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## Dean's Update to the Northeastern University School of Law Community - Volume 3 Number 1 (2006-2007) - September 27, 2006

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## **Dean's Update to the Northeastern University School of Law Community Volume 3, Number 1 (2006-2007) - September 27, 2006**

For those of you who are new to this community: The purpose of these periodic updates is to tell everyone – faculty (including adjunct faculty), staff, students and graduates – what has been happening, what is coming up, and to provide information on matters that may not always be sufficiently transparent without additional communication. This is one way for students on co-op to keep up on developments. We are now distributing these updates to faculty and staff via email, to alumni/ae via a link from their website (and linked to the new monthly e-newsletter), and to students via the WeBoard. Please give me feedback: are there ways to make this more informative?

This update is organized in the following order:

- An introduction to the Class of 2009 and to our new Associate Dean for Academic Affairs, James Hackney;
- Current initiatives including the status of our strategic planning and ABA/AALS accreditation review;
- Updates on some of our programs and institutes;
- Upcoming events, speakers, conferences; and
- Updates on faculty, program, library, and administrative offices.

This year is my fifth year as dean. At the top of my own priority list for the year is to work with the new Northeastern President, Joseph Aoun, as he develops his vision for Northeastern University generally and for the School of Law more specifically. I will also be focusing on a more aggressive program for external relations and institutional advancement, as well as working with students, faculty and staff on a wide range of internal issues and on strategic approaches to addressing our needs. And I will (finally) be teaching, in the winter quarter. I have missed being in the classroom, and I am looking forward to it.

**The Class of 2009 has arrived!** Another diverse class of committed and smart students joined us this fall. Orientation was organized for the first time by Bettye Freeman, and it was a tremendous success. The combined student activities / 1L reception was wonderful, as faculty, staff and upper level students joined the new members of the community in animated conversation about where they had come from, what they might dream about while at NUSL, and where they imagine themselves going in the future. We are now analyzing the 1L responses to the -classes.

Although the national statistics show an overall drop in the number of people applying to law schools, a drop that we saw as well, we had many difficult decisions to make in selecting from a highly qualified and interesting applicant

pool. We know that this new group of students will add to the vibrant community here, making it a richer place to study law.

Some statistics on the Class of 2009:

Total applications: 3,354

Class size: 213

Average Age: 25

LSAT Median: 161

GPA Median: 3.41 (up from 3.36 last year)

Students of Color: 49 (23%)

Students over 25: 85 (40%)

Students over 30: 17 (6%)

**Welcome to Associate Dean James Hackney.** This year Professor James Hackney has joined the leadership team as Associate Dean for Academic Affairs. He will be working on curricular and academic issues (often with Bettye Freeman and Bill Greene), providing leadership for the Curriculum Committee and many of our academic initiatives, and working with Jim Rowan, Sara Sayess and me on various strategic initiatives for the law school. This associate dean position rotates within the faculty, and James will be replacing Dick Daynard, who served most capably for the last two years. Special thanks to Dick for his help in both our strategic planning process and the ABA/AALS accreditation review.

### **Key initiatives this year:**

**Strategic Planning and ABA/AALS accreditation.** Last spring Northeastern underwent its regular (every seven year) accreditation review with the American Bar Association (ABA). In preparation for the review, we developed a Self Study report that described our mission, analyzed the strengths and weaknesses of the School, and presented goals and plans for the future. In April, the site visit team met with many members of the NUSL community – students, faculty, staff, administrators of the University, co-op employers and alumni/ae – and were impressed with what they saw. In August we received the fact-finding report of the team, which indicates the problems we all know about with the facility, but is otherwise very positive about our program and the level of support – from faculty, students, staff and alumni/ae – for the mission and values of the school. We are now preparing our formal response to this report.

In the strategic planning process, we identified several major goals, and this year we are continuing to move on specific objectives that support these areas. Many of the initiatives outlined below are tied to the goals articulated during this planning process. For those who were not part of this process, the four goals are:

- To build, and be known for, the best model of experiential legal education in the US by melding theory and practice and building on the Cooperative Legal

Education Program, clinics, classroom / doctrinal teaching and community involvement;

- To be a national leader in key areas in which law affects the public good, both in training our students and in establishing ourselves as an intellectual center in social justice and public interest law;
- To train great and highly ethical lawyers; and
- To build the NUSL national and international community and reputation.

