

2010

Golden Gate Lawyer, Fall 2010

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FALL 2010

Golden Gate LAWYER

THE MAGAZINE OF GOLDEN GATE UNIVERSITY SCHOOL OF LAW



GREAT POWER, GREAT RESPONSIBILITY, UNIQUE CHALLENGES

Current and Former Women Chief Justices speak at the
2010 Chief Justice Ronald M. George Distinguished Lecture

the millennium society



karen d. kadushin

Karen D. Kadushin (JD 77) believes that graduating from the Golden Gate University School of Law opened many doors. With her GGU law education, she was able to teach in three law schools, publish a book, maintain her own law practice, support herself and others, be active in, and ultimately president of, the Bar Association of San Francisco, serve as dean of the Monterey College of Law and meet her late husband and love of her life, William A. Robinson (JD 64), pictured above.

“It’s a great pleasure to give to my law school in the Millennium Society. I do it because I can, and because I know it can make a terrific difference to GGU law students. Both Bill and I included the law school in our estate plans for the same reasons.”

With an annual contribution of \$2,000 or more, you will become a member of the Millennium Society. Your unrestricted, tax-deductible gift plays a critical role in the success of our academic enterprise. Join Karen and others like her who support the mission of Golden Gate University. Call 415-442-7820 for more information about becoming a member.

Golden Gate University
MILLENNIUM SOCIETY

Golden Gate **LAWYER**

FALL 2010



▲ JUSTICE DANA FABE

▲ SECOND ANNUAL CHIEF JUSTICE RONALD M. GEORGE DISTINGUISHED LECTURE

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It is my great honor to follow in the steps of Dean Emeritus Judy McKelvey as the second woman dean of Golden Gate University School of Law. This is an especially exciting time to be at the helm of this outstanding law school, with our signature programs and new initiatives on the move as never before.

In this issue, you will read about women changing the face of the law. In October, we held the Second Annual Ronald M. George Distinguished Lecture, which featured current and former women chief justices from across the country. At this year's Lecture we celebrated Chief Justice George's 38 years of extraordinary service on the bench as he prepares to retire in January. We also commemorated the impending historic first of a female majority on the California Supreme Court when the Hon. Tani Cantil-Sakauye takes office as Chief Justice in January 2011. Alaska Justice Dana Fabe's keynote speech and our distinguished panel of women chiefs provided inspiration, posed challenges and prompted laughter from the amassed crowd of law students, academics, judges and leaders of the legal community. Sponsored by Thomson Reuters and over 20 major law firms and corporations, the event was co-chaired by women leaders of law firms and corporations.

We were also pleased to announce that evening the award of a historic \$500,000 grant from The Elfenworks Foundation to establish the

Elfenworks Center for Employment Justice at our Women's Employment Rights Clinic. In this issue, we celebrate the Clinic's Founder and Director, Professor Marci Seville, an exemplary leader at our law school and in our communities. Professor Seville's tireless advocacy on behalf of vulnerable workers, mentoring and stewardship of students and her unwavering commitment to diversity are just a few key reasons why the Clinic has enjoyed such success and continues to gain tremendous support.

Another remarkable woman, Justice Gertrude Torkornoo, has joined our community from Accra, Ghana as the inaugural Fellow of our new International Women Judges Graduate Fellowship Program. Funded through the generosity of local legal titan Elizabeth Cabraser and former New York City Bar President Robert Kaufman, the Program represents a unique collaboration among GGU Law, the International Association of Women Judges and JAMS. In addition to providing an international woman judge with the opportunity to earn an LLM degree at the law school, the Program seeks to advance issues involving international women's rights and the role of women in justice systems around the globe. As you will read in her interview, Justice Torkornoo's personal and professional experiences, together with her eloquence as a public speaker and her collegial generosity and warmth, have already immeasurably enriched our community.

In addition to the remarkable women featured in this issue, we are most proud to celebrate and profile our remarkable alumnus, San Bernardino County Superior Court Judge Keith D. Davis (JD 78), who formally took office as the President of the California Judges Association at the 2010 State Bar Convention in Monterey. We also feature the exciting work of our robust Intellectual Property, Environmental Law, and Litigation programs, all of which have risen to new heights of accomplishment this year – hosting conferences and lectures, authoring blogs and book reviews, and doubling the number of litigation competitions in which our students participate.

As we move to the close of the fall semester and the calendar year, I feel the greatest of pride in our students, faculty and staff, whose clear diligence, irrepressible energy, talent, commitment to justice and *esprit de corps* hold such great promise for our profession.

With warm regards,

Drucilla S. Ramey

Dean Drucilla Stender Ramey

Associate Dean **SUSANNE ARONOWITZ** was featured, along with Hewlett Askeew of the ABA, in a podcast “Working While in Law School” for Law School Interactive. The podcast can be found here: <http://law-schoolinteractive.com/should-i-work-while-attending-law-school/>.

Associate Professor **MICHELE BENEDETTO NEITZ**’s article “A Unique Bench, A Common Code: Judicial Ethics in Juvenile Court,” will appear in the Fall 2010 *Georgetown Journal of Legal Ethics*. Notably, this article made SSRN’s Top Ten Download List for Judges (Criminal Procedure). In July, Neitz spoke on a panel on judicial ethics at the 4th International Legal Ethics Conference at Stanford Law School.



ROGER BERNHARDT

Professor **ROGER BERNHARDT** had an article published in the September 2010 *American College of Mortgage Attorneys Abstract*, describing potential changes in the application of purchase money anti-deficiency law to refinancings. Bernhardt spoke to the Real Property Section of the Nevada State Bar on the priority of liens and addressed the American College of Mortgage Attorneys on this year’s developments in mortgage law. Bernhardt’s federal takings law column “How Scary is Stop the Beach Renourishment” appeared in the September *Real Property Law Reporter* (among other publications).

The Great Dissents of the “Lone Dissenter” was published by Carolina Academic Press and edited by Professor Emeritus **ALLAN BROTSKY** and former Professor **DAVID OPPENHEIMER**. The work includes chapters by Michele Benedetto Neitz, Allan Brotsky, Helen Chang, Janet Fischer, Marc Greenberg, Janice Kosel, Cliff Rechtschaffen, Susan Rutberg, Marci Seville, Marc Stickgold, Rachel Van Cleave and Michael Zamperini.

Professor **ROBERT CALHOUN** moderated a panel in September “Recent Criminal Decisions from the Supreme Court” that included panelists Professor Robert Weisberg from Stanford Law School, Professor Rory Little from Hastings College of the Law, Barbara Valliere from the U.S. Attorney’s office and Brad O’Connell from the First District Appellate Project. The panel was sponsored by the Criminal Justice Section of the Bar Association of San Francisco.

Professors **ROBERT CALHOUN**, **ERIC CHRISTIANSEN**, and **WILLIAM GALLAGHER**, and Associate Professors **LAURA CISNEROS** and **KAREN GEBBIA** spoke at the law school’s “First Tuesday in October” event which previewed the October 2010 term of the U.S. Supreme Court. Each

chose one or two interesting, important cases to discuss with GGU Law students, faculty and staff.

Associate Dean and Professor **ERIC CHRISTIANSEN**’s article “Transformative Constitutionalism in South Africa” appeared in the *Journal of Gender, Race & Justice*.

Associate Professor **CHESTER CHUANG** presented his latest article “Unjust Patents & Bargaining Breakdown: When is Declaratory Relief Needed?” at the Intellectual Property Scholars Conference, UC Berkeley School of Law and at the Third National People of Color Legal Scholarship Conference, Seton Hall School of Law. The article will be published in a forthcoming edition of the *S.M.U. Law Review*. Chuang also moderated a panel entitled “Can I Patent That? Obtaining and Enforcing U.S. and E.U. Patents from a Business Perspective” at the University of Paris Ouest (Nanterre La Défense) in June and made a presentation on gene patents to a delegation of Thai judges who visited GGU in August.



LAURA CISNEROS

Associate Professor **LAURA CISNEROS**’ article, “The Constitutional Interpretation/Construction Distinction: A Useful Fiction,” will be published this fall in the *University of Minnesota’s Constitutional Commentary*. Cisneros spoke at the 2010 National People of Color Conference about paths to academia for underrepresented groups. She also served on the Junior Faculty Development Workshop Committee for the

15th Annual LatCrit Conference and will co-chair the FDW Committee for LatCrit XVI (2011) to be held in San Diego.

Professor **MORT COHEN** presented to a panel at the ABA Annual Meeting in August titled “Miranda Warnings and Waivers: The Impact of Age, Culture, and Disability Status.” His presentation concerned legal standards and applications as to voluntariness and capacity to waive regarding issues of mental illness, age, defect and similar considerations of capacity and police coercion of certain classes of people.

Associate Professor **BENEDETTA FAEDI DURAMY**’s paper “From Gender-based Violence to Women’s Violence in Haiti” has been selected by the AALS International Human Rights Section Executive Committee to be presented in their “New Voices in Human Rights” panel at the 2011 AALS Annual Meeting. Faedi Duramy’s chapter “Domestic Violence as

(continued on page 4)



ASSOCIATE
PROFESSOR
BENEDETTA
FAEDI DURAMY

(continued from page 3)

Human Rights Violation – The Challenges of a Regional Human Rights Approach in Africa” has just been published in the book *Domestic Violence and the Law in Colonial and Postcolonial Africa* (Ohio University Press, 2010). In October, Faedi Duramy presented her paper “Making Peace with the Past: Federal Republic of Germany’s Accountability for World War II Massacres before the Italian Supreme Court” at the symposium

“Untold Stories: Hidden Histories of War Crimes Trials” at Melbourne Law School, Australia. Also in October, she gave a talk at the law school on Domestic Violence in Haiti.

