articles titled *The Law: Business or Profession? The Continuing Relevance of Julius Henry Cohen for the Practice of Law in the Twenty-First Century*, which arose from a conference by the same name organized by the Stein Center, and cosponsored by Touro Law Center, in April 2012. (Order a copy of the book [here](#).) The book uses the work of Julius Henry Cohen, an early 20th century member of the New York Bar, as a backdrop to consider the current state of legal ethics and explore the roles and responsibilities of lawyers to their clients, to each other, and to society at large. Joanna will be working at Morrison &

Foerster upon graduation.

As the award committee said, "Throughout their time at Fordham Law, Jerry and Joanna exemplified ethics and professionalism and modeled excellence in pursuit of the public good."

Past winners of the Mary Daly Prize include Theodore R. Sangalis '12, Mari Gracie Byrne '11, and Marni Lynn von Wilpert '11.

Find out about Diploma Ceremony awards received by two other Stein Scholars graduates (Rebecca Iwerks '13 and Alexander Wentworth Ping '13), as well as the honorary degree conferred on Sally Bellet '76, in the next issue of Stein Center News.

Stein Scholars Honored at PIRC Awards Night

Fordham Law students and alumni gathered on April 12 to honor community members and students for their commitment to public interest law at a dinner organized by the Public Interest Resource Center. We are proud that for each class of current students, a Stein Scholar was selected for top honors.

Laura Gerace Rodriguez '13 was recognized as the Public Service Valedictorian at the dinner. Laura's long history of public service at Fordham includes summers spent with Advocates for Children and Neighborhood Defender Service of Harlem. She participated in the Suspension Representation Project and helped co-found Fordham's newest PIRC group, the Youth Advocacy Law Association. During her valedictory speech, she spoke about her experiences interning and lamented that she was often the only fluent Spanish speaker to work with many clients. "[I] hope to do work within the field of juvenile justice or child welfare," she told us. "More specifically, I am most interested in doing public education advocacy and reform work."



Tom Schoenherr and Laura Gerace Rodriguez

Alexandra Berke '14 was selected as the 2L Public Service Student of the Year. Alex worked for Brooklyn Family Defense Project last summer and will spend the coming summer interning with

Community Health Advocates, doing a mixture of direct service and policy work related to health care reform implementation. Although involved in numerous projects, Alex is especially known for her work with the Disaster Relief Network, where she co-led the alternative Spring Break trip to Haiti and spearheaded law student participation in Hurricane Sandy relief efforts. Although she plans to work in health care law, she explained “working with people in poverty to navigate bureaucratic systems is important and compelling work, even if not directly in the health care arena.”

Mary Gibbons '15 was selected as the 1L Public Service Student of the Year. She will work with the Brooklyn Family Defense Project this summer. Beyond her participation in the Stein Scholars Program, she worked as part of Disaster Relief Network in New Orleans over winter break and was involved with the Prisoners' Rights Advocates. Both activities, along with her work on Stein events such as the Stop and Frisk panel, are related to her interest in holistic indigent defense, a field she hopes to work in after law school. “As a law student, participating in public interest organizations is the main way I can stay connected with the reason I was inspired to come to law school,” she said.



Laura Gerace Rodriguez, Alexandra Berke, and Mary Gibbons

Other graduating students were honored with Archibald Murray Public Service Awards, Stein Scholars Program Completion Certificates, and PIRC Group Leadership Awards. Murray Award recipients from the class of 2013 selected Clinical Associate Professor Michael W. Martin as Public Service Faculty Member of the Year. Additionally, PIRC presented Louis Lefkowitz Public Interest Awards to three distinguished alumni: Michael J. Goldberger '87, Chief of Civil Rights, Civil Division, United States Attorney's Office, Eastern District of New York; Theresa K. Mohan '90, Senior Regional Counsel and Global Pro Bono Lead, IBM Corporation; and Louis Prieto '76, Managing Attorney, Monroe County Legal Assistance Center, Legal Assistance of Western New York, Rochester Office.

Stein Scholars Programs Welcomes Spring Admits

After receiving and evaluating numerous applications, the Stein Scholars Program has selected six new Steins who stood out for their commitment to public interest and anticipated contributions to the Program.



