

Brooklyn Law Notes

THE MAGAZINE OF BROOKLYN LAW SCHOOL | SPRING 2021

GENERATION



STRONG

When historic events upended their legal education,
the Class of 2021 persevered and forged ahead

Also inside:
THE NEW LAWS OF ROBOTICS



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Dean's Message



DURING THIS LAST YEAR-PLUS of the COVID-19 pandemic, life often has seemed to transpire in a perpetual present, in which time has little meaning. So many of us labor just to plod through each day to get to the next, which will mostly resemble the previous day and the day to follow. One could start to feel like Bill Murray in *Groundhog Day*, or, to reach further back, like Macbeth: “Tomorrow, and tomorrow, and tomorrow / Creeps in this petty pace from day to day.” Sounds about right.

Yet, with the arrival of spring, and some signs that the tide of the pandemic is finally turning, it seems there is once again occasion for us to lift up our gaze and look forward. As this issue of *Brooklyn Law Notes* emphasizes, the future is well on its way. Here at the Law School, we're ready for it, and helping others prepare for what lies ahead.

I often think of my faculty colleague Frank Pasquale as an emissary from the future, sent here to advise us on what our modern tools for gathering and analyzing massive quantities of data might do for us, and to warn us about what they might do to us. He is among the leading contemporary scholars thinking through the complex relations between science and law to ensure that humans can exploit the uses of technology while preventing the use of technology to exploit humans. The excerpt from his important new book, *New Laws of Robotics*, featured in this issue, offers his vision of how we might navigate these important issues in a productive and ethical way.

“Our graduates are sure to serve, and lead, our profession with skill and grace for decades to come.”

I'm also certain that when you meet the class of 2021 graduates in our second feature story, you will share my belief that the future is in good hands. The abilities and achievements of our graduating class would be impressive under any circumstances, but after taking into account what they have endured and overcome, you will find their accomplishments nothing short of extraordinary. I have seen firsthand their resilience, dedication, passion, and aptitude—not to mention their patience with me and my colleagues, as we have done our best to manage the Law School through these difficult months. Our graduates are sure to serve, and lead, our profession with skill and grace for decades to come.

As we look ahead and begin to contemplate our return to campus, I sincerely and quite literally hope to see you, our alumni, and dare to anticipate a time when we can gather again in groups large and small. I have been delighted and deeply appreciative to witness how many of you have remained engaged with the Law School from afar by attending virtual events, offering individual mentorship, and continuing to help us and our students with your professional support and personal philanthropy. I am eager as well to hit the road when it is safe to travel and meet you in gatherings around the country.

Until then, all best, stay safe, and be well.

Michael T. Cahill
President, Joseph Crea Dean, and Professor of Law

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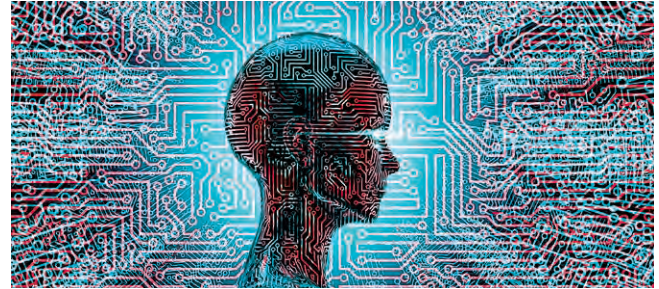
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Meet nine members of the Class of 2021 who are forging ahead and making the most of their legal education.



The New Laws of Robotics *p. 24*

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Editor-in-Chief
Clorinda Valenti
Executive Director of Communications

Managing Editor
Dominick DeGaetano

Contact Us
We welcome letters and comments about articles in *Brooklyn Law Notes*. We will consider reprinting brief submissions in print issues and on our website.

Contributing Editors
Peggy Swisher
Rosemarie Yu

Digital Editor
Kyle Rivers

Design
Amy Schraub

Contributors
David Bryant
Nanette Maxim
Caitlin Monck '02

TEL: 718-780-7966
EMAIL: communications@brooklaw.edu
WEB: www.brooklaw.edu

Photographers
Janna Ireland
Todd McVey
Michael Meyer
Natalie Roberson
Conor Sullivan

MAILING ADDRESS
Brooklyn Law Notes Editor, External Affairs
Brooklyn Law School
250 Joralemon Street
Brooklyn, NY 11201