Associate Dean **RODNEY FONG** was recently appointed by the President of the American Bar Association to the Center for Racial and Ethnic Diversity. The Center serves as the administrative and programmatic oversight body for the three major ABA entities that focus on racial and ethnic diversity issues. Rod also wrote an article on “Getting a Jump on the Bar Exam” that was published in the *CLEO Edge Magazine*, Winter/Spring 2011. Fong participated on two panels during the State Bar’s Annual Meeting in Monterey, “Elimination of Bias in the Legal Profession as Good Business and a Moral and Ethical Imperative” and “Strategies for Eliminating Bias in the Legal Profession and Judiciary.”



ASSOCIATE PROFESSOR
WILLIAM GALLAGHER

Associate Professor **WILLIAM GALLAGHER** was appointed as a Visiting Scholar, Center for the Study of Law and Society, UC Berkeley School of Law for the fall semester. He also presented papers on his empirical study of patent lawyers at the 10th Annual IP Law Scholars Conference, UC Berkeley School of Law and the 4th International Legal Ethics Conference, held at Stanford Law School.

Associate Professor **KAREN GEBBIA** and Professor **ROGER BERNHARDT** spoke at the Real Property Alumni CLE event on the topic of Purchase Money Security Interests in Real Property and Personal Property, including definition, creation, perfection, and priority battles and the problem of fixtures. Gebbia also wrote a case comment/editor’s take on the recent 9th Circuit Court of Appeals decision in the consolidated cases of *Gebhart v. Gaughan* (In re Gebhart) and *Chappell v. Klein* (In re Chappell), both dealing with the rights of creditors/the trustee in bankruptcy to administer and sell property (the debtors’ homes) after the debtor has been discharged from his debts but when the value of the home has increased in value.



ASSOCIATE PROFESSOR
KAREN GEBBIA

In October, Associate Professor **KAREN GEBBIA** attended the joint meeting of the National Conference of Bankruptcy Judges and the ABA Business Law Section’s Business Bankruptcy Committee. At the meeting, she was appointed as the Special Project Liaison to the Section and will be spearheading a marketing initiative aimed at bankruptcy specialists. She was also appointed as the Vice-Chair of the E-Commerce and Technology Bankruptcies Subcommittee.



PROFESSOR
MARC
GREENBERG

Professor **MARC GREENBERG** presented at the ABA Annual Meeting in August to a panel titled “Clash of the Titans: Viacom v. YouTube – Will Copyright Law Undo Google’s Internet Juggernaut?” Greenberg also presented “Recapturing Copyright for Gold and Silver Age Comic Book Creators” at the 2010 Comics Arts Conference, at the 2010 ComicCon.

Professor **HELEN HARTNELL** spoke at the University of Bonn (Germany) in July on “Human Rights Litigation in U.S. Courts after *Sosa v. Alvarez-Machain*.” Hartnell’s guest blog on France’s expulsion of the Roma people appeared on IntLawGrrls, a popular feminist blog that presents “voices on international law, policy, practice.” It can be found at <http://intlawgrrls.blogspot.com>.

Professor **PETER KEANE** served as facilitator moderating an all-day retreat by the San Francisco Police Commission and Chief of Police George Gascon. In October, Keane participated in a debate hosted by the Bar Association of San Francisco’s Constitutional Law Society, which featured Second Appellate District Court of Appeals Justice J. Anthony Kline on the local judicial race between Michael Nava and Richard Ulmer. Keane was also quoted in numerous interviews on a variety of legal issues and topics both in local and national print media and on radio and television.

The University of New Mexico School of Law’s *Natural Resources Journal* will be publishing Associate Professor **PAUL KIBEL**’s article titled “The Public Trust Navigates California’s Bay Delta” in early 2011. Also, Kibel has been invited to deliver a paper at the February 2011 Conference at Willamette University College of Law on “The Human Right to Water in



**ASSOCIATE PROFESSOR
PAUL KIBEL**

the West.” His presentation, which draws on his forthcoming article in the *Natural Resources Journal*, is titled “Public Trust Rights to Instream Flow: Statutory Innovation in California’s 2009 Delta Reform Act.”

Professor **MYRON MOSKOVITZ**’s 1995 article, “The O.J. Inquisition: A United States Encounter With Continental Criminal Justice,” which originally appeared in 28 *Vanderbilt Journal of Transnational Law* 1121 will be reprinted in Professor John Head’s new book, *Great Legal Traditions: Civil Law, Common Law, & Chinese Law in Historical & Operational Perspective*. The September 9 *LA Daily Journal* featured Moskowitz’s opinion on oral argument in appellate practice.

Associate Professor **WES PORTER** contributed to a “Teaching Advocacy” blog as a way to stay involved with the community of skills professors. It can be found at <http://advocacyteaching.blogspot.com/2010/09/initial-case-analysis-for-trial-teams.html>.

Professor **SUSAN RUTBERG**’s Letter to the Editor appeared in the July 29 *San Francisco Daily Journal*. The letter supports Michael Nava’s campaign for judge in the Superior Court in response to Justice J. Anthony Kline’s concerns about this bid threatening judicial independence. (Kline’s opinion appeared in the same publication July 12.) In July, Professor Rutberg’s Evidence class had an appearance by appellate attorney Dennis Riordan, who gave life to the rule against hearsay by speaking to the class about the federal litigation involving his client, baseball legend Barry Bonds.



**PROFESSOR
MYRON MOSKOVITZ**



**PROFESSOR
SUSAN RUTBERG**

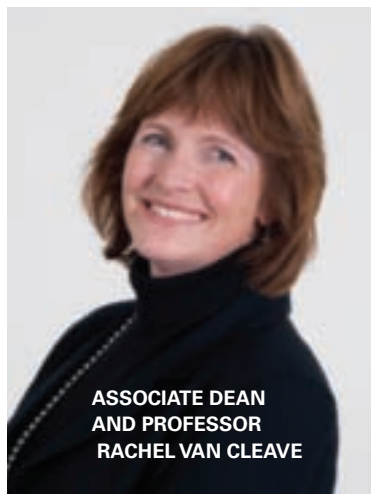


**PROFESSOR
MARCI SEVILLE**

Professor and WERC Director **MARCI SEVILLE** spoke on August 28, 2010 at the California Regional Summit of the National Alliance for Filipino Concerns (NAFCON) – a convening of Filipino community based organizations, allied advocates and individuals to address issues affecting the Filipino community. Her presentation was about the employment rights of caregivers

and about the efforts in California and nationwide to bring about policy changes for domestic workers and other caregivers through regulatory and legislative reform and grassroots organizing.

Dean **DRUCILLA STENDER RAMEY** served as keynote speaker for the National Conference of Women’s Bar Associations “Transforming Law, Transforming Lives,” held at the ABA’s Annual Meeting in San Francisco in August. Also at the ABA Annual Meeting, the Dean participated as a panelist in the ABA’s Commission on Women in the Profession program “From Generation to Generation: Remarkable Women Leaders.” In addition to hosting the Second Annual Chief Justice Ronald M. George Distinguished Lecture in October, the Dean participated as a speaker at Townsend and Townsend and Crew LLP’s Fall Women’s Forum.



**ASSOCIATE DEAN
AND PROFESSOR
RACHEL VAN CLEAVE**

Associate Dean and Professor **RACHEL VAN CLEAVE** was featured on Chicago Public Radio discussing laws related to sexual violence prosecution. Her interview can be found at http://www.chicagopublicradio.org/Program_WV.aspx?episode=43453.

Director of Academic Development and Associate Professor **MARK YATES**’ article “The Carnegie Effect” has been

accepted for publication in Volume 17 of the *Journal of Legal Writing* to be published in the summer of 2011. The volume will be focused on *The Carnegie Report*, its critics and its effect on legal education.

Professor **MICHAEL ZAMPERINI** was quoted in the August 12 *SF Weekly* blog. Zamperini praised Judge Vaughn Walker’s decision to overturn Proposition 8, but stay the action.

THE INTELLECTUAL PROPERTY LAW CENTER: Connecting Students, Practitioners and Scholars

What are the current trends in IP law? How might the Google book class action affect copyright law? Will Congress succeed in reforming patent law? GGU's IP Law Center has broached these questions and many others this year through programs and online offerings tailored to IP students, scholars, and practitioners. It's been a very busy year at the Center and there is much more to come. Here are some highlights from 2010 and a few dates to mark on your calendar:

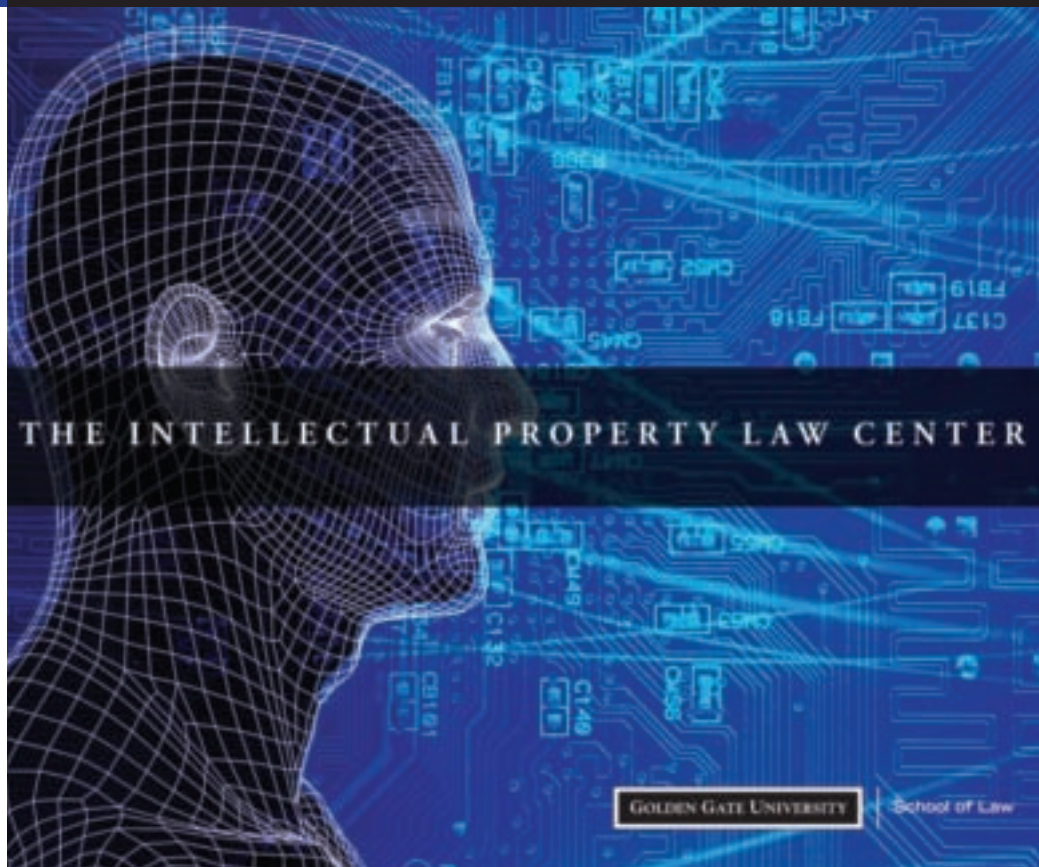
THE IP LAW BOOK REVIEW

In May, the Center launched *The IP Law Book Review*, an online journal that reviews scholarly publications on IP law and policy as well as high-quality, practice-oriented books. Edited by GGU Professors William T. Gallagher and Chester Chuang, *The IP Law Book Review* is the only publication of its kind devoted exclusively to IP law. Leading professors and lawyers from around the country and world author the reviews, which are shared with more than 4,500 law professors, lawyers, and judges.

The next issue of *The IP Law Book Review* will be published in January 2011. For the inaugural issue, visit http://gguiplc.com/the_ip_law_book_review.

DISTINGUISHED SPEAKER SERIES

On October 7, the IP Law Center's Distinguished Speaker Series hosted UC Berkeley School of Law Professor Pamela Samuelson, who spoke about the controversial proposed settlement in the Google book search litigation. Samuelson forcefully critiqued the argument that the quasi-legislative nature of the settlement is justified due to Congress' inability to effect copyright reform. The free lecture drew a lively audience of law students, lawyers, and GGU alumni.



<http://gguiplc.com>

SAVE THE DATE

The IP Law Center's next Distinguished Speaker Series lecture on April 11, 2011 will feature Chief Judge Alex Kozinski of the Ninth Circuit Court of Appeal. This event will be free and open to the general public. Keep posted on details by visiting www.gguiplc.com.

9TH ANNUAL INTELLECTUAL PROPERTY LAW & POLICY CONFERENCE

The Annual IP Law Conference has traditionally focused on recent developments in IP law. This year, the format was modified to expressly include presentations on the relationship between IP law and policy.

"Policy considerations drive so much of intellectual property law these days," says Associate Professor William T. Gallagher, Co-Director of the GGU Intellectual Property Law Center. "It was important to address it."

Held November 5, this year's Conference included "Patent Law Update" presented by Robert B. Morrill of Sidley Austin LLP and Justin T. Beck of Beck, Ross, Bismonte & Finley LLP; "IP Law, YouTube, My Space and Our Culture" by Professor Madhavi Sunder, UC Davis School of Law; and "Tailoring the Patent System to Promote Innovation" by Professor Dan L. Burk of UC Irvine School of Law.

The IP Law Conference and other Center events focus on issues that are highly relevant to the Bay Area IP community. The events also give scholars and practitioners a way to stay up-to-date on cutting-edge issues while networking and socializing with colleagues. To learn more about the Center and its events, including GGU Professor Marc Greenberg's new IP Buzz Blog, visit www.gguiplc.com/home.

By Gina Gotsill

HONORING JUDICIAL EXCELLENCE AND FAIRNESS

JUDGE KEITH D. DAVIS (JD 81)

When the Hon. Keith D. Davis (JD 81), Judge of the San Bernardino Superior Court, joined the bench more than thirteen years ago, one of his mentors gave him some career advice that stuck.

“He told me to change assignments every four years or so,” Judge Davis recalls. “He said that change keeps you from getting burned out. It also keeps you fresh, intellectually interested and engaged. It was some of the best advice I ever received.”

Judge Davis’ most recent career change puts him at the helm of the California Judges Association (CJA), an 81-year-old professional organization that represents the interests of the California judiciary and provides judges with training and educational programs to help them transition from one assignment to the next. As president of the 2,600-member group, Judge Davis plans to continue CJA’s legacy of promoting judicial excellence and fairness through advocacy work and programs that keep judges current and informed.

Associate Justice Eileen Moore, a fellow CJA executive board member, says Judge Davis has what it takes to effectively address the needs and concerns of California judges. “My impression is that he is a born leader,” Justice Moore says. “He’s a voice of sanity in this brave new world of shrinking budgets and increasing challenges to the independence of the judiciary.”

THE PATH TO LEADERSHIP

Looking back, Judge Davis has embraced new experiences for much of his life. A self-described military brat, he saw much of the United States and Europe as a youngster. By the ninth grade, he had attended eleven schools. While being uprooted had its downside, the experience of changing cities and traveling the world with his family helped prepare him for his work as a lawyer and judge. From a young age, he learned how to relate to people and how to quickly make new friends and find his way around.

Judge Davis sowed the seeds of his varied career at GGU, where he received guidance from Dean Judy McKelvey and instruction from Professors Bernard Segal, Michael DeVito, Roger Bernhardt and others. At GGU, he focused on real property and copyright. While in school, he never dreamed he would some day be a Superior Court judge, he says. Rather, he prepared himself for what he thought would be a career spent as a lawyer. Initially, he planned to work as a transactional lawyer in business and corporate environments, but after passing the bar exam and working for awhile in a small law firm, he realized he wanted something different. In 1985, he landed a job with the San Bernardino District Attorney’s office, a position that opened his eyes to new possibilities.

“I found that I absolutely loved trying cases while representing the people of California,” Judge Davis says. “I also enjoyed jury trial work a great deal – I found it fascinating to be put in a position where you had to persuade jurors and show them that your view was the one they should follow. I found this work very enjoyable. It was very stressful, too, but also incredibly rewarding.”

Judge Davis practiced law in the private sector for ten years after leaving the District Attorney’s office in 1987. He tried dozens of jury trials for public entities, law enforcement officers, private businesses, and individual clients. Although he primarily represented defendants in his trial practice, he also represented plaintiffs.



Judge Keith D. Davis and Dean Drucilla Stender Ramey at the California State Bar Annual Meeting, where Judge Davis was appointed President of the California Judges Association.

In 1996, a colleague encouraged him to apply for judicial appointment. While initially dismissing the idea, Davis realized that becoming a judge would give him an opportunity to give back to the community that had treated him so well. The following year, Judge Davis was appointed to the San Bernardino Superior Court. Since then, he has presided over San Bernardino County criminal, civil, juvenile dependency, juvenile delinquency, family law, and probate cases. He also served three terms as the Presiding Judge of the Appellate Division and participated in numerous court committees. Judge Davis served on the CJA’s Executive Board for three years before fellow members elected him president this past September.

MOVING FORWARD

Judge Davis’ leadership role with CJA adds a new dimension to a career that’s been anything but static. When asked if there are any changes he’d like to implement at CJA, Judge Davis paused before giving examples of the organization’s value to judges, and by extension, the community at large.

“The CJA has done a fine job of representing the interests of its members and promoting judicial excellence for the last 81 years,” Judge Davis says. “It was around for a long time before I came along, and it will be around for a long time after I’m gone. I simply want to continue its good work during my term.”

By Gina Gotsill



HUMBLE ADVOCATE, PASSIONATE MENTOR

Professor and Women's Employment Rights Clinic Director MARCI SEVILLE

If ever Professor Marci Seville returns home feeling depleted after a long work day, she turns her thoughts to the women represented by the Women's Employment Rights Clinic, which she founded 17 years ago.

"There are 60-year-old women who get up at 5 a.m. and get off work at 10 p.m. and get woken up (overnight) by disabled people and make very little money," says Seville.

It is both the plight of domestic workers and caregivers as well as her unwavering commitment to diversity that motivates Marci to continue serving the most vulnerable workers and mentoring students to pursue social justice.

Those represented by the center are often immigrants who are exploited: many work long hours seven days a week under conditions that are tantamount to indentured servitude. Added to that is the challenge of representing clients in the single most complicated area of the law in California.

"There is no uniformity in the rules," she says. "We are working with advocates to push legislation in California to ensure that domestic workers have rights equivalent to those of other workers. Occupational health and safety codes don't cover them and they have no rights to meal breaks and rest periods, no overtime. Again and again, they fall outside the safety net."

In 1993, Seville launched the Women's Employment Rights Clinic (WERC) to focus on the needs of poor, working-class women, especially immigrant women. WERC is one of a handful of legal clinics in the nation providing comprehensive solutions to workplace problems specifically for women who are among the working poor.

Dean Drucilla Stender Ramey describes Marci's unique talent for mentoring law students. "Marci not only teaches her students the human side of lawyering, but she also models it."

Seville herself says she does not seek the limelight, and others agree that she is truly an unsung hero.