Nicole Abene Sean Faltow Michael Levario Mairead Maguire Evan Pell Estelle Wagner

Nicole Abene '15 has a background in blogging about sustainable design, eco-fashion, and green parenting. She came to law school intending to learn about environmental law but has discovered an interest in domestic violence, which she will continue to explore at an externship with inMotion this summer.

Prior to law school, Sean Faltow '15 worked in the King's County and New York County District Attorney's offices. He aspires to a career reforming the criminal and juvenile justice systems and will spend this summer working for a New York State Supreme Court judge in the Criminal Division where he is excited to get a new perspective on the justice system.

Michael Levario '15 has a background that includes working with political officials at the local and federal level, volunteer work with a variety of nonprofit organizations, and wide-ranging interests. Michael has eagerly signed up to be involved in several student groups at Fordham Law and plans to gain more experience this summer as an extern with the Tenant Protection Unit at New York State Homes and Community Renewal and with the Fordham summer law program in Ghana.

As an advocate for women's rights, particularly reproductive rights, Mairead Maguire '15 has volunteered in a variety of ways and joined Fordham communities to advance these causes. She will be externing at the Family Center this summer and looks forward to a public interest career advocating for social change.

Evan Pell '15 hopes to work in child welfare, the foster care system, and family law. With a background that includes work as a legal assistant, interpreter, and tutor, Evan will gain additional experience to help him achieve his goals with a summer externship at the Center for Family Representation.

With an interest in women's rights and human rights, both domestic and international, Estelle Wagner '15 is using her connections to Argentina and her volunteer experience with women's clinics to gain experience for a career in public interest law. She will spend her summer interning with the Supreme Court of Argentina.

Although our new Steins have already been attending events at Fordham Law, we look forward to getting to know them even better. Join us in congratulating them and welcoming them to our community.

From the First Class of Stein Scholars

We spoke with seven alumni of the inaugural class of Stein Scholars who joined the program in 1992 to find out what they have been up to since graduating from Fordham Law and to hear their recollections from the early years of the Stein Scholars Program.



Roland Richard Acevedo: After graduating from Fordham Law, I clerked for 2 years with District Court Judge Deborah Batts of the Southern District of New York. I was then the Managing Attorney at the Osborne Association's Legal Services Office and the Interim Managing Attorney at the Legal Aid Society Homeless Rights Project. For the past 13 years, however, I have been Of-Counsel to a small firm called Scoppetta Seiff Kretz & Abercrombie. I was attracted to small firm practice because I wanted to start litigating right away. I now spend all of my time either in court or preparing papers for court. There are constant deadlines. My primary areas of practice include criminal (trial and appellate), family, and administrative law. I also represent a few big unions in Washington, D.C. and New York.

It was an honor to be in the first class of Stein Scholars because we were able to interact with Louis Stein, who would visit and talk with us. He was a very down-to-earth guy and incredibly interesting. I loved law school because I was surrounded by fellow Steins who also saw life through rose-colored lenses, were committed to public interest law, and came from diverse backgrounds. In addition, all of the Stein professors—Bruce Green, Matt Diller and Mary Daly—were incredibly committed. I was an evening student while at Fordham Law, and I worked all four years. In fact, it was while I was working at Legal Aid during law school that I met my future wife during a training on the rights of homeless families!



Marianne Boesky: I opened Marianne Boesky Gallery in 1996 on Greene Street in SoHo, New York. In 2001, I moved the gallery to West Chelsea and in 2006 completed the building on West 24th Street that currently houses my gallery. The gallery specializes in representing emerging and mid-career contemporary artists from all over the world. (For a complete list of artists, visit [my website](#).) Most recently Marianne Boesky Gallery expanded to a second townhouse space on East 64th Street and Park Avenue, where I am exhibiting more historic and thematic exhibitions that contextualize the artists in the Chelsea program.

The Stein Scholars Program gave me a strong grounding in ethics and advocacy that remains at the core of my work life.



Yvette M. Garcia: I currently serve as the General Counsel and Chief Administrative Officer of Rockefeller & Co., Inc., a wealth advisory and asset management firm. In this capacity, I advise the company on a broad range of legal, compliance, and corporate governance matters and oversee the company's human capital activities. One area of the business that has been particularly interesting to me is our sustainability and impact investing practice. I have had the opportunity to work closely with that team over the years on a number of initiatives and observe how they incorporate environmental, social, and governance practices into their investment process.

