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Dean's Annual Letter 2012

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August 7, 2012

Dear GGU Law Alumni and Friends,

This month, it is a great honor to step into my new role as the Interim Dean of our wonderful law school. As Associate Dean for Academic Affairs over the past four years, and eight years as a Professor teaching GGU Law students, I am thrilled and humbled to have the opportunity to work with our students, faculty and alumni as Interim Dean and I look forward to hearing from and speaking with you early and often. I have been teaching law for nearly 25 years, and have been an active participant in the legal education community for the duration of my career as a professor, scholar, and administrator. Having served in diverse roles in law schools with diverse cultures, I am most proud of the unique combination of generosity and professionalism that is the hallmark of GGU Law's faculty, staff, and students.

Before joining the faculty at GGU, I held a professorship at Texas Tech University School of Law. My family and I were happy to come back to the Bay Area since I grew up here and went to Stanford University and Hastings College of Law. After I clerked for Judge Sam Johnson at the U.S. Court of Appeals for the Fifth Circuit, I was a teaching fellow at Santa Clara Law School and at Stanford Law School, where I also completed a JSM and received a J. William Fulbright Scholarship to engage in research on Italian Criminal Justice for six months at the Italian Constitutional Court. I have taught a number of courses including Criminal Law, Comparative Criminal Justice, Katrina and Disaster Law, Wills and Trusts and Law & Leadership. As Academic Dean, I have been involved in curriculum reform at GGU and helped to create and implement our first-year Lawyering Elective, discussed more below.

While I reflect on, and am happy to boast about, our law school's substantive work and achievements that provide students with quality education, I am also aware that I am moving into the Interim Dean role at a time when many are questioning the value of legal education in a shifting legal job market. Like my colleagues, I have dedicated my life to legal education because I firmly believe that zealous, effective and ethical legal representation is essential to upholding our system of justice and to maintaining the rule of law. Indeed, there is little evidence that the need for talented lawyers is disappearing, especially among the underrepresented.

In fact, uncertain times present legal educators with unprecedented opportunities for honing our practice. Aware that the structure of legal education and the legal employment market are in significant transition, GGU Law faculty and staff are more focused than ever on equipping our students with the transferable skills, knowledge, values, and ethic of professionalism that will allow them to be successful regardless of how the profession evolves or what professional path they choose after they graduate.

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While we are delighted to share our achievements and future plans with each of you, it is their relevance to our students' future that we believe is so critically important. Central to all of our work are our scholarly and practice-savvy professors, who teach courses and head up programs that enrich the lives of our students. In addition, several events and conferences strengthen established connections and forge new ones among our students and professors with lawyers and alumni. This is especially meaningful because these relationships help our students gain practical experience as well as develop professional connections so vital to their post-graduate success and professional futures.

Professional Engagement Events and Conferences

Under the leadership of Dean Ramey, my formidable predecessor, the 2011-12 year was filled with landmark events that reflected the spirit and values of the law school. Among the highlights were:

- **Celebration of the Life and Legacy of Professor Bernie Segal** Professor Segal, or Bernie as everyone knew him, died last fall. Bernie represented the very best of what GGU Law offers students. A renowned litigator, profoundly connected professor, and personal mentor to generations of students, Bernie brought GGU Law's Litigation Program to new heights during his almost 40 years of leadership. Alumni and friends honored Bernie's legacy with a celebration brimming with laughter and stories about Bernie's teaching prowess as well as with generous gifts to the school's litigation program.
- **Third Annual Chief Justice Ronald M. George Distinguished Lecture: *Chief Justices of Color*** More than 400 guests, including many distinguished alumni, lawyers, members of the judiciary, and engaged GGU Law students, filled the PG&E Auditorium to hear keynote speaker California Chief Justice Tani Cantil-Sakauye and other distinguished jurists—Chief Judge James Ware, Justice Michael Douglas, Chief Judge Eric Washington, and Justice Fernando R.V. Duffly—spoke about the importance of a diverse judiciary in ensuring equal access to justice, as well as how budgetary challenges impede such diversity.
- **Fourteenth Annual Trina Grillo Public Interest and Social Justice Retreat: *Social Justice Lawyering in a Time of Change*** Co-sponsored by the Society of American Law Teachers (SALT) and a 12-school consortium of Western law programs (including Stanford, UCLA, and the University of Denver), the conference featured keynote speaker Eva Jefferson Paterson, who directs the Equal Justice Society. Through a series of provocative panels, social justice lawyers explored the challenges faced by domestic workers and other groups of underrepresented citizens, and advised young attorneys about creative ways to identify employment opportunities and fund social justice work.
- **The Fourth Annual Distinguished IP Speaker Series** featured Professor Mark Lemley of Stanford Law School, who delivered a compelling lecture titled "Why Do Juries Decide Whether Patents are Invalid?"