Low-wage workers, students, colleagues and community based organizations know that they can count on Seville for her wisdom and guidance. "Marci brings out the best in all of us. She is the kind of woman, lawyer, teacher, and friend who inspires students, colleagues and clients to be their best selves," says Susan Rutberg, Professor and Director of Experiential Learning.

law on individual corporate liability.

Seville also led the clinic's participation in the legislative work that resulted in the passage of AB 633, the garment accountability bill that imposed liability on manufacturers. She and her students were key players in the implementation of the bill, drafting and commenting on regulations.

With the move of most of the garment industry out of the Bay Area, Seville has redirected WERC resources to assist domestic workers and caregivers.

"They are the people who keep the policymakers, doctors and lawyers working. Without these babysitters, nannies, maids, housekeepers and caregivers, the middle class wouldn't function. They are excluded from many protections under the law," she says.

Before launching WERC, Seville had nearly 20 years of public and private legal advocacy experience. In private practice, she represented plaintiffs in employment discrimination litigation, serving as counsel for the California

"Marci brings out the best in all of us. She is the kind of woman, lawyer, teacher, and friend who inspires students, colleagues and clients to be their best selves," says Susan Rutberg.

Under Marci's leadership, WERC prevailed in a hard-won battle on behalf of garment workers in which the trial court found the factory personally liable to workers for \$1.4 million in unpaid wages and penalties, a decision that was unfortunately overturned when the California Supreme Court issued a decision changing the

Industrial Welfare Commission and the California Department of Industrial Relations, as well as ten years as labor counsel for the California School Employees Association.

"I've always worked in my legal career in some area of labor and employment, law" she says.

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The Elfenworks Foundation is a creative and hardworking team comprised of dreamers and doers; social entrepreneurs and transformational leaders in the Silicon

Valley who work to raise awareness, forge alliances and support the efforts of visionary change-makers. In short, Elfenworks provides a sort of venture philanthropy, betting on new ideas for lasting, positive, and measurable change and providing the management consulting and know-how to make that change a reality.

(continued from page 8)

“I would say pretty uniformly that students, whatever their background is, develop a certain compassion for the workers we represent when they see how hard their lives are.”

Marci Seville

Marci says said her job at WERC gives her a “perfect blend of being a lawyer and training the next generation of social justice lawyers. What is really important to me with my students is teaching them to work with clients in a very respectful way when the clients, in most cases, come from a very different class, and are often of different races and ethnic backgrounds,” she says. “I would say pretty uniformly that students, whatever their background is, develop a certain compassion for the workers we represent when they see how hard their lives are.”

By Kristin Bender

TEAMING UP FOR DOMESTIC WORKERS

The Women’s Employment Rights Clinic, which has the dual mission of providing free legal services to the working poor and training the next generation of social justice advocates, has been awarded \$500,000 from a Bay Area nonprofit that has a mission to think globally and act locally.

The Elfenworks Foundation in Burlingame and the Golden Gate University School of Law in mid-October announced the founding of The Elfenworks Center for Employment Justice at the Women’s Employment Rights Clinic of Golden Gate University School of Law.

The new center will begin by focusing on advocacy, legal services, and education for domestic workers and other caregivers. Should needs change in the future, the center could expand its services to assist other low-income workers.

The Women’s Employment Rights Clinic, established in 1993, has long sought justice for domestic workers, who are often not paid proper hourly wages, given meal and rest breaks, paid overtime or given health and vacation benefits.

Seville said she is “thrilled and honored” to have the support of the foundation. Elfenworks founder Dr. Lauren Speeth echoes that excitement.

“The (clinic) already has substantial expertise in this area and close relationships with many community-based partners statewide. Among other things, we are looking forward to working together on the technology and web development for this center.”

Associate Professor Hina B. Shah will direct The Elfenworks Center for Employment Justice. The \$500,000 award is the last in a series of major university grants and endowments that the Elfenworks Foundation has made over the last five years.

By Kristin Bender



Elfenworks founder
Dr. Lauren Speeth

WERC, established in 1993, has long sought justice for domestic workers, who are often not paid proper hourly wages, given meals and rest breaks, paid overtime or given health and vacation benefits.

**ASSOCIATE PROFESSOR
HINA B. SHAH**



an INTERNATIONAL PRESENCE



A CONVERSATION
WITH INAUGURAL
INTERNATIONAL WOMEN
JUDGES GRADUATE FELLOW
**JUSTICE GERTRUDE
TORKORNOO**
GHANAIAAN JUDGE
OF THE HIGH COURT

This year, the School of Law launched its first ever International Women Judges Graduate Fellowship, co-sponsored by the International Association of Women Judges. In August, inaugural Fellow Justice Gertrude Torkornoo of the Republic of Ghana arrived and began her course work to pursue an LLM in Intellectual Property law. She specializes in business law and sits on the High Court of Ghana, Commercial Division. Recently, we took time to ask Justice Torkornoo about her life in the law and at home in Ghana.

Describe your pathway into law and the judiciary.

GT: After my first degree, law school, and being called to the Bar, I worked with FIDA, the International Federation of Women Lawyers, for two years. We have lots of tribes in Ghana—about 70 languages. We had a situation where different tribes had different systems for inheritance, and there were a lot of inequities and injustices for women, so FIDA decided to capture these laws, write them down, and lobby parliament. Through the work of FIDA, the laws of inheritance were equalized to other nations.

Then I went to private practice with Fugar and Co., where I worked for 10 years. It was a major business law practice. While there, I entered an international essay competition. We had a military government, which decided to take over a multinational aluminum company and abrogate a long-standing contract it had with Ghana, but which was very imbalanced in favor of the multinational. There was the doctrine of sanctity of contract and international norms on one side, and this military regime saying this is unjust. So I wrote on that topic. I won

the competition and got to work in a top London law firm, Nabarro Nathanson, where I began to specialize in construction law. When I returned to Ghana, I helped to set up the Ghana Institute of Construction and acted as the External Solicitor for the city of Tema – where I still live. After 10 years, I got restless.

I like to write and research, so I resigned and set up a law and consulting firm, and a publishing company as well.

Then one day in 2003, I went to see our Chief Justice, because I wanted to do work with the Judicial Training Institute (JTI). Weeks later I got a call back inviting me to be one of the judges.

Why did you first decide to go into law?

GT: I don't even know if I decided. My father greatly admired women lawyers. When I was growing up it was presumed that I was going to go to law school. And fortunately for everybody, I like to talk. My father watched over the process.

Did you ever have any doubts?

GT: No, I was happy to go.

Did you feel as a woman that you were breaking new ground?

GT: Oh no. By the time I went to law school, we had already had a woman on the Supreme Court. There were women on the bench and women's law practices and practitioners. So it was nothing strange.

Can you talk about the differences between the justice systems in Ghana and in the US?

GT: There isn't too much difference, because both of them have a common law foundation. You have a very developed statutory base and the common law practice of developing standards and doctrines and principles to interpret legislation. The main distinction is that Ghana recognizes its tribal states. We consistently have to ask, "What does the customary law of this place say?"

How do you expect the fellowship to affect your work in Ghana?

GT: It is having an impact on me. I've been appreciating some of my earlier decisions and thinking, "Oh, in this one I was right. In this one, even though I was right, I missed this little bit." I'm gaining a deeper understanding of what IP is about and, of course, core content around IP. I'm also doing an International Human Rights Seminar. I'm going to insist on a similar seminar in the JTI when I go back. I think that in

the international law arena, we could do better in mainstreaming it into our domestic decisions.

"I was helping design the training of trainers in IP law for the JTI. Now I'm bringing much more than the training perspective. I'm also bringing content.

I also thought the National Association of Women Judges (NAWJ) conference was excellent, especially the conversation with the Chief Justices. They shared their minds, shared what they go through, which helps deepen the understanding about their decisions. I want to initiate those kinds of discussions when I return home.

You know, the sinister thing
about lack of opportunities for women
is that nothing is legislated.
Everything happens from social arrangements.
The safety net is not there for women.

Do you see yourself as much an educator as a judge?

GT: Oh definitely. That's one thing that I am very involved in. I think it's boring to just stay in the courtroom.

Is there any particular case in the US that's of special interest to you?

GT: I've heard a lot of commentary about the Ebay case. I agree with the Supreme Court because I think that it's important to use the traditional norms, the traditional principles, for every area of law. To my mind, we cannot make an exception to the law of patents. Of course, it creates a shakeup in industry.

Are there areas of professional or civic life in Ghana where you'd like to see women having more opportunities than they have now?

GT: I think every area. You know, the sinister thing about lack of opportunities for women is that nothing is legislated. Everything happens from social arrangements. The safety net is not there for women. I think that parliament and government must rethink the entire place of women in our society and compel discussions in a more meaningful way at the local level.

By Susan Marchionna

WOMEN CHIEFS

changing the face of law

The Second Annual
Chief Justice
Ronald M. George
Distinguished Lecture



Imagine graduating at the top of your class from law school, then finding that while some firms are willing to talk to you, none will offer you a position. You are a woman with a small child and while you may be ready for the law, the law isn't ready for you. This was Supreme Court Justice Ruth Bader Ginsburg's experience in the late 1950s. Her story was among the many that speakers shared October 12 at the School of Law's Second Annual Chief Justice Ronald M. George Distinguished Lecture, held at the PG&E Auditorium in San Francisco, and made possible by GGU alumni, Thomsen Reuters and a host of local and national law firms.

Dean Drucilla Stender Ramey began the evening by recognizing Chief Justice Ronald M. George's 38 years of service on the bench. She presented him with an award to honor his track record of enhancing diversity on the bench as well as his "brilliance, integrity, commitment and true grit."