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NEWS

CRIMINAL LAW CAREERS

BUILDING YOUR PRACTICE

NYC REAL ESTATE

JD ON WALL STREET

January Jumpstart

PROMOTING DIVERSITY AND INCLUSION
IN THE LEGAL PROFESSION

SPORTS & ENTERTAINMENT LAW

Alumni and Faculty Offer Career Guidance to Students

MORE THAN 200 alumni, students, and faculty convened online over winter break for the inaugural January Jumpstart career development program. The three-day program featured engaging conversations with alumni leaders and faculty on breaking into the legal job market and seizing opportunities to advance professionally. The sessions explored an array of topics, including careers in intellectual property law, health law, criminal law, entertainment, and finance, and featured panels on clerkships, entrepreneurship, and attorney well-being. Breakout groups gave students and alumni an additional opportunity to obtain career mentoring.

The program culminated with the panel “Promoting Diversity and Inclusion in the Legal Profession,” led by Dean Cahill and featuring **David Djaha '88**, managing partner at Ropes & Gray; **Gloria Greco '98**, global wealth and investment management compliance and operational risk executive at Bank of America; and **Alphonzo Grant '98**, managing director of the legal and compliance division in the global litigation group at Morgan Stanley.

“Concrete quantitative goals are an important part of any diversity and inclusion initiative,”

said Grant. “On Wall Street, you learn that the numbers are the fundamental essence of how you track success. You need to, as a team, set a target, and then have a conversation on how you are going to reach those goals.”

Concurrently, the Career Development Center ran a mock interview program, giving students experience speaking to alumni employers, who offered advice for navigating a virtual interview.

For a list of all the alumni panelists, go to www.brooklaw.edu/jumpstart

“There is a real opportunity for recent graduates and young associates right now. If you're successfully navigating all of the new challenges in the workplace, you show that you are a superstar.”



— **Colleen Caden '99, Partner & Chair of the Immigration Group, Pryor Cashman**



AT THE INAUGURAL Summit on Building an Antiracist Curriculum in January 2021, students and faculty gathered on Zoom to explore how the curriculum could change to remove bias and help create a culture of inclusion in the legal profession. The Curriculum Committee invited the entire student body to the half-day meeting to discuss their views on the effects of racism on their education at the Law School and their ideas on how the academic program can move toward integrating antiracist content and instruction.

Reforming the curriculum is one of the key efforts initiated by the faculty after the adoption of its anti-bias resolution in August 2020. In the resolution, the faculty acknowledged that “as educators, we must learn and grow as we ask our students to learn and grow. Being antiracist must be an active, daily pursuit.”

“We are thinking about how we can actively change our society to end systemic racism,” said Maryellen Fullerton, the Suzanne J. and Norman Miles Professor of Law, who chairs the Curriculum Committee. “We need to do this, both as a faculty and as students who will soon be members of the bar.”

Curriculum Committee student members Jordan Khorshad ’21, Brian Brown ’21, and Xinxin Zhou ’21 spearheaded efforts to examine possible changes in curricular emphases and course materials, enriching the curriculum in order to develop actively antiracist graduates.

“The faculty have placed a premium on actual student impact,” said Khorshad. “This is a real opportunity to shape the direction of our school, and I’m grateful for the opportunity.”

The summit began with a plenary session, moderated by Zhou, in which the Curriculum Committee, along with the faculty’s Diversity and Inclusion and Professional Development Committees, reported on efforts so far.

“We will enable the institution to be antiracist not just by creating rules, but by sharing information,” said Dean Cahill in his opening remarks. He pointed to the faculty’s commitment to diversifying itself as another positive move in changing the Law School’s culture. “That, in addition to formal changes that we make, will have an effect on our curriculum.”