On a personal level, having been a member of the initial group of Stein Scholars was a privilege. I reflect fondly on the diversity and enthusiasm of my peers and the commitment of all of the professors. I cannot believe it's been 20 years!



Laurel Hoffman: I have recently retired from the practice of law. I spent my career (short though it was) first as an Assistant Corporation Counsel with the Law Department of the City of New York and then as an Associate Counsel with New York City Health and Hospitals Corporation defending the hospitals and physicians working at the city hospitals. I loved every minute of it and only wish I had started my legal career earlier. On the other hand, I probably would not have brought as much to my career if I had started law school sooner. Further, I would not have applied to the Stein Scholars Program.

For an older student, the Stein Scholars Program was an oasis for me. I was able to meet with other students, many of whom had careers before law school and who had other responsibilities during law school. That was so helpful when study groups were formed. Having such a diverse group made me feel I could do this—get through law school, have a life and a family, and juggle all those responsibilities and succeed.



Amy Loprest: After law school, I clerked for the Honorable Denise Cote of the Southern District of New York. Judge Cote was a relatively new judge at the time and had been assigned a large caseload including many quite old pro se cases. My work was focused on handling this backlog of pro se litigation. After two and half years, I joined the litigation group of Kaye Scholer where I remained for about a year. I then moved to the New York City Campaign Finance Board where I have held many different positions, including Deputy General Counsel, Director of Campaign Finance Administration, and Assistant Executive Director. Since September 2006, I have been the Executive Director. I lead a staff of approximately 100 in enhancing the role of New York City residents in the electoral process through voter education, disclosure of campaign finance information, and the administration of a small donor multiple matching fund program which has been heralded as a model for the state and nationally.

While I don't have a specific recollection of the Stein Scholars Program, I do remember that it was comforting to be in a community of people who shared my interest and values about the importance of public service. I was an undergraduate finance major at the Wharton School and coming into the Stein Program and being in that community made my experience of law school much different than my undergraduate experience. Looking back, I also really value having the public interest ethics guidance because the issues that arise in public service are different than those in the private sector legal community.



Karen Selvin: After graduating law school, I worked for two years as an attorney for the New York City Police Department, bringing affirmative lawsuits to shut down illegal drug, gambling, and prostitution locations. I then moved over to the New York City Law Department where I remain to this day (minus a few years for extended child care leaves). I currently serve as a Senior Counsel in the Administrative Law Division. The Administrative Law Division defends the City in both federal and state courts against lawsuits challenging the validity of its laws and regulations, as well as the policies and decisions of the administrative agencies charged with carrying them out. In addition, the division also commences civil actions to obtain compliance with laws and regulations and prosecutes violators of the New York City Administrative Code (the City's laws) in criminal court.

As for my memories of the Stein Scholars Program, I remember the camaraderie of the first class, since we were basically the "guinea pigs" doing everything for the first time, and the enthusiasm of Russ Pearce and Bruce Green. In addition, I remember that we had some very engaging debates!

Tim Treanor: I am a partner at Sidley Austin LLP, where I run the white-collar criminal practice in the firm's New York office. Earlier in my legal career, I spent



nearly a decade in the U.S. Attorney's Office in the Southern District of New York where I handled organized crime, terrorism, narcotics, and white-collar criminal cases and spent a few years supervising the office's Organized Crime Unit.

As a member of the first class of Stein Scholars, we had the privilege of being able to help shape the Program, and I enjoyed engaging in a running dialogue with my colleagues in the Program who shared the same interest in public service but approached that interest from a variety of different perspectives. I think we all helped each other figure out for ourselves how we would turn our interests in public service and the law into careers, and I have been pleased and proud to see all of the great things my colleagues from that first class of Stein Scholars have done over the years.

Stein Alumni in the News

Jack E. Pace III '98 was recognized by two separate entities for his past successes and future potential. He was recently named one of Law360's five noteworthy competition attorneys under 40, in part because of his recent success in winning the dismissal of Fair Isaac Corp.'s trademark and competition suit against Experian Information Solutions.



He was also selected to be a *New York Law Journal* Rising Star, one of only forty-four attorneys under 40 to receive such a distinct honor.