The Lecture's progenitor, who will retire from the bench in January 2011, kicked off the evening, reflecting that only four women were in his law school class, while today that same school boasts a majority of female students. He also noted that today about one-third of the Chief Justices of the various U.S. states and territories are women and that such statistics would have been unthinkable years ago.

When Chief Justice George leaves the bench, the judiciary will celebrate a historic first: the first female majority in the history of the California judiciary with the Honorable Justice Tani Cantil-Sakauye stepping into the Chief Justice role.

Accomplished GGU alumna and Alaska Supreme Court Justice Morgan Christen introduced Justice Dana Fabe, the first woman to serve on the Alaska Supreme Court, with two terms as Chief Justice. Justice Fabe addressed an attentive audience of law students, lawyers and judges about the impact women are having on the justice system and why diversity on the bench matters.

Following Justice Fabe's inspiring lecture, Justice Joan Dempsey Klein moderated a lively panel of current and former women Chief Justices who discussed women's advances and unique challenges.

"(There is) still a long way to go before we have a full and free and solid commitment to the integrating of women as leaders in any segment of our society, including the judiciary," said moderator Justice Klein.

Justice Klein asked panelists whether the controversy over Supreme Court Justice Sotomayor's "wise Latina" comment would discourage people from talking openly about diversity on the bench. Chief Justice Christine



Durham of the Utah Supreme Court responded that it might but stressed that people must keep the conversation going because talking publicly helps to surface implicit attitudes about gender and race that impact perceptions of fairness on the bench.

"It seems to me that anyone who purports to be a defender of fair and impartial justice *must* defend the role that diversity plays in that process," Chief Justice Durham said. "Having people who are different and have different life experiences changes the conversations."

Justice Janice Holder, former Chief Justice for the Tennessee Supreme Court, agreed and offered that she and her female colleagues changed the conversation simply because their experiences as women are different.

Former Chief Justice Leah Ward Sears, just 36 when appointed to Georgia's Supreme Court, added that age matters as well. When she joined the court, the average age of her mostly white, male colleagues was 60-something. As an African-American woman in the Deep South, Sears' different perspective brought key elements of diversity to the court.

When asked by Justice Klein about how they have been addressed in court, Chief Justice Barbara Madsen of the Washington Supreme Court described being called "Barbara" in the courtroom, rather than "Your Honor," while Justice Holder recalled being addressed as "his honor." Chief Justice

Madsen knew that perhaps she would not have "built-in credibility" when she stepped into her new role and noted that she found credibility by building coalitions with marginalized communities, minority bar associations and other women Chief Justices.

At the end of the evening, Dean Drucilla Stender Ramey drew laughter and cheers from the audience when she reflected on the discussion of work-life balance and raising children.

"My mother, the medical school professor, used to say about her children and I will say about my own daughter Jessica, a brand new civil rights lawyer, 'God knows what she could have made of herself if she had not had a working mother!'"

After the event, attendees continued the conversation. Some, like GGU Law student Royle Roberts, were intrigued by the panel's assertion that women come to the same legal decisions as men, but do so by asking different questions. He was also surprised to learn that years ago many women at the top of their classes couldn't find employment.

"It's very encouraging to hear what these Justices and Chief Justices have been able to do," Roberts said. "It also makes me apprehensive. As an African-American male, I know there are still access issues. Barriers to justice still exist."

by Gina Gotsill



HUMANIZING THE LAW

WOMEN'S CRITICAL ROLE IN THE JUDICIARY

JUSTICE DANA FABÉ'S KEYNOTE ADDRESS

Thank you for inviting me to deliver the second keynote address in this distinguished lecture series, named for California's extraordinary Chief Justice Ron George. I am also honored by my colleague Justice Morgan Christen's generous and lovely introduction. And finally, I am so happy to be here with my great friend and your amazing Law School Dean Drucilla Stender Ramey. I had the good fortune to work closely with Dru for the years she served with distinction as the Executive Director of the National Association of Women Judges, and, as you know, she is a creative, dynamic, and inspiring leader.

Today I would like to address the impact that women judges are having on the justice system and the legal profession and why diversity on the bench is a critical issue.

In the late 1800s, women who had passed the bar exam were having trouble convincing state bar associations to admit them to practice. The Wisconsin Supreme Court, writing in 1875, reflected the thinking of the era: "It is public policy . . . not to tempt women by opening to them duties unfit for female character." When I started law school in 1973, almost 100 years later, women made up 20% of law school classes. And now, just 37 years later, a full half of law school graduates are women.

In a democratic society, when the public can see that the diversity of the citizenry is reflected on the bench, the public's trust and confidence in the justice system is strengthened and enhanced.

In a diverse society the bench should speak equality to all who stand before it.



JUSTICE
JOAN DEMPSEY KLEIN

But the judiciary still has some catching up to do. Nationwide, women make up only 22% of federal court benches and 26% of state court benches. And I am sad to report that Alaska is one of 13 states where under 20% of state judges are women.

So, you may ask, why does it make a difference to have diversity on the bench? I would like to explore that question a bit today and to talk about how women judges and particularly women chief justices, are making a difference. And why it should matter to all of us.

But let me digress a moment by sharing a great event I experienced last March when I attended a reception in Washington, D.C., given by the National Association of Women Judges in honor of the two women then serving on the United States Supreme Court: Justice Ruth Bader Ginsburg and Justice Sonia Sotomayor. The two justices had a wonderful conversation with Professor Judith Resnik of Yale Law School and their colleague from Great Britain, Lady Brenda Marjorie Hale, who was the first woman Law Lord and is now the first and only woman on the United Kingdom's Supreme Court.

When asked to give advice to young women lawyers about the best fields to enter and career paths to pursue, Justice Ginsburg responded, "Your question implies a choice... There were so many closed doors, and now they are all open."

Justice Ginsburg attended Harvard Law and received her degree at the top of her class at Columbia Law School, the only woman ever to be on both the Harvard and Columbia law reviews. But she told the audience that "not a single law firm in the city of New York" would hire her because she was a mother with a small child. And she recalled that Justice Sandra Day O'Connor's career after graduating second in her class from Stanford Law School began with an unpaid job at a county attorney's office. But, Justice Ginsburg mused, this might have been a blessing. Because if the corporate world had been open to them, she and Justice O'Connor might have retired as partners of major law firms. And "look where we ended up," she said.

Now, I'm pleased to report that C-SPAN covered this historic conversation and the *Washington Post's* story the next day was in the front news section of the paper with a headline about Justice Ginsburg's thoughtful discussion of the problems with judicial elections and the benefits of a merit selection system (like the one we have in Alaska).

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JUSTICE
JANICE HOLDER



CHIEF JUSTICE
CHRISTINE DURHAM



JUSTICE
MORGAN CHRISTEN, JD 85



LEAH WARD SEARS



CHIEF JUSTICE
BARBARA MADSEN

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Interestingly, just four years before, when women judges honored Justice O'Connor in a gala event upon her retirement, the Washington Post reported the event, not as news, but in the Style section: "In a natty plaid suit with velvet collar, a Paloma Picasso silver pin and a silver scrunchie around her pony tail (remember, this is the Style section), Ginsburg concluded somberly: 'To my sorrow, I am now what Justice O'Connor was her first 12 years on the court—the lone woman.'"

Recording Justice O'Connor's response, the Washington Post article continued: "O'Connor, wearing a dark blue suit, remembered that when President Reagan offered her the job as the first female justice of the Supreme Court, 'I had to take a lot of deep breaths to decide. It is special to be the first to do something,' she said, 'But you don't want to be the last.'"

Justice Ginsburg and Justice O'Connor served together on the Supreme Court Bench for over twelve years, yet lawyers still occasionally got confused and would address Justice Ginsburg as Justice O'Connor. And Justice O'Connor would crisply state, "I'm Justice O'Connor; she's Justice Ginsburg." In fact, this became an inside joke at the National Association of Women Judges, and we gave them matching t-shirts. One said, "I'm Ruth, She's Sandra," and the other, "I'm Sandra, She's Ruth." Justice Ginsburg recalled this story at last March's event, noting, "I don't think anyone has called me Justice Sotomayor." Perhaps this is a sign of progress. In recent remarks on Justice Elena Kagan's joining the Court, Justice Ginsburg observed that, "It's great for this institution and for the country that women are now one-third of the highest court in the land ... It means that we are really here. We are no longer one- or two-at-a-time curiosities."

I have to add, as a personal note, how wonderful it is to have another woman on the Alaska Supreme Court after over 13 years by myself. You were introduced to Justice Morgan Christen, a Golden Gate Law alumna, earlier today, and I couldn't ask for a more wonderful colleague.

So I suppose this entire discussion leads to one question: does diversity on the bench matter?

As one author recently remarked in an article in the *American Judges Journal*: "Simply put, the legitimacy of the judiciary in the minds of the public

... all judges bring their
life experiences to the bench.
My experience as a woman
and as a wife and mother
obviously affects me
just as the life experience
of any judge does.



is at stake.” In a democratic society, when the public can see that the diversity of the citizenry is reflected on the bench, the public’s trust and confidence in the justice system is strengthened and enhanced. In a diverse society the bench should speak equality to all who stand before it.

Equally important is having a variety of perspectives and life experience on the bench. As Justice Ginsburg recently observed, “a system of justice is the richer for the diversity of background and experience of its participants.” And as Chief Justice Christine Durham of Utah has noted, women judges “bring an individual and collective perspective to their work that cannot be achieved in a system which reflects the experience of only a part of the people whose lives it affects.”

So I suppose the natural follow-up question is, “Are women judges actually making a difference?”