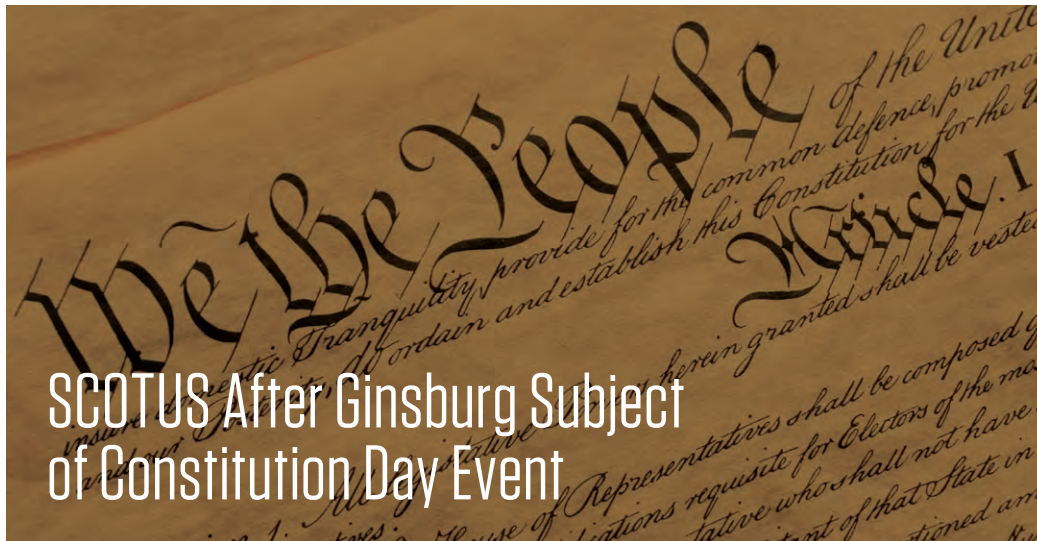
The plenary session was followed by small group discussions led by student facilitators, in which students were free to openly discuss issues of racism and inequality in the classroom and curriculum.

The Curriculum Committee will use the feedback to incorporate student perspectives into its future actions as they implement the faculty resolution.

“This is work for all of us,” said Karen Porter, Arthur Pinto & Stephen Bohlen Associate Dean for Inclusion and Diversity. “It will take all of our efforts and engagement as an institution to think of what changes are needed.”

Brooklyn Joins NYC Law Schools in Antiracism Consortium

THE LAW SCHOOL has joined with the 10 New York City-area law schools to form the Law School Antiracism Consortium, a coalition of law school faculty, administrators, staff, students, and alumni committed to building an antiracist culture and climate in law schools and actively confronting the extent to which racism impacts legal education. The organization provides resources for law schools to support students and alumni of color; identify, confront, and explore the impact of racism on law; and center racial justice as a guiding principle and a concrete practice in every area of legal education and the legal profession.



SCOTUS After Ginsburg Subject of Constitution Day Event

AT THE LAW SCHOOL'S annual Constitution Day event in October 2020, constitutional law faculty engaged in a lively discussion of the direction of the United States Supreme Court after the death of Justice Ruth Bader Ginsburg, as well as issues related to the pandemic and the 2020 presidential election. Professors Susan Herman, William Araiza, and Wilfred Codrington III explored the major cases on the Court's docket this year, including those with an impact on voting rights and public health.

Herman, who was named the inaugural Ruth Bader Ginsburg Professor of Law in October, reflected on the late justice's legacy. "Justice Ginsburg [was] the fifth vote in a range of highly important cases," she said to the audience of students, faculty, and staff gathered online. "There's reason to wonder how the changing composition of the Court will affect the law in many areas."

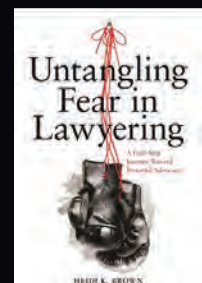
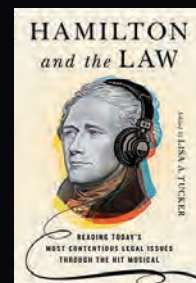
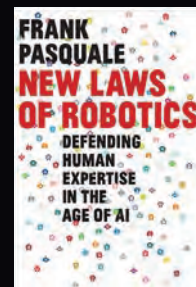
Araiza spoke of how the recent shift on the Court, with Justice Amy Coney Barrett taking Ginsburg's place, would have a generational impact. "We really are on the precipice of a potential major change in the Court's direction," he said. "It'll be fascinating to see, and quite impactful on both your careers and your lives."

Books by faculty authors featured in the festival

Brooklyn Book Festival Highlights Faculty Authors

FOR THE NINTH CONSECUTIVE YEAR, the Law School served as host and sponsor of the Brooklyn Book Festival, a popular event that draws thousands of authors, booksellers, and readers from around the country to Brooklyn Heights and Downtown Brooklyn. This year, the festival was held online, presenting free programming that featured an array of national and international literary stars and emerging authors.