**Law School Facilities.** While a new building for the law school is still critical and remains on the long range horizon, we are now working on renovating nearby Dockser Hall, in order to provide an essential temporary solution to improve classroom and student space and bring the clinics back to the center of the law school's physical world. We expect that renovation of major systems in the building will occur shortly, followed by a more complete internal renovation of the rooms in order to accommodate classroom and office needs. We anticipate replacing the classrooms on the second floor of Knowles and the moot courtroom with new tiered classrooms and a more modern moot courtroom in Dockser; we will also be adding essential new seminar rooms, student organization space, and clinic space. And, yes, we are addressing some of the on-going concerns about wireless and other technology. Sara Sayess is representing us in meetings with architects and central NU staff, and she will be convening the Building Committee shortly to involve more people in the planning process. Dockser should be ready for use by early 2008 and renovation of some sections of Knowles will begin after that time.

**Legal Skills in Social Context.** The new Legal Skills in Social Context (LSSC) program greeted the first-year class this fall. This comprehensive training vehicle replaced both Legal Practice and Law, Culture and Difference. We have two key goals in this transition: to strengthen the teaching of legal writing and research skills; and to build the additional essential lawyering skills of critical thinking and oral advocacy that distinguished the two programs. The fall semester started off with a remarkable melding of curricular elements: A case taught in Property Law, *State v. Shack*, 277 A.2d 369 (N.J. 1971), is being used to introduce critical thinking skills in discussions with Lawyering Fellows (who have replaced LCD teaching fellows) and serves also as the basis for the first writing assignment in work with the new writing teachers, all of whom are experienced lawyers (who have replaced Legal Practice Teaching Assistants). The spring semester puts skills into practice: students draft an argument for summary judgment in a hypothetical scenario involving AIDS drug research and prepare a team-based detailed analysis of a social justice issue brought to the program by client organizations, including governmental agencies, non-governmental organizations and legal services providers.

**Experiential Learning & Co-op.** We are continuing to explore how to improve both the co-op processes and the integration of co-op and academic work at the law school. This year we will be piloting various approaches to develop and maintain communities of interest among students while out on co-op through online communication. We will also be providing faculty with a list of the co-ops that each student in their classes has done. Various other initiatives have a longer timeframe: Margaret Burnham is working with Jerry Slater on the first year co-op curriculum; we are increasing our efforts to recruit new employers, including international placements; the co-op office is working the Program on Human Rights and the Global Economy on some new initiatives; and we are planning to bring in several outside experts to talk with us about additional opportunities that might serve to deepen the relationship between co-ops and classroom learning (and thereby meet the critical goal of training great lawyers).

One important element to improve processes is **bringing co-op online**. Jerry Slater and David McNeil are working with the Co-op Committee, Sara Sayess, and a number of students to redesign co-op processes so that much more can be done online. We are developing a searchable employer and jobs database, as well as a web-based communications system and electronic folders. We anticipate that we will be replacing the paper processes used by co-op now. We will be discussing the nature of these changes as we develop them through the year.

**Expanding wireless in Knowles.** In the next few months we will be expanding the wireless reach in Knowles to all floors of the library during the evening and weekend hours. This has been consistently requested by students. We will let you know the schedule once we are ready to put it into place.

**2 year rolling curriculum.** James Hackney is currently working on developing a two-year rolling curriculum for upper level courses that will provide more predictability and planning potential for both faculty and students. We will also consciously be retaining some flexibility for upper level courses. This curriculum will be discussed by the Curriculum Committee and then by the faculty and students.