- **The Dean Judith McKelvey Women’s Reunion** At the first ever Women’s Reunion, GGU Law alumnae gathered for a weekend to share their stories, lives and remarkable achievements. The weekend included a series of panels, featuring several GGU Law alumnae, sharing wisdom and expertise on a variety of areas of practice and women’s issues in the profession with GGU Law’s current students and recent graduate attorneys. A special highlight of the weekend program was the luncheon at the City Club featuring a tribute to Dean McKelvey presented by Marjorie Randolph (JD 77) and a keynote address delivered by Dr. Sarah Weddington, counsel in *Roe v. Wade*.

We look forward to our Fall 2013 events, which will focus on current and critical issues in law scholarship and practice as well as honor distinguished alumni.

- September 25: **IP Law Distinguished Speaker Series**, featuring Professor Justin Hughes of Yeshiva University, Cardozo School of Law
- October 17: **GGU Alumni Awards Luncheon, honoring law alumna, Professor, and Director of Externship Programs Susan Rutberg**
- October 26: **Annual IP Law and Policy Conference**, featuring Professor Shubha Gosch of University of Wisconsin and others
- October 29: **The Fourth Annual Chief Justice Ronald M. George Distinguished Lecture: *LGBT Issues in the Judiciary***, featuring former Chief Judge Vaughn R. Walker as Lecturer, with a special introduction by former Chief Justice Ronald M. George. A panel moderated by Keith C. Wetmore, Chair of Morrison & Foerster LLP, will include Judge Deborah A. Batts, U.S. District Court for the Southern District of New York; Justice Virginia L. Linder, Oregon Supreme Court; and Presiding Judge Tonya Parker, 116th Civil District Court, Dallas, Texas
- November 2-4: **GGU Law Mock Trial Competition: *In Vino Veritas***, including three preliminary-round trials, championship rounds for the top four teams, and social events to take advantage of all the Bay Area has to offer. The winning team will earn an automatic bid to the 23rd Annual National Criminal Justice Trial Advocacy Competition sponsored by The Criminal Justice Section of the ABA and The John Marshall Law School held in Chicago, IL in Spring 2013
- November 9: **Environmental Law Symposium: City as Habitat: A Place for Urban Wildlands**
- To learn more about these and other events, visit law.ggu.edu/about/events

Strengthening Existing and Implementing New Practice-Rich Programs and Courses

Building on our core strength of rigorous practical training to prepare students to be professional, ethical and highly effective lawyers, in the past two years we have fine-tuned our programs to ensure our graduates are even more grounded in fundamental analytical *and* lawyering skills. Such preparation provides our graduates with the flexibility to adjust to changes in the legal profession while providing wise counsel to clients. This year, our signature programs and on-campus clinics have much to celebrate.

- GGU Law's **Honors Lawyering Program (HLP)** was featured on a nationally recognized legal education blog, Legal Skills Prof Blog. In the article, focused on the value of skills-infused learning, the author wrote that HLP is "a wonderful program that combines knowledge with doing. I hope that more law schools adopt similar programs that allow students the option of learning through doing."
- This year, our **Women's Employment Rights Clinic (WERC)** celebrates its 20th Anniversary, with some outstanding recent milestones: WERC helped draft AB 889, the Domestic Worker Bill of Rights, and provides ongoing advice and legal analysis to the California Domestic Worker Coalition during the legislative process. Also, in collaboration with the Filipino Community Center and National Alliance for Filipino Concerns in Northern California (NAFCON-Norcal), WERC won a \$70,000 settlement in unpaid wages and penalties for two domestic caregivers. WERC Director and Professor Marci Seville appeared on California's Northern and Southern California public radio stations to weigh in on the importance of AB 889.
- The **Environmental Law and Justice Clinic's (ELJC)** attorneys and students celebrated a key victory earlier this year. In January, through the efforts of Pacific Environment represented by ELJC and the Sierra Club California represented by Earthjustice, and in partnership with Communities for a Better Environment, the California Public Utilities Commission strengthened a key clean energy policy in California called the Loading Order. The Order requires California's utilities first to employ energy efficiency and conservation to meet customer demand; then energy from renewable sources such as wind, solar and geothermal. Only after all those supplies are exhausted may the utilities purchase power from fossil fuel plants.
- Consistently ranked as one of the best **public interest** schools in the country, the *National Jurist* named GGU Law one of the two best public interest law schools in California for 2012. The proof is in the pudding. This spring, the **Public Defender Corps** selected 3L student Michaela Beliou as one of 19 students and young attorneys chosen nationally for a position in its program created by Equal Justice Works. This training program prepares participants to provide high quality representation for indigent clients facing criminal charges. GGU Law students also received a record number of **California Bar Foundation Scholarships**. GGU Law boasted more recipients than any other California law school this year; we tied with Stanford Law School. Three students received awards from the foundation's flagship Public Interest Scholarship Program and three were awarded scholarships under the foundation's Rosenthal Bar Exam Scholarship Program. The foundation awards scholarships to exceptional law students who demonstrate a commitment to public service and academic excellence.
- For the second year running, GGU Law has been selected as one of the **top LL.M programs in California** by *Recorder* readers. GGU School of Law is a trailblazer in LL.M programs. GGU offered the first Environmental Law LL.M in California, one of the first LL.Ms in Intellectual Property with enrolled