My first answer is that all judges bring their life experiences to the bench. My experience as a woman and as a wife and mother obviously affects me just as the life experience of any judge does. And I bring that experience to the bench: it is one lens through which I see and view cases. As Judge Elaine Andrews, another Golden Gate Law alumna and the first woman presiding trial judge of Alaska’s largest judicial district, observed when she spoke at my installation ceremony to the Alaska Supreme Court in 1996, “Certainly the Alaska Supreme Court has been progressive in many areas. It’s not as if this appointment illuminates some dark corner. It’s just that now we’ll have something closer to full spectrum light.”

So does that fuller spectrum make a difference in judicial decisions? Interestingly, the jury is still out on this point.

President Carter appointed many women to the federal bench during the late 1970s. Early research on the results of judicial decision making by his appointees showed that there were no gender-based differences of significance in the results that judges reached in their decisions. And there were no gender-based differences on any measure of judicial quality; for example, women judges had similar appeal and reversal rates as their male counterparts. And one could posit some reasons for this outcome. Perhaps there is a common socialization process in a legal education that tends to mute gender differences. Another likely reason is that legal research and analysis are the same, regardless of gender. As Justice Sandra Day O’Connor has remarked, “A wise female judge will come to the same conclusion as a wise male judge.”

But recently, the Supreme Court heard the case of Savana Redding, a 13-year-old girl who had been strip-searched at school by the authorities on suspicion of hiding prescription strength ibuprofen pills.

“They have never been a 13-year-old girl,” Justice Ginsburg said of her eight male colleagues, some of whom questioned how traumatic such a search could be. “It’s a very sensitive age for a girl,” Justice Ginsburg went on to remark in an interview with *USA Today*, “I didn’t think that my colleagues, some of them, quite understood.”

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Event co-chairs, corporate and law firm leaders, gather to celebrate with Dean Drucilla Stender Ramey after the event.

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Chief Judge Judith Kaye, who was the chief judge of New York State's highest court for 16 years, said after retiring that she has come to believe that women judges will, at times, see things differently. "To defend the idea that women come out different on some cases, I just feel it...I feel it to the depths of my soul, because a woman's experiences are just different."

The flip side of the argument is that as judges, we are trained to work hard to recognize the views—and even the biases—that come from our life experiences and to set them aside as we decide cases based on the facts before us and the law of our jurisdictions. Both men and women jurists face and address this challenge on a daily basis.

Recent academic studies on this topic have produced conflicting results. A study by Jennifer Peresie at Yale Law School provides evidence

that three-judge federal appellate panels with at least one woman on them were twice as likely to decide in favor of plaintiffs who alleged sexual harassment or sex discrimination in the workplace as all-male panels. Yet another study found that there were absolutely no gender-based differences in the appellate decisions in other cases involving such issues as disability law, environmental law, or capital punishment. And in studies of federal trial court cases, researchers have not found evidence that a judge's gender affects decisions, even in civil rights or sex discrimination cases.

So I'm not sure that there are any definitive answers to the question whether women judges decide cases differently.

But women are certainly having an impact on their courts in areas other than the outcome

of substantive decisions, and today I'll focus in particular on women who are the chief justices of their states.

While I served my second three-year term as chief justice, there were 18 women chiefs of the highest courts and U.S. territories. And I think that there may be 20 or 21 today. Some of these women chiefs were appointed, some were elected by the public, some rotated in by seniority on their courts, and some were elected chief by their colleagues on the court, as we do in Alaska. But in my view, they are all making a tremendous difference in their courts.

Let me give you an example. I mentioned Chief Judge Judith Kaye of New York a moment ago. She, and Chief Justice Kathleen Blatz of Minnesota, were pioneers in the area of protecting abused and neglected children. In



*Dean's Advisory Board
member Dan Dell'Osso with
Leah Ward Sears.*

some courts, cases involving children were viewed as low-status work – not the desirable caseload for the best and brightest judges. But Chief Judge Kaye and Chief Justice Blatz are among the best and brightest. And they made it their cause to bring to light the need to handle these cases efficiently and effectively in the courts, so that children did not spend their childhoods in foster care and lose the chance for adoption and a permanent home.

Chief Judge Kaye and Chief Justice Blatz convened two summits of chief justices, trial judges, state court administrators, child protection workers, and policy makers from every state. The first of these summits was held in Chief Justice Blatz's hometown of Minneapolis; a second convened in Chief Judge Kaye's home in New York City. Those who attended heard about the best practices for avoiding repeated continuances and delays in these incredibly important and sensitive cases. And each state's team met to plan new approaches to ensure that children have safe and permanent homes while they're still children—either through reunification with biological parents who have successfully completed treatment and case plans or through adoption by families with whom they can embark on new lives together.

At the summits, these two women chiefs made sure that participants

heard the voices of successful young adults who had grown up in the foster care system, who could speak about the struggle and pain of their journeys to responsible adulthood. These two women chiefs urged all of the state chief justices to foster collaboration among courts, agencies, attorneys, and child advocates to improve the justice system for their states' most vulnerable children so that all might enjoy the promise of success.

And women chiefs are also making a difference in recognizing the importance of work-life balance. This is an issue that I feel quite strongly about. A Ninth Circuit study on gender bias in the courts found that those who take the opportunity to invest time in families and parenting are likely to find that such behavior impairs career advancement.

Yet attention and devotion to family is not only important to making us more well-rounded people, and thus better professionals, it also is essential to reinforcing the fabric of our society and community—raising children who will have good values and can give back to their communities.

I am proud that Alaska's court system has worked hard to create a workplace that honors the principle of work-life balance, and this is an issue I worked on as Chief Justice. As far back as 1981, when I was

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the Chief Public Defender for Alaska, supervising 12 branch offices throughout the state, I experimented with a number of then-novel flexible scheduling ideas:

I instituted flex time at the employees' request—starting at 7:00 a.m., so they were out of work by 3:30 when their children were home from school.

I created job shares with two attorneys sharing one job and job rotations, with three attorneys sharing two jobs, working eight months on, with four months off.

These flexible plans were available to both men and women because balance may involve a father taking his family on sabbatical or a mother spending her summer with her children when they are out of school.

We had flexible and generous leave for new fathers and mothers before the existence of the Family and Medical Leave Act.

We even had two Iditarod mushers who were supervisors of the Kotzebue Public Defender office in Northwest Alaska. Each would spend six months on duty in the summer at the office and six months off to train their dogs. And if you think there isn't a benefit to this as a supervisor, you're wrong. When one of the public defender musher's top lead dogs had puppies, the musher named her Dana.

In my experience, this flexibility in the workplace led to happy, productive attorneys and staff with greater longevity and continuity in an office that usually saw high turnover due to the crushing caseload. Attorneys who were able to spend time with their children out of the office were more efficient and effective when they were in the office. Justice Ginsburg recently touched on this topic in an interview with the ABA Journal, "I went home, played with Jane, had dinner and then I was ready to go back to the books. It was the pause that refreshes."

And as judges, we can be sensitive to the needs of clerical staff and law clerks so that they have time off to go to school functions, work in the classroom, or chaperone class field trips. We can ask jurors if they have daycare problems if deliberations go into the evening. We can ask lawyers if continuing a settlement conference into the late hours will cause a problem. And during my term as Chief Justice, our court instituted flexible scheduling for many clerical employees and even administrative attorneys so that they can work longer days for nine days and have the tenth day off. This costs the state no extra money and has allowed us to recruit and retain excellent staff, despite salaries lower than the private sector—because they have been able to achieve more balance in their lives.



(left to right) Justice Dana Fabe,
Golden Gate University President Dan Angel
and Elfenworks Founder Dr. Lauren Speeth



Law students join Leah Sears (second from left) for more inspiration after the event.



So I conclude that women on the bench are making a difference. Many years ago, I attended the annual meeting of the National Association of Women Judges in Chicago where President Mary Robinson of Ireland gave her first speech in her first official tour of the United States to the women judges assembled in Chicago. Her words made an impact on me. She said: "There are people within and outside of minorities who perceive the law, not as a source of protection but as a terrifying ordeal. We can persuade them to look again. We do not feminize the law. We humanize it."

To the extent that we as women judges, justices, and chief justices are able to help humanize the law, we should be as proud of that accomplishment as any other.

I am so grateful and honored that you asked me to speak to you today.

(left) Chief Justice George and Event Co-Chair Sue Schway of Thomson Reuters



CONGRATS 2010 SUPER LAWYERS

In its annual poll in regions throughout the United States,

Law and Politics

magazine invites attorneys to identify "Super Lawyers" whom they have "personally observed in action" and consider outstanding in their fields. Below are the latest lists of alumni selected for the Northern and Southern California regions. The publishers compiled a list of more than 200 "Super Lawyers" nationwide from Golden Gate that can be viewed at the Law School's web page, www.ggu.edu/law.

SOUTHERN CALIFORNIA "Super Lawyers" from Golden Gate Law

A. D. Bacalski (JD 73)
Daniel V. Burke (JD 77)
Patrick J. Coughlin (JD 83, LLD 09)
James C. Earle (JD 85)
Richard I. Felton (JD 76)
Herb Fox (JD 86)
Rivers Morrell (JD 73)
Robert C. Norton (JD 78)
Susan Rabin (JD 84)
Edward M. Robbins (JD 78)
Theodore J. Roper (JD 79)
Ronald K. Stitch (JD 79)
W. J. Truce (JD 70)
Donna B. Weaver (JD 77)

NORTHERN CALIFORNIA "Super Lawyers" from Golden Gate Law

Jeff T. Appleman (JD 77)	Laurie A. Hanson (JD 84)	Tanya E. Prioste (JD 94)
William M. Audet (JD 84)	John E. Harding (JD 89)	Lissa L. Rapoport (JD 92)
Jonathan C. Bacon (JD 81)	Daniel S. Harkins (JD 81)	Douglas L. Rappaport (JD 88)
Haitam Ballout (JD 90)	John M. Harrigan (JD 77)	Diana Richmond (JD 73)
John F. Barg (JD 74)	Peter M. Hart (JD 84)	Robert J. Riordan (JD 82)
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Super Lawyers



A STRONG START IN LITIGATION

Golden Gate Law has a strong track record of producing well-trained, effective litigators. This year, under the direction of Professor Bernie Segal and Associate Professor Wes Porter, and with the generous support of Patrick J. Coughlin (JD 83), our trial advocacy teams are off to a running start and plans for a new Litigation Center are well underway.