Brooklyn Law School hosted the panel "Technology's Past and Future: The Need for Justice and Insight," a discussion of the intersection of law and technology, moderated by Vice Dean Christina Mulligan, and featuring Professor Frank Pasquale. They were joined by Charlton McIlwain, vice provost and professor of media, culture, and communication at New York University, and award-winning author Joanne McNeil. They explored how the development of algorithms and artificial intelligence has changed everyone's daily lives. (See p. 22 for an excerpt of Pasquale's new book, *New Laws of Robotics: Defending Human Expertise in the Age of AI* [Harvard University Press, 2020].)



Student Competitions

Moot Court, ADR, and Vis Teams Pivot and Prevail in Online Competitions

AFTER THE INTERRUPTION of the in-person competition calendar, the Moot Court Honor Society (MCHS), Alternative Dispute Resolution Honor Society (ADRHS), and Willem C. Vis International Commercial Arbitration Moot teams arrived in the fall 2020 semester ready to compete on a new virtual playing field. In an evolving online circuit, these teams racked up victories and gained national recognition.

Alternative Dispute Resolution Teams Excel in Virtual Meets

In what was only the organization's second year, ADRHS teams successfully navigated the challenges of virtual competitions, placing in two prestigious competitions and building a national reputation. Teams representing the Law School advanced to the semifinals in the International Chamber of Commerce (ICC) International Commercial Mediation Competition and took the top prize in the regional round of the American Bar Association Client Counseling Competition.

"Although it's not ideal, we've made the most of the virtual competitions by being flexible," said ADRHS President Robert Butlien '21. "We've been very lucky to have a really enthusiastic, motivated, and passionate group of people. The coaches have done an outstanding job of facilitating simulations, keeping everyone engaged, and keeping the teams in a competitive headspace while still making it fun."

The ICC International Mediation Competition is, according to Butlien, the most prestigious

competition on the team's docket. The students were evaluated by an international panel of professional mediators on test cases that were strategically developed on the basis of real-world disputes. Out of the 48 teams from 39 countries, Brooklyn Law School's team was one of four to move on to the semifinal round. Adding to its achievement, it was one of the few teams in the competition to be entirely student-led. Team members Susan Kritzmacher '21, Melissa Ronan '21, and Noelle Stone '21 were coached by Butlien and Katherine Teng '21.

At the ABA Client Counseling Competition, students are judged on their practical skills in a simulated client intake meeting. The Law School was represented by Taylor Arluck '22, Sari Kreutzer '22, Camille Mangiaratti '22, and Audrey Ziar '22, along with coaches Jonathan Callaway '21 and Eliza Simons '21. They advanced to the national competition in March 2021.

Elite Oralists Dominate at Vis International Moot

Out of the 387 teams participating in the Willem C. Vis International Commercial Arbitration Moot, the Law School's team had the fifth-highest overall score and was one of only four U.S. teams to

advance to the Round of 64. Kerry Hardman '21, Elise Lindenmayer '21, Rene Macioce '21, and Ashley Schilling '21 won honorable mention for placing in the top 5 percent of oralists, the

only team to have all four members receive awards. The team was coached by adjunct faculty members Louis Kimmelman and Dana MacGrath.

"This is one of the best performances a Brooklyn Law School team has had in the Vis Competition," said Stacy Caplow, associate dean of experiential education. "Even without a trip to Vienna [the competition's usual host city], our team excelled."

ADRHS Teams Take Honors in National Competitions

ABA Arbitration Competition—First, Second, and Third Place

Team 1: Allie Bravi '22, Megan Feeney '21, Daniel Landau '21, Evan Tancil '22, *coached by* Jill Davis '21, Melissa Ronan '21

Team 2: Thomas Emmons '22, Spencer Goodson '22, Alex Rahmanan '22, Meghan Johnke '22, *coached by* Patrick Kelly '21, Katherine Teng '21