students taking advantage of the many opportunities offered in nearby Silicon Valley, and one of the first law schools nationally to offer an LL.M in US Legal Studies. We established our well-known Taxation LL.M program over 30 years ago and it is among the largest Taxation LL.M programs in the United States. And GGU's International Legal Studies LL.M program is led by Professor Chris Okeke, a leading international law scholar who added one of the few programs nationally for students seeking an SJD in International Legal Studies.

- In the spring 2011 semester we enhanced our first year offerings by adding a **1L Lawyering Elective** to introduce students to skills that traditionally are postponed to later in law school. Students select one of 8-12 subject areas to learn client counseling, negotiation, and other practical skills. This training prepares students for the courses they take to satisfy our **new Experiential Learning requirement** for upper division students. Students may select from an array of opportunities—from advocacy and moot court competitions to externships and clinical work—to meet the requirement, which ensures that every student engages in hands-on skills training prior to graduation to be better prepared for practice.
- The **GGU Litigation Center** enjoyed another remarkable year of accomplishments and advancement. Our mock trial teams continue to achieve terrific results from a wide swath of student advocates including another Top 4 finish at the ABA National Criminal Mock Trial Competition in Chicago. GGU Law has finished in the Top 4, earning return invites, in two of the last three years. Last year also brought the addition of the Professor Bernie Segal Cross and Close Intra-School Competition for our litigation standouts and 1Ls. The competition was a tremendous tribute to Bernie and his passion for advocacy training. Finally, in November, we will host our first national mock trial competition, the Segal Criminal Mock Trial Competition: *In Vino Veritas*. Lastly, the Litigation Center presented another year of its innovative 1st STEP summer program—an integrated evidence, advocacy and presentation curriculum for students who recently completed their first year.

Professors with Diverse Scholarly and Professional Experience

This fall, we welcome four distinguished professors to the law school. Their combined achievements in education as well as in practice make them exceptionally well-suited to support our relentless focus on rigorous academics and practice-rich lawyering skills.

We are pleased to welcome **Associate Professor Eleanor Lumsden** to our faculty. Professor Lumsden has been a Visiting Assistant Professor at GGU for the past two years, and has been teaching both Torts and Business Associations. Prior to GGU, she was the Associate Director of Development for Reunion Giving at Stanford Law School and an associate at the San Francisco office of Orrick, Herrington & Sutcliffe, where she practiced in the Global Finance group. Prior to her time at Orrick, Herrington & Sutcliffe, Professor Lumsden clerked for the Honorable Louisa Porter, a

Federal Magistrate Judge, at the U.S. District Court in the Southern District of California. This year, she will teach Torts in the fall, and will spend the spring semester as a **Fulbright Scholar** in Jamaica, where she will teach a course on U.S. Business Associations and conduct an independent research project regarding poverty, mobile technology and development in the Caribbean. Professor Lumsden earned her A.B. in Politics from Princeton University and her J.D. from NYU School of Law. At NYU, Eleanor was a Root-Tilden-Kern Scholar, and a Junior Fellow at the Center for International Studies. While at NYU, she served as an intern to Dr. Nabil Elaraby at the United Nations International Law Commission in Geneva, Switzerland. She also interned at the Global Policy Forum and for the Project on International Courts and Tribunals in New York.

Associate Professor Kathleen Morris came to Golden Gate from the San Francisco City Attorney's Office, where she was a constitutional and public policy litigator and the founding Executive Director of the City Attorney's Affirmative Litigation Task Force. As a litigator, Professor Morris helped lead the City's legal team challenging California's marriage laws in state court; headed up the City's challenge to the federal Partial-Birth Abortion Ban Act of 2003; and handled approximately one hundred additional cases on various subjects for the City. As Task Force Executive Director (2006-2009), Professor Morris helped oversee the development of a comprehensive affirmative litigation docket for the San Francisco City Attorney's Office. In her first year as Executive Director, she co-founded the San Francisco Affirmative Litigation Project at Yale Law School, through which law students work with deputy city attorneys to investigate, develop, and litigate cutting-edge public policy cases. In Spring 2008, Professor Morris was a Visiting Lecturer at Yale Law School. From 2009-2010, she was a Visiting Assistant Professor at Rutgers-Camden Law School, where she taught Property and a local government course. She has lectured widely on the subjects of constitutional law and progressive public law practice, and taught related courses at U.C. Berkeley Law School in the spring of 2007 and 2009. This year, she will teach Property and Pretrial Civil Litigation. Professor Morris has a J.D. from the University of California, Berkeley School of Law (1997); a Masters in Politics from the University of Edinburgh, Scotland (1993), where she was a Rotary Scholar; and a B.A. from C.S.U. Northridge (1991). She clerked for the Honorable Sidney R. Thomas, U.S. Court of Appeals for the Ninth Circuit (1997-98).