**New NUSL on-line journals.** Under the banner of the Social Science Research Network / Legal Scholarship Network, Northeastern faculty launched a new online journal, Public Law and Theory Paper Series. James Hackney and Wendy Parmet are the editors, and Joe Miranda is the technical editor. The first issue, August 3, 2006, included articles by Wendy Parmet, Martha Davis, and Dan Williams. You can find the journal online on the SSRN website at:  
[http://papers.ssrn.com/sol3/JELJOUR\\_Results.cfm?form\\_name=journalbrowse&journal\\_id=868703](http://papers.ssrn.com/sol3/JELJOUR_Results.cfm?form_name=journalbrowse&journal_id=868703)

In addition, the Program on Human Rights and the Global Economy is launching a new online journal on Human Rights and the Global Economy. This specialty journal's editors are Hope Lewis, Wendy Parmet, and Rashmi Dyal-Chand.

**Solomon Amendment.** Last year, the U.S. Supreme Court upheld the demand of the military that law schools treat military recruiters exactly the way they treat all other employers, despite the fact that the military violates anti-discrimination policies of the schools. The court suggested that schools and students were free to continue to engage in all manner of speech with regard to this requirement, and the Association of American Law Schools has urged schools to engage in ameliorative activities. At Northeastern, compliance with this decision in no way implies our approval of the ‘don’t ask, don’t tell’ policy. If you would like information on our response, please contact Randi Friedman.

**External relations and institutional advancement.** In order to better coordinate our external activities with graduates, employers, prospective students, and others, we are convening a new team that will help coordinate these efforts. Representatives from Admissions, Co-op, Career Services, Development and Alumni/ae Relations and faculty will be represented. The goal is to expand and solidify contacts with alumni/ae, employers, and friends of the law school. We will be asking students to help us in this effort as well.

**Loan Repayment Legislation in Massachusetts:** For the past two years, Jeff Smith and Valerie Kapilow have worked with legal organizations, including the Boston Bar Association, on legislation that would provide some loan repayment assistance to lawyers working in the offices of legal services programs, public defenders, district attorneys, and the Office of the Attorney General in Massachusetts. A public hearing was held by the joint Judiciary Committee, and we had hoped that the bill would advance to the Ways and Means Committee. Sadly, that did not happen. We are now working with others to reintroduce the bill in this legislative session.

**Raising revenue through non-JD sources.** In addition to a more structured approach to fundraising and development activity, we are exploring possible revenue generating ideas for non-JD certificate programs with the NU School of Professional and Continuing Studies (SPCS). We are looking at some exciting opportunities that will not infringe on our core law school curriculum and faculty. Again, stay tuned.

### **News from the Programs and Institutes:**

**Note:** More information about speakers and conferences can be found under that separate heading.

**Program on Human Rights and the Global Economy (PHRGE).** Now in its second year, the PHRGE continues under the leadership of Dan Danielsen, Martha Davis, and Margaret Woo, who serve as Faculty Directors. They have mapped out a three-part vision for PHRGE, focusing on economic, social and cultural (ESC) rights: (1) to train the human rights lawyers of the 21st century; (2) to expand scholarship on ESC rights and the global economy; and (3) to promote

implementation of ESC rights locally, nationally and internationally.

Hope Lewis, the first PHRGE director, decided to resign from her position as faculty director in order to focus on scholarly writing. Under her leadership last year, PHRGE and the Massachusetts Association of Black Judges co-hosted a roundtable discussion on children's rights for state court judges with Chief Justice Pius Langa of the South African Constitutional Court and Justice Roderick Ireland of the Massachusetts Supreme Judicial Court. Based on the enthusiastic response, PHRGE plans to make the roundtable an annual event. In August, PHRGE worked with the acoustic band Adam Ezra to put together a successful fundraiser at Club Passim in Cambridge.

PHRGE has also been exploring international human rights law concerning the right to counsel in civil cases. Professor Davis published an op-ed on the issue - also known as Civil Gideon - in the August 7 *National Law Journal*. Now, working with PHRGE faculty, several students are assisting with preparation of a report on international law and Civil Gideon, as well as an amicus brief to be filed in the Washington State Court of Appeals in a pending right to counsel case.

Looking ahead, PHRGE will sponsor the Gordon Lecture on Human Rights, with this year's lecturer, Dean Harold Koh of Yale Law School, scheduled to speak on April 2, 2007. PHRGE is also cosponsoring a human rights training for Massachusetts state legislators on April 27, 2007; the training curriculum will be put together by an LSSC student team. Finally, a return visit by Professor Gerard Quinn, an international human rights leader with special expertise issues of disability, is being planned for early 2007.