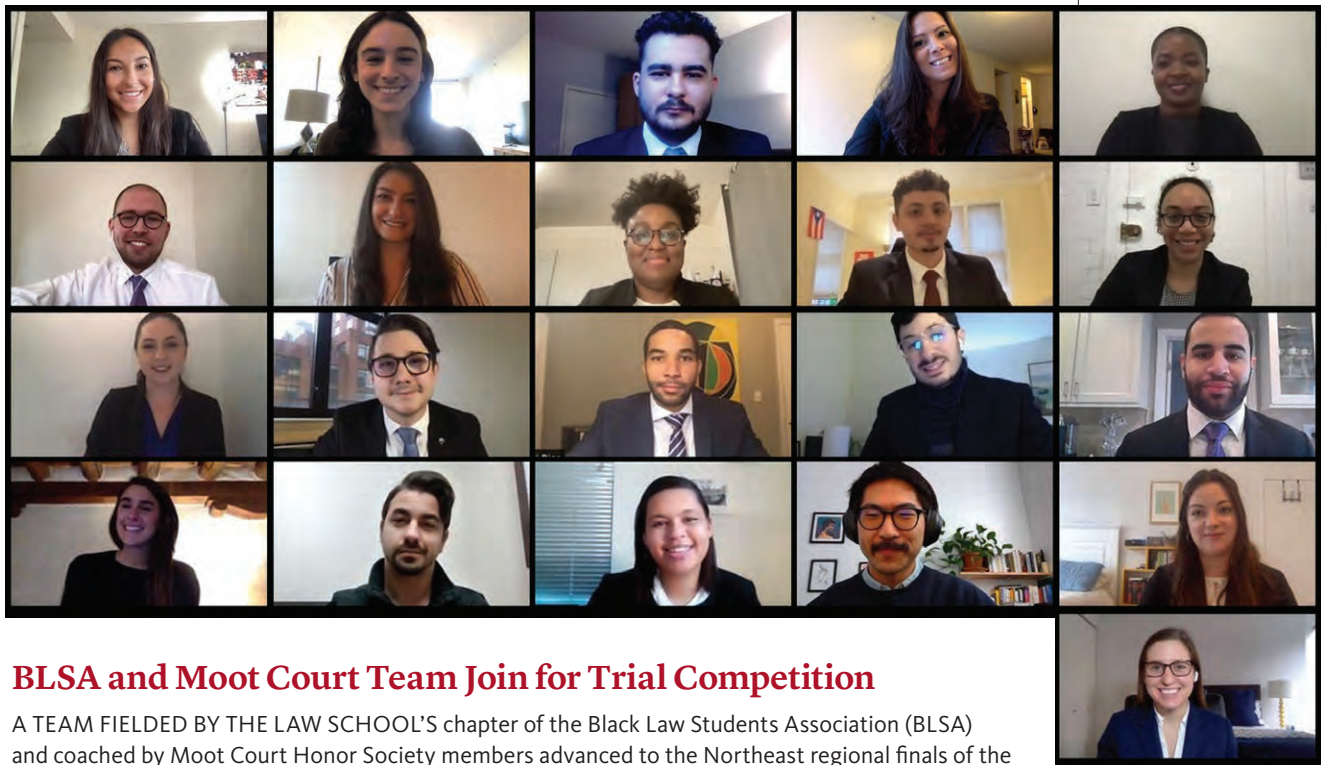
Team 3: Sari Kreutzer '22, Jahi Liburd '22, Olivia Rose '22, Xinxin Zhou '22, *coached by* Susan Kritzmacher '21, Eliza Simons '21

Houston Law Center Mediation Competition—First Place

Participant: Jordan Johnson '20, *coached by* Noelle Stone '21

Tulane University School of Law Professional Football Negotiation Competition—Second Place (out of 40)

Team Members: Michael Meyers '22, Yaroslav Radtsevich '22, *coached by* Alexa Bennett '21, Drew Fryhoff '21



Brooklyn Law students log in to virtual competitions

BLSA and Moot Court Team Join for Trial Competition

A TEAM FIELDLED BY THE LAW SCHOOL'S chapter of the Black Law Students Association (BLSA) and coached by Moot Court Honor Society members advanced to the Northeast regional finals of the National Constance Baker Motley Mock Trial Competition. Named in honor of the first woman of color to serve as a federal judge, the competition provides law students with a platform to develop their trial skills within a compressed time frame.

The team members were Shanni Lynch '24, who was recognized for best opening statement in the competition, Gita Miller '22, Kristen Wallace '23, and Keanu Velez '24, coached by Kimberly Kramer '21, MCHS President Jacob Nunziato Warren '21, and Semyon Davydov '21.

Moot Court Honor Society Hosts Inaugural House Cup

IN OCTOBER 2020, MCHS held the first-ever Brooklyn Law House Cup Competition. Launched by the MCHS executive board to address gaps in the competition calendar created by the COVID-19 pandemic, the House Cup pitted four of the Law School's trial teams against one another in a competition. Fifteen alumni and faculty volunteers served as judges and jurors. Hon. Ramon E. Reyes, Jr. '92, magistrate judge of the U.S. District Court for the Eastern District of New York and member of the Law School's Board of Trustees, judged the championship round.