Visiting Associate Professor Rachel Alexander joins us from the University of South Dakota School of Law, where she was Associate Professor of Law and Director of Legal Writing. In that position, she directed the Fundamental Legal Skills Program, including direction of all skills-based curricula, and taught required and elective courses in research, writing, and drafting as well as courses such as Employment Discrimination and Disability Law. She was also nominated for every university and law school teaching award and served as the advisor to the law review, moot court board, DTP legal fraternity, and OUTlaws. Prior to her faculty appointment, Professor Alexander practiced employment and labor law, where she litigated cases and

administrative matters across the country, including arguments before the Ninth Circuit Court of Appeals as well as the California Supreme Court and Court of Appeal. This year, she will direct and teach the first-year Legal Writing & Research program.

Visiting Associate Professor Jamie Lund joins us from St. Mary's University Law School in San Antonio, where she headed the school's intellectual property program and helped draft and implement a university-wide intellectual property policy. Prior to teaching, Professor Lund worked at the law firm of Irell&Manella in Los Angeles, a firm specializing in intellectual property. At Irell, she worked on a diverse range of matters, including the representation of a Fortune 500 company in state-wide employment law actions and pro bono client the Navajo Nation in disputes relating to the uranium pollution of Navajo lands. She also participated in the prestigious LA County Bar's Trial Advocacy Program, serving as a volunteer prosecutor with the Ventura County District Attorney's office. This year, Professor Lund will teach Civil Procedure and Copyright. Lund graduated with her J.D. with honors from the University of Chicago Law School and with her bachelor of music *cum laude* from Brigham Young University.

We also want to extend our heartfelt thanks to our master professors who retired this year—Dean Emeritus and Professor Anthony Pagano, Professor Chris Pagano, and Professor Marc Stickgold. Their legacy of service and dedication to GGU Law's students is a reminder to all of us that the teaching of law is a vocation and an art that ultimately shapes a more just society.

In addition to welcoming our new faculty members, we are pleased to share just some of this year's outstanding faculty scholarship:

- **Associate Professor Chester Chuang's** article "Offensive Venue: The Curious Use of Declaratory Judgment to Forum Shop in Patent Litigation" was published in the *George Washington Law Review*.
- *From Gender-Based Violence to Women's Violence in Haiti* (working title) by Associate Professor **Benedetta Faedi Duramy** has been accepted for publication by *Rutgers University Press*.
- "Trademark and Copyright Enforcement in the Shadow of IP Law" by **Professor William Gallagher** was published in the *Santa Clara Computer & High Technology Law Journal*.
- *Comic Art, Creativity, and the Law* by Intellectual Property Law Center Co-Director and **Professor Marc Greenberg** will be published by Edward Elgar Publishing.
- "Luogo e Spazio, Place and Space: Gender and Quotas and Democracy in Italy" by Interim Dean and **Professor Rachel Van Cleave** will be published in the *University of Baltimore Law Review* in January, 2013.

Generous Support and a Flourishing Professional Network

Each of us has a special connection with GGU Law. To honor Bernie's legacy, many of his former students contributed generously to our Litigation Program. We were also pleased this year by how many of our distinguished alumnae, in conjunction with the Women's Reunion, gave gifts to support GGU Law's women students by contributing to the Dean Judith McKelvey Women's Scholarship and the Dean Judith McKelvey Fund for Women. And, we are most fortunate to be included in the Bitu Daryabari Endowed Fund for Middle Eastern students, which will enable a Middle Eastern lawyer with five to ten years of law practice to earn an LL.M at the law school.

Of course, our work at GGU Law is supported in a variety of ways by our alumni and friends. Every gift to the law school, regardless of size, helps to support the success of the practice-ready graduates for which we are so well-known. Now is the perfect time to invest in GGU Law. I want to warmly encourage our alumni and friends to reach out to your former professors, fellow alumni, and to me so that we may further strengthen our robust community of excellent attorneys for which we are so justly known, and introduce you to the next generation of GGU lawyers.

Very truly yours,



Rachel Van Cleave

Interim Dean & Professor of Law