**Public Health Advocacy Institute.** PHAI keeps moving on both the tobacco and obesity fronts. An amicus brief will be submitted to the Supreme Court in *Philip Morris v. Williams*, based on a much-downloaded PHAI article on why punitive damages against tobacco companies should not be limited to single-digit multiples of compensatory damages. Dick Daynard traveled last month to India, Nepal and the Philippines, carrying the message that human rights treaties - as well as the new Framework Convention on Tobacco Control - commit states to protect the health of nonsmokers. Two first year LSSC student groups are working on PHAI projects, one to help determine appropriate policies and legal actions to protect kids who are exposed to secondhand smoke, the other to identify school food policies that impact childhood obesity.

The **Public Health Advocacy Institute and Tobacco Control Resource Center** merged earlier this year. PHAI's overall mission is to improve the understanding, commitment, and effectiveness of policymakers and lawyers in protecting the public health. The original PHAI was founded in 2002 by faculty at Northeastern University School of Law and at Tufts Medical School Department of Community Health as an independent research and advocacy institute.

## **Upcoming Events, Conferences, Speakers:**

The **Northeastern University Law Forum** public lecture series, again coordinated by Professor Margaret Woo, will welcome:

September 28: Leading human rights and health activist and scholar Dr. Paul Farmer, founder of Partners in Health. Noon-1:30 in Room 97 Cargill. All are welcome.

October 19: A showing of Abby Ginzburg's award-winning film, "Soul of Justice." The film is a profile of US District Court Judge Thelton Henderson, the first black attorney recruited for Bobby Kennedy's Justice Department. The filmmaker and Judge Henderson will join us for this showing. More information is available at <http://www.soulofjustice.org>.

Additional NU Law Forum events are being planned for November and December. Please check the Master Calendar at <http://www.slw.neu.edu/news/mastercalendar.pdf> for specific NU Law Forum information.

October 13-14: **Domestic Violence Institute 15th anniversary reunion.** The reunion is for NUSL graduates (and some from other area law schools) who participated in a DVI program or course, including the Domestic Violence Clinic, the Boston Medical Center Program, Battered Women and the Law, and Advanced Family Law Litigation. A reception at NUSL is planned for the evening of October 13 and a conference at the School will address current trends in the law regarding domestic violence and sexual assault.

November 3-5: The **Public Health Advocacy Institute** will hold its fourth annual conference on legal approaches to the obesity epidemic. The topic will be "Targeting Kids: The Food Industry and Children's Diets."

Events sponsored by the **Office of Alumni/ae Relations:**

October 5, 6-7 p.m.: Award winning professor and former dean, Michael Meltsner, will read from his memoir, *The Making of a Civil Rights Lawyer*, which describes his experiences as a civil rights attorney in the 1960's.

November 8: Dan Danielsen will present, "How Corporations Govern: Taking Corporate Power Seriously in Transnational Regulation and Governance" to an invitation-only alumni/ae event in New York.

November 18: NUSL alumni/ae and the School of Law will host a half-day conference focused on Labor and Employment law and the key issues in this field. Top practitioners from across the nation will present "hot" topics and offer their insight and expertise. Possible topics include: employment of legal and

undocumented immigrants; a dialogue between private alternative dispute resolution providers and judges; and the challenges of working in-house for corporations and unions.

Information on these and other events planned for Fall 2006 can be found at the alumni/ae website at [http://www.slaw.neu.edu/alumni/calendar\\_of\\_events.html](http://www.slaw.neu.edu/alumni/calendar_of_events.html)

This year, the **Carol and Richard Daynard Visiting Public Interest Fellows** program will again bring us two exciting public interest practitioners for multi-day visits:

January 24-26: James Bell, founder and Executive Director of the W. Haywood Burns Institute

March 14-16: Judy Scott '74, general counsel to the Service Employees International Union

And finally, save this date: This year's Valerie Gordon Human Rights lecture will be delivered by Harold Koh, Dean of Yale Law School, on April 2, 2007.

