



Barry Scheck signs book for Suzanne Stone. Herman Atkins looks on.

Law School Hosts Book Party for Scheck and Neufeld

Students and faculty turned out to fete Barry Scheck, Peter Neufeld, and New York *Daily News* columnist and two-time Pulitzer Prize winner Jim Dwyer, on the occasion of the publication of the book they co-authored, *Actual Innocence: Five Days to Execution and Other Dispatches from the Wrongly Convicted*. The book chronicles the harrowing stories of innocent men wrongfully convicted and tells of the heroic efforts to free them. *Actual Innocence*

and the work of the Innocence Project have received an enormous amount of positive publicity that is helping to educate the general public about flaws in the criminal justice system and the use of DNA evidence. This, and the considerable number of overturned convictions, are influencing political leaders and the public to reconsider the death penalty.

Herman Atkins, whose conviction for rape was recently overturned after 12 years in prison through the efforts of the Innocence Project, was at the reception also. He expressed his gratitude to the Law School

and its hard-working students. He spoke informally with students in the Innocence Project clinic a few days later, and shared experiences about life in jail and what it feels like to be free again.

Rudenstine Named Fellow at Princeton

David Rudenstine has been named an inaugural fellow in Princeton University's Program in Law and Public Affairs. He will spend 2000-2001 at Princeton writing *Trophies for the Empire: The Tale of the Parthenon Marbles*, which is a history of the dispute between Greece and Britain over Lord Elgin's taking of the Parthenon marbles in the

19th century. He will also teach a freshman seminar called "Who Owns the Past?" The fellowship program, a joint venture of the Woodrow Wilson School, the University Center for Human Values, and the politics department, was founded to promote the interdisciplinary study of law and enrich the intellectual life of Princeton students and faculty. The selection committee chooses fellows on the basis of the quality of their achievements and their ability to benefit from the activities of the program, the significance of their

David Rudenstine with Ashton Hawkins, executive vice president, Metropolitan Museum of Art



proposed contribution to the purposes of the program, and the contribution they are likely to make in the future to legal scholarship and practice.

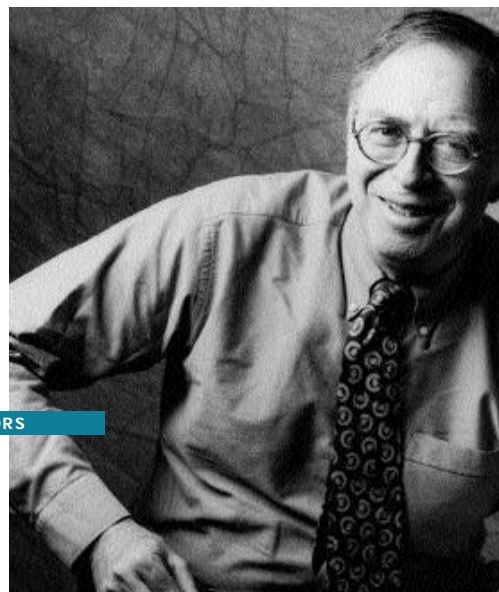
In recent months, Professor Rudenstine has spoken and written widely on the topic of his recent research. He participated at the Center of European Studies and Humanities conference on "Repatriation of the Parthenon Sculptures: Historical, Cultural and Legal Aspects" held in Athens under the auspices of UNESCO and the Hellenic Ministry of Culture. He was a presenter at the Cardozo conference he

helped organize, "Reports from the Front Lines of the Art and Cultural Property Wars." And he wrote an article published in *The Nation* and reprinted in this issue of *Cardozo Life* (see page 25). In addition, he organized and moderated with Ashton Hawkins, executive vice president and counsel to the trustees, The Metropolitan Museum of Art, a roundtable discussion at Cardozo entitled "Who is Entitled to 'Own' the Past? Collecting in the 21st Century." A distinguished group of panelists and invited guests participated in this closed-door session, discussing the ethical and

legal issues that museum directors, trustees, collectors, and dealers face in regard to acquiring art and artifacts from countries other than their own.