"We knew we needed to provide a venue for all the energy our peers were putting in to prepare for the fall season," said MCHS President Jacob Nunziato Warren '21. "Our alumni really came through for us, and the competition was a great success. Now we have a blueprint for events like this for future executive boards to follow."

The winning team's members were Jane Dowling '22, Sydney Segal '22, Carl Wu '23, and Regina Yu '23, coached by Andrew Ramstad '21, Mollie Hamel '21, and Fiona McFarland '21. Alexa Ornelas '22 won recognition as the best overall advocate and for delivering the best opening statement. Bernadette Schneider '22 won for best cross-examination and best closing statement, and Michelle Lepkofker '22 for best direct examination.

Moot Court Team Honors

All-Star National Trial Team Competition—Third Place

Team: Josephine Baldwin-Beneich '22, Francesca Esposito '22, Daniella Kolmykova '22, and John Rossler '22, *coached by* Layla Noriega '21, Jacob Nunziato Warren '21, and Michael Luongo '19

Estrella Trial Advocacy Competition—First Place

Team: Josephine Baldwin-Beneich '22, Jane Dowling '22, Jared Gershowitz '22, and John Rossler '22, *coached by* Michael Luongo '19 and Isabella Katzenberg '21

Fordham Law School Judge Paul Joseph Kelly Jr. Invitational Trial Competition—Best Overall Cross-Examination

Robert Austrian '21

Georgetown University Law Center White-Collar Crime Invitational—Honorable Mention, Best Overall Advocate

Elias Rios '22

New York City Bar Association's National Moot Court Competition, Appellate Division—Quarterfinalists

Team 1: Sarah Colgan '21 and Michael Yoon '21, *coached by* Kristina D'Angelo '21

Team 2: Sarah Lavy '21 and Samuel Weinstein '21, *coached by* Emily Vaught '21

Clinical Speaker Series Highlights Developments in the Field



Professor Minna Kotkin
Navigating Unemployment
Insurance and Back-to-
Work Issues



Professor David Reiss
How to Incorporate
a New York Not-for-Profit
Corporation



Professor Prianka Nair
Disrupting Myths
about Disability
and Incarceration



Professor Susan Hazeldean
Recent Changes to LGBTQ
Parents' Rights in New
York State



Professor Debbie Bechtel
Co-op and Land Trust
Structures for
Affordable Housing



Professor Stacy Caplow
Post-Election Prospects
for Immigration Law



Professor Faiza Sayed
Detention and Separation
of Immigrant Children
and Families



Professor Sarah Lorr
Exploring Racism
and Ableism in
Child Welfare



Professor Jonathan Askin
Representing
Bootstrapped
Startups

A NEW PROGRAM for the fall 2020 semester, “Clinical Speaker Series: The Law in Action,” organized by Professor Prianka Nair, co-director of the Disability and Civil Rights Clinic, and Clinic Administrator Julia DeVito, brought the Law School community together to learn about developments in the law related to clinical faculty members’ areas of expertise. The program, which was open to the entire Law School community, also offered students a forum for discussing the issues they were encountering in their clinics.

“We wanted to create an opportunity for students and practitioners to come together and talk about what law in practice looks like and to create a sense of community during this difficult time,” said Nair. “The conversations that resulted were thought-provoking and stimulating.”

Corporate and Real Estate Clinic Closes \$2.2M Green Housing Loan for Williamsburg Building

AFTER TWO AND A HALF YEARS of representation by the Corporate and Real Estate Clinic, a 41-unit building in Williamsburg owned mostly by low-income tenants closed on a \$2.2 million loan through the City’s Green Housing Program in December 2020. The loan will finance energy efficiency improvements and needed upgrades, including a new roof and windows, solar panels, and facade repairs.

Under the supervision of the clinic’s director, Professor Debra Bechtel, students Brian Brown ’21, Melissa Cifone ’21, Huyen Dang ’21, and Austin Manna ’21 negotiated a complex deal involving three separate government loans. At the closing, the City of New York was represented by **Michael Chau ’00**. Stewart Title Company, where Alumni Board member **Tim Oberweger ’05** is a vice president, insured the property title.