To support the growth of this program and launch GGU's Litigation Center, Professors Segal and Porter are planning to expand course offerings featuring prominent attorneys and litigators; are bolstering recruitment of students looking to make their mark in trial advocacy; and integrating technology into all facets of the litigation program, including the addition of digital cameras in moot courtrooms, filming of advocacy events, and the use of electronic exhibits and trial presentation software.

This fall, GGU Law fielded an unprecedented five teams in competitions under the leadership of Professors Segal and Porter. Competitions include: the William W. Daniel National Invitational Mock Trial Competition, the San Francisco Trial Lawyer's Association Mock Trial Competition, Quinnipiac University School of Law's 10th Annual Trial Advocacy Competition, ABA Section of Labor and Employment Law Annual Student Trial Advocacy Competition, and Peter James Johnson '49 National Civil Rights Trial Competition. For more information or to support our rising litigation program, contact this year's Judge Lee Baxter Graduate Fellows in Litigation at 415.369.5213.

GGU TO HOST AWARD-WINNING CALIFORNIA WATER LAW SYMPOSIUM

www.waterlawsymposium.com

The upcoming California Water Law Symposium (WLS) will be held at Golden Gate University School of Law on Saturday, January 22, 2011. For several years, GGU Law students have worked with students from UC Berkeley School of Law, Boalt Hall; UC Hastings College of the Law; and University of San Francisco School of Law to organize the California Water Law Symposium, which brings together leading water law and resource authorities—practitioners, attorneys, scholars and law students—to discuss California's critical water issues.

At the ABA Conference this past August, the WLS received the American Bar Association's Law Student Program of the Year Award from the Section of Environment, Energy, and Resources. The award recognizes the best student-organized educational program or public service project focusing on issues in the field of environmental, energy, or natural resources law.

Golden Gate Law is proud to be a member of the consortium of schools that organize this annual symposium and especially proud to host the 2011 WLS at Golden Gate. Third year student Anthony Austin is serving as the Symposium Chair and is among the key student organizers

for the January 2011 symposium.

"Among the many invaluable experiences that the organizing students are exposed to, the most rewarding is having the opportunity to work with the state's pre-eminent water law and policy experts and decision makers in providing this much-needed forum to address California's pressing water dilemmas."

This year, WLS participants will explore "The End of Paper Water: Unlimited Demands, Natural Limits and Reliable Supply," presenting and discussing different mechanisms and strategies to help address and solve the California water crisis. Specifically, the event will focus on California's water adequacy laws and land use planning; increasing the conservation and efficiency of California's water supplies; an update of the state's 2009 water legislative package; and achieving the co-equal goals of secure water rights and restored ecosystems in light of emerging environmental and water supply concerns.

MCLE credit is available and no registration fee is required for students with a current I.D. To learn more or register, visit www.waterlawsymposium.com.

THEODORE H. LONG (JD 68) retired as city council member for the city of South Lake Tahoe (Calif.) and as president of the Sacramento Valley division of the League of California Cities.

GENE KAUFMAN (JD 71) retired after twenty-three years as the executive director of Sinai Memorial Chapel in San Francisco.

HON. ROBERT OLIVER (JD 73), received the 2010 Foundation Service award from California State University, Fresno Foundation. Oliver is a superior court judge in Fresno County, Calif.

GREGORY D. BROWN (JD 75) is the 2010 president of the Alameda County Bar Association in Alameda, Calif.

GERALD T. RICHARDS (JD 76) is an assembly member for Contra Costa County in the California Senior Legislature. Richards is a member of the BASF Delegation to the conference of California Bar Associations.

JULIE SIMON KNOLL (JD 78) is deputy director of the Division of Policy Development in the Office of Energy Policy & Innovation at the Federal Energy Regulatory Commission in Washington, DC.

DIANE RITCHIE (JD 80) was profiled in *The Daily Journal* on June 3.

KEITH D. DAVIS (JD 81) was elected president of the California Judges Association for a one-year term.

RICHARD B. HECHLER (JD 81) is an adjunct professor at the University of San Francisco School of Law.

CAROL M. KINGSLEY (JD 81, MBA 81) was appointed to the San Francisco Police Commission by Mayor Gavin Newsom.

BARTON M. POKRAS (LLM 81) launched a web site titled *ventura-divorce.com*. Pokras is a family attorney in Ventura, Calif.

ROBERT M. FANUCCI (JD 82) received the Best in Show award for his 2007 Monte Rosso Zinfandel wine. Fanucci is the owner and winemaker of Charter Oak Winery in St. Helena, Calif.

MARIA GIARDINA (JD 82) received the National Association of Women in Construction's Member of the Year award and the Overall Construction Professional Education award at the Region 10 meeting. Giardina is special counsel at Sedgwick, Detert, Moran & Arnold in San Francisco.

PAULA S. JONES (JD 84) is a principal diversity consultant at Genetech in South San Francisco, Calif.

JAMES P. CUNNINGHAM (JD 85) is a partner at Liner Grode in San Francisco.

ROBERT L. HINES (JD 85) is the division director of Division III - CLE and Programs for the ABA's Section of Litigation.

RANDY RIDDLE (JD 85) is an adjunct professor at the University of San Francisco School of Law.

MICHELLE LEIGHTON (JD 86) is the director of human rights programs, Center for Law and Global Justice, at the University of San Francisco School of Law. Leighton is the Munich Re Foundation chair on Social Vulnerability at the United Nations University/EHS for 2010-2011.

TRUDY NEARN (LLM 86) is the founding attorney of Generations, an estate and trust law firm in Sacramento.

ANN C. MOORMAN (JD 87) is a superior court judge in Mendocino County, Calif.

MARK S. ANDERSON (JD 89) was profiled in *The Recorder* on June 16.

NATHAN H. BERNSTEIN (JD 92) is entering his eighteenth year of private practice in Los Angeles, specializing in real estate, litigation, commercial law and bankruptcy matters.

DAVID S. HERSHEY-WEBB (JD 92) is releasing his second CD titled *Welcome to the World*.

KATHY R. SCHLEPPHORST (JD 92) is the co-chair, family law, for Hoge, Fenton, Jones & Appel Inc. in San Jose. Schlepphorst is a member of the Santa Clara County Bar Association.

DARRIN T. MISH (JD 93) is the author of *Power Principles for Success*. Mish authored a chapter in the book titled *Set Power Goals*. Mish was awarded "Practitioner of the Year" by the American Society of IRS Problem Solvers.

DANIEL PICKARD (JD 95) was lead counsel in a win before the US Court of Appeals for the Federal Circuit in the case *Diamond Sawblades v. US*. Pickard is the chair for the Anticorruption and Globalization program for the ABA Section of International Law's 2010 meeting in Paris.

SHARON A. ANOLIK-SHAKKED (JD 96) presented at the Practising Law Institute's Privacy and Data Security Law Institute, and received national recognition for an innovative compliance and ethics program she and her team developed at Blue Shield of California.

LAURA S. RASMUSSEN (JD 96) is partner at the law firm of Farr, Kaufman, Sullivan, Jensen, Olds, Kaufman, Rasmussen & Nichols in Ogden, Utah.

TAMARA HALL (JD 97) is a superior court judge in Los Angeles County.

WARREN M. CASSELL (LLB 98, LLM 03) is the president and chair of Immaculate Productions Inc. and host of The "Warren Cassell Show," a television variety talk-show focusing on issues affecting the English-speaking Caribbean. Cassell is the author of the book *O'Habits*.

RALPH W. KASARDA (JD 99) argued before the Fourth Circuit Court of Appeals in *H.B. Rowe v. Tippet*. The case concerns the constitutionality of one of North Carolina's race- and gender-conscious affirmative action programs.

FREDERICK W. RIESEN (JD 99) and his wife welcomed the arrival of their son Bryce McInnis Riesen. Riesen is a prosecutor in Charleston, SC.

YANO L. RUBINSTEIN (JD 99) is a partner in the intellectual property practice of MBV Law LLP in San Francisco.

VICTORIA L. ARGUMEDO (JD 00) is an immigration attorney with Surowitz, Bell and Argumedo in Albany, Calif.

REMA M. BREALL (JD 00) is the managing attorney of the narcotics unit of the San Francisco District Attorney's office.

JACQUE M. WILSON (JD 00) is a deputy public defender for the City and County of San Francisco.

AMY L. ARNOLD (JD 02) practices real estate law at Wiegel Law Group PLC in San Francisco.

ABE J. FLORES (JD 02) is an operation specialist in the national environmental, health & safety department at Kaiser Foundation Health Plan Inc. in Oakland.

NAVINEET S. SETHI (LLM 03) is a tax principal and a member of both the Financial Services Group and the firm's Commercial Services Group at Rothstein Kass in San Francisco. Sethi is an adjunct professor at Golden Gate University. Sethi is a board member and treasurer for the Alameda County Library Foundation.

MICHAEL J. ROBERTSON (JD 04) was appointed by the White House as chief of staff for the US General Services Administration.

KELLY SHINDELL (JD 04) is a partner at the Viola Law Firm PC in San Mateo, Calif.

RACHEL BAER (JD 05) is the secretary/treasurer and general counsel of China Wireless.