PROFESSIONAL HONORS

During 2000–2001, **Monroe E. Price** will be a member of the School of Social Science, Institute for Advanced Study in Princeton. He will be one of a group of scholars focusing on the implications of new information techno-



logy. This spring in Geneva, he presented a study he edited on "Information Intervention in Post-Conflict Societies: Rwanda, Bosnia, Kosovo, and Cambodia." The study was commissioned by UNESCO in connection with World Press Day. Professor Price has received a Ford Foundation grant to complete a book on the subject. He has also prepared a study of codes of conduct on the Internet for the Bertelsmann Foundation, including a proposed model code. Earlier in the year, he was elected chair of the Association of American Law Schools Section on Mass Communication Law.

Paul Verkuil received an award from the College of William and Mary for founding the Thomas Jefferson Public Policy Program at the College. The citation refers to Dean Verkuil, who was president of William and Mary from 1985 to 1993, as "president, advocate, visionary, and supporter."

Appointments

Marci Hamilton was named in January to the Thomas H. Lee Chair in Public Law. The new Chair was established in honor of Mr. Lee, a Cardozo board member and founder and president of Thomas H. Lee and Company, who said, "Professor Hamilton has made major contributions to the fields of intellectual property and constitutional law. She honors the Cardozo community with her dedication and scholarship."

Professor Hamilton has taught at Cardozo since 1990 and is the director of the Intellectual Property Law Program. She frequently litigates in appellate courts on cutting-edge constitutional and copyright law issues and often testifies before Congress and state legislatures. Three years ago she successfully argued the *City of Boerne* case before the US Supreme Court. This winter, Professor Hamilton represented arts organizations in the case between the Brooklyn Museum of Art and the City of New York. She publishes and lectures extensively and is often quoted in the media for her expert opinion. Last year, she was a visiting scholar at Princeton Theological Seminary and Distinguished Visiting Professor of Law at Emory University School of Law. She delivered a lecture to the Cardozo community, "The Reformed Constitution," on the occasion of her appointment to the Chair. At that event, Dean Verkuil noted, "Marci Hamilton is that most remarkable of law professors: omniscient and dazzlingly energetic."



Marci Hamilton and Thomas Lee

Edward Stein Appointed to Faculty

Edward Stein, who holds a Ph.D. in philosophy from MIT, a J.D. from Yale, and a B.A. with highest honors from Williams College, has been named associate professor of law. Professor Stein brings to the Cardozo faculty an expertise in the areas of family law, bioethics, and gender and sexual orientation. He has written extensively on these topics as well as philosophy and cognitive science. "Ed Stein is very much in the Cardozo tradition. He brings an interdisciplinary approach and intellectual ambition to legal study and adds real strength to our program in family law. An article that he is writing on statutory interpretation has already received extremely enthusiastic reviews by our faculty and others. I know that he will hit the ground running," said Dean Verkuil.

Professor Stein received his J.D. degree just this year; before attending law school he taught philosophy visiting at Yale University, Mount Holyoke College, New York University, and Williams College. In 1999, he was a summer associate at Davis, Polk, and Wardwell. This year he will teach Family Law, Evidence, and Sexual Orientation, Gender, and the Law.

Ellen Yaroshefsky won the 2000 award for outstanding contribution in the field of criminal law education from the Criminal Justice Section of the New York State Bar Association. She was recognized for her outstanding efforts to promote the understanding of criminal law through scholarship, teaching, and the implementation of law school programs.

Issues for the Elderly Lesbian and Gay Client." At a panel sponsored by Legal Services of New York, he spoke on "Litigating a Functional Family Succession Rights Case: Evidentiary Issues." For that training, his practice manual was published in pamphlet

Yaroshefsky



SPEECHES PAPERS PANELS

At a continuing legal education panel sponsored by the Lesbian and Gay Law Association of Greater New York and the New York County Lawyer's Association, **Paris Baldacci** spoke on "Housing Succession Rights:

form. He addressed 60 tenant advocates on "Landlord-Tenant Litigation: Non-Primary Residency and Succession Rights" at a seminar sponsored by the city-wide task force on Housing Court.

Rabbi J. David Bleich

spoke at the Bar Ilan University Jewish Law Conference this spring. His topic was "Non-Jews as Arbitrators."

Laura Cunningham presented a paper on family limited partnerships before estate planning practitioners at the New York University/Tax Analysts Seminar for Government.