The clinic initially became involved in the Williamsburg project when students began advising the tenants about co-op conversion options, pursuing a real estate tax exemption, assisting with a predevelopment loan, and satisfying mortgages. The student teams on the project included **Briana Stapleton ’19**, **Brenda Slochowsky ’19**, **Sarah Zehentner ’21**, **Jaime Dinan ’20**, **Michael Nashewit ’20**, **John Caruso ’19**, **Yu Xie ’20**, and **Nicole Ventura ’20**.

“I’m so proud of the dedicated efforts of our clinical students, both past and present,” said Bechtel. “The pandemic has posed many challenges as well as created great need for our services, and our students have met the challenges head on.”

Intellectual Life

Each semester, the Law School offers a robust calendar of intellectually rich and dynamic programs sponsored by its centers and institutes, fellowship programs, and journals. Led by our nationally recognized faculty, the programs feature leading scholars, jurists, and practitioners exploring critical topics in diverse areas of the law and policy.

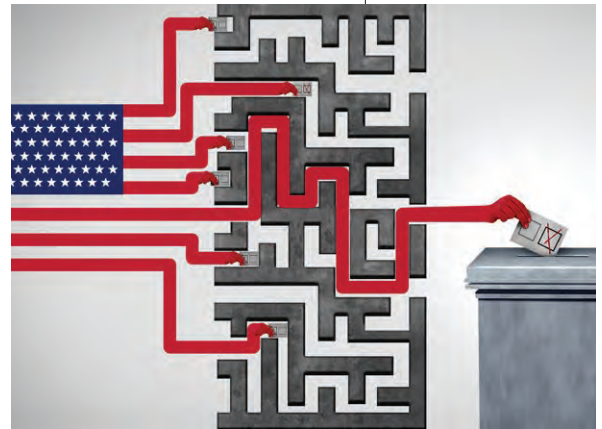
Sparer Forum Considers Urgent Election Law Issues

AMID THE EXCITEMENT AND ANXIETY of the U.S. presidential election, the annual Sparer Forum in September brought together election law experts and activists to discuss the major issues and challenges facing voters in November. The forum, hosted by the Edward V. Sparer Public Interest Law Fellowship Program, focused on how structural barriers to voting and systemic disenfranchisement of minority and other marginalized communities have limited local, state, and federal democracy, and discussed the work that will be needed to move forward.

The panelists included Professor Wilfred U. Codrington III; Christina Asbee, director of assistive technology and voter access programs at Disability Rights New York; and Jan Combopiano, deputy director at Worth Rises, a nonprofit criminal justice advocacy organization.

“This year, we celebrate 100 years since the ratification of the 19th Amendment, and 55 years since the passage of the Voting Rights Act,” said Codrington. “These were profound manifestations of democracy in action, but we still have a lot of work to do before we can make good on their promises of broad inclusion and equality and have a government of, by, and for all of the people.”

The panel was moderated by Professor Cynthia Godsoe, director of the Sparer program, and Sparer Fellow Meredith Wiles '22. Godsoe organized the event with Sparer Fellowship Committee members Codrington and Professor Prianka Nair, co-director of the Disability and Civil Rights Clinic.



Symposium Explores the Effect of Internet Platforms, Fintech, and Politics on Consumer Welfare

IN NOVEMBER 2020, the Center for the Study of Business Law and Regulation and the *Brooklyn Journal of Corporate, Financial & Commercial Law* hosted the virtual symposium Consumer Welfare, Market Structure, and Political Power. At the two-day event, legal scholars explored how internet platforms, online lenders, and other powerful market players influence the law of consumer contracting, product liability, antitrust, and civil procedure, and affect people's daily lives.

Topics covered by the presenters included forced arbitration in consumer contracts, fintech and consumer credit, Amazon's role as a warrantor of items sold by third-party sellers, the failure of the economic measurements of consumer welfare in antitrust, and the history

of state law class actions.

The symposium was organized by center co-director Associate Dean Edward Janger, with Professors Frank Pasquale and Aaron Twerski among those who presented papers. At the conclusion of the program, Janger and Professor K. Sabeel Rahman joined a roundtable discussion tying together the common themes found across the presentations.

The symposium participants included scholars from U.C. Berkeley School of Law, Georgetown University Law Center, Indiana University Maurer School of Law, Loyola University of Chicago School of Law, and Fordham Law School, and a founding principal from the law firm Gupta Wessler.

Panel Asks, “Is Criminal Justice Possible?”