### **Faculty Colloquia**

In addition to the events and speakers listed above, the faculty hold a colloquium series in which invited speakers present works in progress to the faculty. This year (and last), Margaret Burnham has organized the series. This year, Fall speakers include: Sanford V. Levinson, University of Texas, "Where the Constitution Goes Wrong" (Comment: Peter Enrich); Eric Blumenson, Suffolk University, "Killing in Good Conscience" (Comment: Daniel Givelber); Paul Butler, George Washington University, "The Future of Justice" (Comment: James Hackney); Daniel Schaffer, Northeastern University, "Developments in International Taxation" (Comment: Dan Danielsen); Jennifer Levi, Western New England School of Law, "Sex Discriminatory Dress Codes" (Comment: Clare Dalton). And after January 1: Tseming Yang, Vermont Law School, Topic: TBA (Comment: Lee Breckenridge); Deidre Smith, University of Maine, "Expert Medical Testimony in ADA Cases"; Rashmi Dyal-Chand, Northeastern University, "Property Formalization" (Comment: James Rowan); C. Edwin Baker, University of Pennsylvania, "Media Concentration: Why Ownership Matters" (Comment: Michael Meltsner); Dan Danielsen, Northeastern University, Topic: TBA.

For a list of last year's colloquium series, see the news and events pages of our website: (<http://www.slaw.neu.edu/news/>)

### **Recent Events:**

In recognition of Constitution Day, the School of Law held a panel discussion, "A Constitutional Challenge: Right to Counsel in Civil Cases?" on Monday, September

18. Professors Martha Davis and David Hall were joined by Russell Engler, a member of the faculty of New England School of Law. Associate Dean James Rowan moderated.

For spring 2006 events, please check the news and events pages of our website: (<http://www.slaw.neu.edu/news/>).

### **Faculty and Staff Updates:**

Professor Taylor Flynn departed the law school this summer and returned to Western New England Law School for family reasons. Professor John Flym has retired to Paris. We miss both these colleagues immensely and wish them the best. We have begun a process to hire visiting professors for next year while we address some budgetary concerns and work to define faculty hiring goals that will best support our strategic vision for the future. We anticipate hiring full-time faculty next year to fill these positions.

This year, Professors Roger Abrams, Libby Adler, Wendy Parmet, Mary O'Connell, Deborah Ramirez and Steve Subrin are on sabbatical or leaves. This is about the usual number of leaves, although next year (2007-08) we only anticipate two sabbatical leaves (Jim Rowan and Dick Daynard).

Each of the faculty members on sabbatical is working on an important book or other research project. Two of them are using the opportunity to use new and unusual sources for their work. Mary O'Connell has arranged to spend time at U Mass Memorial Health Care in Worcester continuing her work with the Family Law Education Reform Project by contributing to the preparation of interdisciplinary modules for use by law professors in expanding the coverage of current family law courses. Roger Abrams is in Cooperstown to be Scholar-in-Residence at the National Baseball Hall of Fame and Museum, where he will have access to all of the Hall's collection of 2.6 million items related to baseball history. (Most likely Jeff Smith, also an avid baseball fan, will plan a field trip to visit!)

### **Staff Updates:**

Brian Surette left in September for a wonderful opportunity at MIT, Kim Kortick is staying home with her new baby, and Evelyn Wiley is also moving on. We welcome Maureen Underhill as senior budget analyst and the return of Stephen Evans, who now serves as assistant to the dean. Fabiola Attime is replacing Evelyn Wiley as a faculty secretary and will start on October 2, 2006. Janis Galligan is taking on a revised director's role and will be providing support to program and events, as well as continuing to provide administrative support on facility and personnel issues. A top priority currently is finding the right replacement for Kim and Janis will be working with faculty as this process develops.