WYLIE E. ADAMS (JD 06) is employment counsel for the human resources division of URS Corp in San Francisco.

SHAUN H. GHAFOURI (JD 06) is a contracts specialist for Stanford Hospital and Lucille Packard Children's Hospital in Palo Alto, Calif.

ANNE HIARING (LLM 06) is a partner at Hiaring Law in San Rafael, Calif. specializing in trademark and copyright law.

PAUL HOGARTH (JD 06) was voted "Best State and Local Blogger" at the Netroots Nation conference in 2010.

JASBIR KHALSA (LLM 06) wrote an article in the June issue of *Association of Corporate Counsel*.

TODD W. ZABEL (JD 06) is a program manager at TiVo Inc., specializing in learning management system and knowledge base technology. Zabel is the owner/operator of State Bar approved MCLE web training programs in Alternative Dispute Resolution. Zabel is the author of *Viability, Advantages and Design Methodologies of M-Learning Delivery*.

BRENDAN D. DEVLIN (JD 07) is a financial advisor at Morgan Stanley Smith Barney in San Francisco.

DAVID E. OLSEN (JD 07) is a patent trademark and copyright lawyer in Fremont, Calif.

HILLARY R. ALLYN (JD 08) M 86) is an attorney at Arns Law Firm in San Francisco.

EVAN A. CHAN (JD 08) owns the law office of Ken A. Chan in San Francisco.

RYAN T. GILLE (JD 08) is an attorney at Sterling and Clark in San Francisco.

KEVAN P. MCLAUGHLIN (JD 08) is the founder of McLaughlin Legal in Encinitas, Calif.

JESSICA S. PLINER (JD 08) is an attorney at Phillips Spallas and Angstadt LLP in San Francisco.

JIM C. BETINOL (JD 09) is a partner at Withrow & Betinol Law in Los Angeles.

PAULA J. ENSTROM (JD 09) is vice president, fiduciary and compliance manager at Union Bank in San Francisco.

DAN LIU (JD 09) is an associate at Bullivant Houser Bailey in San Francisco.

SAMANTHA R. NILSEN (JD 09) is an associate attorney at Kumin Sommers LLP in San Francisco.

TIMOTHY J. OHARA (JD 09) is a patent estate manager in research and development at LifeScan Inc. in Milpitas, Calif.

JODY E. SANTIAGO (JD 09) owns a law office, focusing on immigration law in San Francisco.

MAGGIE W. STERN (JD 09) works at the city of Oakland Neighborhood Law Corps.

ETHAN A. WIMERT (JD 09) is an associate for Dolan Law Firm in San Francisco.

LORI J. WITHROW (JD 09) is a partner at Withrow & Betinol Law in Los Angeles.

IN MEMORIAM

HERBERT SCHLOSBERG (JD 39)

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MARIE GALANTI (JD 03) AND PROFESSOR ROBERT CALHOUN Honored at Annual Golden Gate University Alumni Awards Luncheon

Alumni, faculty, staff and students gathered at this year's Alumni Awards Luncheon in November to honor the achievements of outstanding members of the GGU community. Two very special members of the law school community were celebrated at the luncheon.

Dean's Advisory Board member Marie Galanti (JD 03) received the Rising Star Award for her extraordinary professional achievements and contributions to the community. Professor Eric Christiansen, who presented the award, shared Galanti's skillfulness as an Estate Planning attorney, expert witness in American courts on matters of French law, lecturer, and winner of the Sonoma County Bar Association's Pro Bono Award for three consecutive years. Professor Christiansen described Galanti this way, "She attributes her success to serendipity and luck. But it is a luck she created—with the respect she earned in her years in business, her fundamental trustworthiness and with the warmth of her spirit."

Professor Robert Calhoun received the Distinguished GGU Service Award, which was presented by Dean Drucilla Stender Ramey. Dean Ramey noted Professor Calhoun's remarkable record as an Alameda County Public Defender as well as Professor, whose "scary teaching acumen" has earned him the Outstanding Teacher of the Year fourteen times at GGU. She closed her presentation with words that resonate with all who come into contact with Professor Calhoun: "We are all the beneficiaries of Bob's exceptional talents, and, perhaps most of all, his decency, humor and quiet wisdom, that help steer all of us through the most difficult as well as most felicitous of times."

Our very warmest congratulations to Marie Galanti and Professor Robert Calhoun, both of whom embody our community's unique combination of spirit and talent.

SCHOOL OF LAW HONOR ROLL OF DONORS

JULY 1, 2009 – JUNE 30, 2010

Almost 600 donors gave to the School of Law between July 1, 2009, and June 30, 2010 for a total contribution of \$976,547. This represents a 16% increase in the number of donors and a 30% increase in total giving from last year. This annual report of giving gratefully acknowledges the dedication and generosity of alumni, friends, faculty, students, staff, and organizations whose financial support has helped to preserve the best of GGU and create further opportunities for intellectual and professional growth in legal education.

CENTENNIAL SOCIETY

The Centennial Society recognizes individuals who gave in the past year and whose lifetime support of GGU exceeds \$100,000. The generosity of Centennial Society members has positively impacted the lives of countless numbers of law students: past, present and those yet to come. Their loyal commitment provides consistent support that enables the law school to plan for the ongoing support of scholarships, clinical programs, and faculty development.

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The Millennium Society is the premier support group of unrestricted funds for Golden Gate University. Established to commemorate the new millennium, Millennium Society members contributed a minimum of \$2,000 to the university and/or for the use at the dean's discretion to a designated school. We are grateful to the members, whose unrestricted support for the Law School allowed us to move quickly in meeting a variety of pressing needs, including awarding scholarships to outstanding students, recruiting exemplary professors and professional practitioners for our teaching faculty, and implementing the Bar Passage plan.

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A carefully planned estate can help avoid or reduce taxes while increasing the amount an individual can leave to their family and provide for favorite charities at the same time. The individuals below are providing for future generations of GGU students by including Golden Gate University in their estate plans.

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Members of the Silver Society are the university's most loyal supporters and have made philanthropy a personal priority by giving annually to Golden Gate University for 25 or more years.

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The loyal donors below demonstrate their commitment and dedication to supporting the learning process that changes the lives of adult students by making an automatic gift by credit card, electronic fund transfer, or through payroll deduction each month.

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Private gifts enhance virtually every aspect of the School of Law: curriculum enrichment, student financial aid, technology and equipment, the law library, faculty research, and a variety of special programs. Membership in the following categories is based on current gifts of cash and securities, pledge payments, and employee matching gifts. The School of Law extends its heartfelt thanks to each of the following individuals whose financial support has had a measurable impact on the law school's people and programs.

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UPCOMING EVENTS

JANUARY 5: SOCIETY OF AMERICAN LAW TEACHERS (SALT)

Time: 7 – 9 pm. Annual Robert Cover Workshop “Civil Gideon: An Idea Whose Time is Now,” co-sponsored by GGU Law. Featuring James J. Brosnahan, Rebecca L. Sandefur, Bonnie Hough, and Luz Herrera. Two hours of MCLE credit available. Contact: info@saltlaw.org.

JANUARY 5-8: AMERICAN ASSOCIATION OF LAW SCHOOLS ANNUAL CONFERENCE

GGU Law will be hosting a variety of events and meetings at the Annual AALS Conference, being held in San Francisco. For current program, visit www.aals.org/am2011.24.

JANUARY 22: CALIFORNIA WATER LAW SYMPOSIUM

Time: 8 am – 5 pm. The WLS is organized by students in a consortium of California law schools. GGU Law will host this ABA award winning conference. To register or for more information, visit www.waterlawsymposium.com.

JANUARY 29: “BEAT THE CLOCK”

MCLE and Networking Program hosted by GGU School of Law, 536 Mission Street, 2nd Floor, Up to 6 MCLE credits available. Contact: Mateo Jenkins, 415.442.6541, mjenkins@ggu.edu.

FEBRUARY: HIRE GGU

Legal employers can interview GGU law students for prospective internships and jobs. Contact: Jared Solovay, 415.369.5318, jsolovay@ggu.edu.

FEB 26: GRIFFIN CONNECT SYMPOSIUM

Time: 9:15-12:30pm. Golden Gate University Alumni Board presents this event for recent alumni to connect with fellow strivers to help achieve professional goals. Contact: alumni@ggu.edu.



The graphic features a blue and white design. At the top left is a circular seal with 'GATE U' and a bridge. To its right, the text 'GOLDEN GATE UNIVERSITY' and 'School of Law' is displayed. Below this, the main text reads '2011 Reunion Save the Date April 16, 2011' in large, bold letters. At the bottom, there is a banner with '1901' and a small logo for 'GOLDEN GATE UNIVERSITY | School of Law'.

APR 11: IP LAW DISTINGUISHED SPEAKER SERIES

The IP Law Center's next Distinguished Speaker Series lecture features Chief Judge Alex Kozinski of the Ninth Circuit Court of Appeals. The event is free and open to the general public. Keep posted on details by visiting www.gguipcl.com.

APR 16: SCHOOL OF LAW REUNION

Omni Hotel, San Francisco. Honoring classes of 1961, 1966, 1971, 1976, 1981, 1986, 1991, 1996, 2001, 2006. We invite you to join the reunion committee. Contact: Pollie Robbins, probbins@ggu.edu.

MAY 17: SCHOOL OF LAW COMMENCEMENT CEREMONY

11-2pm. Louise M. Davies Symphony Hall, San Francisco. Contact Mateo Jenkins, 415.442.6541, mjenkins@ggu.edu.

JUNE 3: SWEARING-IN CEREMONY

Time: 12 – 1 pm. Location: PG&E Auditorium, 77 Beale Street, San Francisco. Contact alumni@ggu.edu.