Jack, a partner at White & Case, is a member of that firm's Global Competition and Commercial Litigation Practice Groups. Please join us in congratulating Jack on these recent recognitions of his accomplishments!

What's New in Legal Ethics?

The Stein Center for Law and Ethics and Professor Bruce Green, who occupies the Louis Stein Chair and directs the Stein Center, have collaborated with four other law school ethics centers and with other legal ethics professors and practitioners to file an [amicus brief in the Supreme Court case of *U.S. v. Davila*](#). The brief, prepared by Jones Day with Professor Green's assistance, addresses a prior ruling made by the Eleventh Circuit Court of Appeals. Respondent Anthony Davila pled guilty to a federal tax charge but the appellate court overturned his conviction, finding that the federal magistrate judge improperly participated in plea negotiations. In the U.S. Supreme Court, the Department of Justice argued that, because Davila never objected to the magistrate judge's conduct, Davila's conviction should not have been set aside without a finding that the conduct prejudiced Davila by causing him to plead guilty.

The magistrate judge's conduct occurred in an ex parte hearing to address Davila's dissatisfaction with his court-appointed attorney, who, according to Davila, refused to provide him with any legal options other than to enter a guilty plea in the case against him. The magistrate judge denied Davila's request for new counsel, then informed Davila that his only other option would be to proceed pro se, a decision the magistrate judge insinuated would only end with Davila serving a longer prison term.

The magistrate judge's comments about the advisability of a guilty plea, and specifically his urging that the defendant "go to the cross" and "tell it all" by confessing to the government, are the conduct at the heart of the amicus brief. The brief maintains that the magistrate judge's words were inherently coercive, especially in their use of religious imagery, and constituted a clear departure from the neutral judicial role charged to him. The amicus brief addresses the federal appellate court's "supervisory authority" to establish and enforce standards of judicial conduct in federal criminal cases. It asserts that the appellate court properly exercised this authority by reversing Davila's conviction without an inquiry into whether Davila was prejudiced—an inquiry that the brief says would be burdensome and intrusive.

The Stein Center has served as an amicus (friend of the Court) in a dozen cases over the past 15 years, primarily in the U.S. Supreme Court, on issues of legal and judicial ethics and other issues important to the legal profession.

What's New with the Stein Center Directors?

Sheila Foster co-authored an article titled "The Mobility Case for Regionalism," *47 UC Davis Law Review* ____ (2013) (with Nestor Davidson). She was invited to be a Board Member of the Environmental Law Institute, is a Chair of the AALS Planning Committee for a 2013 Workshop on

Poverty Law, Immigrant Rights, and the Politics of Property, and is a Chair of the State and Local Government Section, AALS, 2013–2014.

Bruce Green was a commentator on April 5, 2013 at The Ethical Infrastructure and Culture of Law Firms, a Hofstra Law School conference, and the following week he spoke at a Touro Law Center's conference titled Religious Legal Theory – Expanding the Conversation on a panel called "Religion and the Practice of Law." In March, he was a presenter at The *Gideon* Effect: Rights, Justice and Lawyers Fifty Years After *Gideon v. Wainwright*, a symposium sponsored by the *Yale Law Journal* and also spoke at Duquesne University School of Law's symposium called Plea Bargaining After *Lafler* and *Frye*.



Russell Pearce spoke about "Making Good Lawyers," at the David Weiner Memorial Lecture in Israel on May 19, 2013. While in Israel, he also taught a Comparative Professional Responsibility Seminar at the Haim Striks School of Law, in Rishon Letzion, Israel.

At the International Conference on the Contribution to Culture of Theologian Chiara Lubich at Sapienza University in Rome, he spoke on "Toward A Relational Perspective on Economic Theory: A Response to Economist Luigino Bruni."

He gave the following presentations in April: "The Virtue of Low Barriers to Becoming a Lawyer: Promoting Liberal and Democratic Values," at Chicago-Kent Law School; "Making Good Lawyers" at Northwestern Law School; and "The Relational Infrastructure of Law Firm Regulation: Is the Death of Big Law Greatly Exaggerated?" (with Eli Wald) at Hofstra Law's conference The Ethical Infrastructure and Culture of Law Firms.

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