Peter Goodrich delivered the plenary lecture, "Ad Hominem," at a symposium on adjudication at Miami University School of Law and another, "Amatory Jurisprudence," at a symposium on jurisdiction at Wexner Center for the Arts, Ohio State University. At a symposium on law, literature, and culture at City University, he spoke on "The Justice of Literature."

Cunningham



In addition, his "Law-Induced Anxiety: Legists, Anti-Lawyers and the Boredom of Legality" was published in *Social and Legal Studies*; and "The Critic's Love of the Law: Intimate Observation on an Insular Jurisdiction" was published in *Law and Critique*. "Courting Death" was published in *Courting Death: The Law of Mortality*, edited by Desmond Manderson and published in 1999 by Pluto Press of London. "Salem und Byznce: Eine Kurze Geschichte der Beiden Rechte" was published in *Wissenbilder: Strategien der Uberlieferung*, published in 1999 by Akademie Verlag.

Malvina Halberstam participated in a conference of the American branch of the International Association of Jewish Lawyers and Jurists, moderating a panel on "Judging and Judaism: The Influence of a Judge's Jewish Background and Values on the Adjudicative Process."

Marci Hamilton spoke on "Religion and Local Government" at the annual meet-

Goodrich



Herz: “The Consummate Academic Administrator”

Michael Herz was appointed associate dean for academic affairs in 1996 when Frank Macchiarola was still at Cardozo’s helm. He stayed on as second in command to David Rudenstine, who served as dean *ad interim*, and was promoted to the newly created post of senior associate dean shortly after Paul Verkuil became dean in 1997. Herz’s ability to stay the course and ensure continuity through three deans, while managing both the academic and administrative sides of the Law School, all with good humor, has been the legacy of his tenure. Now after four years of juggling administrative duties and teaching first-year and upper-level courses, he will take a leave, during which he will visit at NYU School of Law.

David Rudenstine was himself dean of academic affairs when he recommended Herz for the position. “When I was appointed interim dean, it was a very rough time for both Michael and me because we were both so new at our jobs. Michael was an extremely strong support and very helpful. During the past three years, he has done a Herculean job.”

Dean Verkuil praised Herz as the consummate academic administrator. “He is thoughtful, creative, and has excellent judgment. All in all, Michael is the kind of person who respects, preserves, and

enhances Cardozo’s reputation and, at the same time, gets the job done.”

According to Herz, the job holds many rewards. “There are three things that I have especially enjoyed,” says Herz. “First, the Law School has become a much stronger institution in the last four years and, although the deans deserve the lion’s share of the credit, it has been gratifying to be part of the team. The second is that from the dean’s office, you see a whole new and fascinating side of the institution—there is much more to the Law School than the classroom. And, finally, there’s the variety. Every day there are at least 10 new and completely unrelated tasks that arrive on my desk. There’s always a new challenge in this job.”

When asked why he was now going to spend a year as a visiting professor at NYU Law School, Dean Herz said, “I’m looking forward to having more time for teaching and writing. Being associate dean has cut into my scholarship enormously. I am also curious to see how another school runs. And, wonderful though Cardozo is, having been here for 12 years, I’m looking forward to a change of scene and returning after a year refreshed and ready for new challenges.”



DENNIS WILE

ing of the National League of Cities; on “Free? Exercise, Religion, and the Public Square” at William and Mary Law School; and on “The Constructive Role of Religion Vis-à-Vis the State” at a conference, “Constitutional Rights in South Africa,” held in Cape Town. She was co-chair of and participated in a roundtable at the US Patent and Trademark Office on “Intellectual Property Law and the Eleventh Amendment.”

Her topic was “Copyright and the Constitution” for the New York City Bar Committee on Literary Property and Copyright.

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Melanie Leslie’s article “Enforcing Family Promises: Reliance, Reciprocity, and Relational Contracts” was published in the January 1999 issue of the *North Carolina Law Review*.