### **Department Updates:**

Coop: Our international presence continues to grow with 20 students completing co-ops abroad in 12 countries spanning five continents in the last year. Domestically, we've welcomed 47 new co-op employers within the last year in both the public and private sectors, and Amy Goldstein continues to develop co-op opportunities for those interested in assisting with post-Katrina relief efforts. Gwyneth Troyer ('06) recently received the Outstanding Intern of the Year Award from the Federal Defender's Office in Chicago for her work on co-op last Fall, and Megan Bremer ('07) received a Northeastern University Outstanding Graduate Student Award for her work on co-op with UNICEF in Darfur, Sudan. For additional new initiatives, see above.

Career Services: Every year, Career Services surveys the most recent graduates to obtain their employment status six months after graduation. The class of 2005 employment rate is an impressive 97 percent. Thirty-eight percent of the class accepted post-graduate employment from one of their former co-op employers, and the percentage of graduates doing public interest work remains high (16 percent). This summer, 29 second-year students were summer associates at large law firms. This is a significant increase over the prior two years (20 in summer 2005 and 19 in summer 2004). Valerie and Randi met in the spring with a group of student representatives from the SBA who volunteered to be in an Ad Hoc Career Services Advisory Group. The students gave the office helpful feedback on ways to increase student attendance at Career Services programs and ideas about how to encourage students to meet with the office for career counseling. In the future, the Career Services Advisory Group will meet with the office on a quarterly basis. Dorothy Morgan is on maternity leave this fall; Cynthia Tow '05 is doing a wonderful job of filling in.

Law Library: In the past year, the Law Library welcomed reference librarians Alfreda Russell, a wonderful, very experienced law librarian and Kyle Courtney, an enthusiastic new J.D.-M.L.S. holder. Kyle is the technical contact person for the law school's subscription to ExpressO, a service to allow electronic submission of articles to law reviews. Sharon Persons is now acting as Co-Director and Research Specialist for the new LSSC program. She has been working extremely hard to develop a new research curriculum for the first year law students to teach them the legal research skills they need in LSSC, on co-ops, and in practice. Farha Hasan is working on the Reference Desk part-time where she can assist users in legal research.

The Law Librarians and the Law Library staff shifted books to create a far more usable collection with some room for growth. All state materials and regional primary materials are now on the second floor, rather than scattered throughout the library, and should make research for 1Ls easier and more convenient.

The Law Library added online access to 23 BNA reporters and newsletters in July 2006. Access to these and other electronic resources is available on the law

library's Licensed Electronic Resources web page at <http://www.slaw.neu.edu/library/license.htm>. Law Library staff continue to add new journal titles to TDNet, the library's e-journal finder service.

The Law Library's technical services librarians and library staff have been enriching NuCat, the library's online catalog, to add access to electronic resources. This is part of the library's continuing evolution from print to electronic information access. We are loading records with links to digital titles in LLMC-Digital, HeinOnline, Lexis, and Westlaw into the catalog so that researchers can better find primary documents, journals, and treatises. We have also loaded records for the library's large CIS microfiche collection of congressional publications.

Development and Alumni/ae Relations: The 2005-2006 year closed on a positive note. In spite of the terrible weather, Alumni/ae Reunion Weekend of May 12 - 13 attracted the highest turnout in recent memory, with more than 350 alumni/ae returning to the school. The Annual Giving Program enjoyed an equal level of success. Reversing four years of steady decline in alumni/ae participation, 1,456 alumni/ae made gifts in '05-06 for a participation rate of 29%, an increase of 6% over the previous year. The program raised \$469,989, a record for NUSL. Alumni/ae Relations has planned an expanding number of events for this academic year, some of which are mentioned above in the events section of this Update. This month we hosted two successful events in Anchorage, AK, with over 50 guests and one in Seattle, WA with 35 guests.

Communications: *Northeastern Law Magazine* was honored by the Council for Advancement and Support of Education District One with a 2006 silver medal for best magazine design. The Publications Management Magnum Opus awards, in cooperation with the Missouri School of Journalism and McMurry, honored the magazine with a silver award for best cover, "Death Wish," winter 2005, and bronze award for best use of black and white photography in "Bar None" in the summer 2005 issue. The magazine was also one of four finalists for the Association of Educational Publishers Best Magazine Design award.

That's about it for now. I hope you all find wonderful ways to enjoy the fall before winter descends!

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