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Lela Love, who sits on the NYS Unified Court System

Alternative Dispute Resolution Advisory Committee, is co-chair of the subcommittee on qualifications and training for neutrals. She was co-chair of the ABA section of the Dispute Resolution Conference Legal Educator’s Colloquium and spoke on “Effective Teaching Strategies for ‘Traditional’ Dispute Resolution Classes.” She participated in several panels at the Association of American Law Schools’ Annual

Meeting, including ones on preventive lawyering, alternative dispute resolution and estate planning, and mediation and probate disputes. Her recent publications are “Images of Justice” in the inaugural issue of *Pepperdine Dispute Resolution Law Journal*; “Training Mediators to Listen: Deconstructing Dialogue and Constructing Understanding, Agendas, and Agreements” in the January 2000 *Family and*

Conciliation Courts Review; and "Should Mediators Evaluate?: A Debate Between Lela P. Love and James B. Boskey" in the *Cardozo Online Journal of Conflict Resolution*.

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Michel Rosenfeld was the keynote speaker at "Democratic Transition and Consolidation in Central and Eastern Europe: 1989-1999" held at the University of Fribourg in Switzerland in December 1999. He presented "New Models of Constitution Making in Europe" at The Hebrew University's Institute for European Studies and "Hate Speech in Constitutional Jurisprudence: A Comparative Analysis" at the International Conference in Commemoration of the 78th

Birthday of Yitzhak Rabin in Tel Aviv. At a conference on municipal government and religious education at the Constitutional Court in Rome, he presented "Constitutional Constraints on State Aid to Religious Education." He participated in a working seminar on Constitutional Adjudication and Democracy from a Comparative Perspective at NYU School of Law. In May and June, he returned to Europe where he lectured at the University of Montpellier, France; ESADE in Barcelona, Spain; and Central European University in Budapest, Hungary. He spoke about his book, *Just Interpretations*, which has been translated into Italian, at the University of Palermo Law School and presided over a roundtable



Leslie

of the International Association of Constitutional Law in Lisbon, Portugal.

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Suzanne Last Stone published a book review of *Rational Rabbis: Science and Talmudic Culture* in The Hebrew University's journal of philosophy, *Iyyun*. She spoke about Jewish classical attitudes towards the



Weisberg

death penalty at a panel on "Law in the First Millennium" at the annual meeting of the Federal Bar Council. She presented a paper, "The Interaction of Religious and Civil Law" at The Hebrew University and Tel Aviv University Law Schools' joint conference on "Religion, Secularism, and Human Rights."

Toni Fine Named Director of Graduate Programs

Toni Fine, who has been associated with NYU School of Law for seven years, has been appointed director of Graduate and International Programs at Cardozo. At NYU, where she was associate director of the Global Law School Program and acting director of the LL.M. Program in Comparative Jurisprudence, she developed curriculum and student foreign exchange programs, organized international conferences, recruited and admitted LL.M. students, and coordinated visits by prominent international scholars.

At Cardozo, Ms. Fine will expand the LL.M. Program and hopes to "develop coherent programs of study and ensure that international law students are well integrated into the domestic law school population." She continues, "I'm looking forward to working with the Cardozo faculty and administration to help vitalize and institutionalize the LL.M. Program here and to enlarging the international community at Cardozo while developing international programs that benefit the entire law school population."

This summer, Ms. Fine is teaching legal writing for Coudert Brothers' offices in Almaty, Kazakhstan. She is the author of *American Legal Systems: A Resource and Reference Guide* and many articles. She lectures frequently here and abroad on graduate legal education in the US and teaches legal research and writing and other lawyering skills.

Ms. Fine is the chair, AALS Section on Graduate Programs for Foreign Students, and a member of the executive committee, AALS Section on International Legal Exchange. She holds a J.D. with honors from Duke University School of Law and a B.A. from SUNY Binghamton. She is a member of Phi Beta Kappa.

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In the spring, **Richard Weisberg** spoke on civil litigation and public discourse at DePaul Law School, on "The Two Best Law Films of the Last Half Century" at the Popular Culture convention in New Orleans, and on *The Merchant of Venice* at the City University of New York, where he invited actors to play a portion of the trial scene on the basis of interpretations from a 1993 issue of *Cardozo Studies in Law and Literature*. This summer he delivered a paper at the quadrennial gathering on the Holocaust held at Oxford University, where he expanded on a chapter from his book *Vichy Law and the Holocaust in France*.