IN THE WAKE of one of the largest protest movements in United States history last summer, the Center for Criminal Justice assembled a panel to present different perspectives on possibilities for the criminal legal system. The panel, moderated by center co-director Professor Jocelyn Simonson, grappled with the question posed in the event’s title, *Is Criminal Justice Possible?*

“Due to tectonic changes in our country, *criminal justice* is no longer a term that you can use and assume that everyone knows what you mean,” said Simonson. “This is due to social movements and uprisings, most centrally the Movement for Black Lives, as well as decades of organizing by people directly affected by the carceral state who question the notion that criminal justice is possible.”

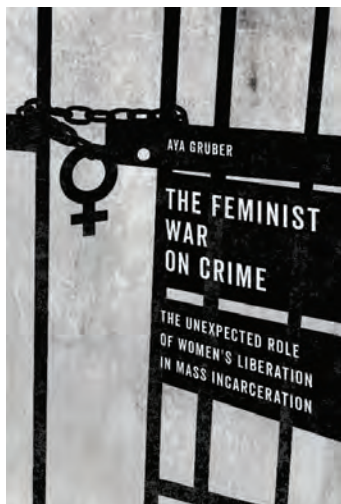
The panelists represented many organizations working in the area, including the Brooklyn District Attorney’s Office, the Center for Justice at Columbia University, CUNY School of Law, University of Connecticut School of Law, and Freedom Agenda at the Urban Justice Center. Topics included prosecution-driven reform; anti-Black racism and racial disparities in the system; the debate between reform and abolition; and the relationship between policing, prosecution, and incarceration.

“The question of punishment is not just a matter of whether a person engaged in criminality is a suitable candidate for punishment,” said Dean Cahill, whose academic work focuses on criminal law. “It is also a question about what we need to demand from the state before we will afford it the authority to impose punishment.”

The Center for Criminal Justice Hosts *Feminist War on Crime* Author Aya Gruber



Author Aya Gruber



THE CENTER FOR CRIMINAL JUSTICE hosted Aya Gruber, professor of law at the University of Colorado Law School, to discuss her recent book, *The Feminist War on Crime: The Unexpected Role of Women’s Liberation in Mass Incarceration* (Cambridge University Press, 2020). In her book, Gruber examines the conflict between the punitive impulse of “legal feminism” and the issue of hyper-incarceration in the United States, and, in doing so, critiques the state’s ability to combat sexual and domestic violence through law and punishment.

Kate Mogulescu, professor of clinical law and co-director of the center, moderated the discussion, calling the book “important and necessary.”

“As lawyers, we understand that our legal frames are necessarily state-centric,” said Gruber. “We should be careful about successes within that system and the strategy of reform from within. While many of the reforms proposed by feminists have made the carceral state more feminist, they certainly also made feminism more carceral.”



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Business Law Program Blows the Whistle on White-Collar Crime

WITHOUT WHISTLEBLOWERS, government enforcement agencies lose the ability to promptly and effectively address corporate wrongdoing and hold high-level corporate officials accountable for malfeasance. That concern served as the backdrop for the Center for the Study of Business Law and Regulation's panel discussion *Corporate Whistleblowing 2020: Where We Are Today and Where We're Going*. This panel of practitioners, scholars, and a former government prosecutor examined the role of employees and insiders in disclosing fraud, bribery, and other complex and sophisticated schemes.

"We all like to imagine ourselves as heroes, but when the boss tells an employee to cover up wrongdoing, the mind has a great capacity to rationalize such behavior and avoid confrontation," said Professor Miriam Baer, who organized and moderated the event. "Whistleblowing as a practice can build moral fortitude. It reminds employees of their responsibility to protect the firm from internal wrongdoers and provides them with a viable path out of an otherwise intractable puzzle."

The panel's wide-ranging discussion focused on corporate whistleblowing in both the United States and the European Union and explored the laws and government institutions that manage the process and the behavioral incentives to suppress or come forward with pertinent information. Among the panelists was **Winston M. Paes '03**, a partner at Debevoise & Plimpton and the former chief of the Business and Securities Fraud Section at the U.S. Attorney's Office for the Eastern District of New York.



Law School Hosts Leading Private Law Theorists to Discuss Works in Progress

A GROUP OF LEADING PRIVATE LAW SCHOLARS from across the continent were invited by the Law School for the eighth North American Workshop on Private Law Theory. The virtual workshop, held once a year to discuss works in progress, was sponsored by the Center for the Study of Business Law and Regulation and organized by Professor Andrew Gold.

The workshop drew scholars from University of Virginia School of Law, New York University School of Law, University of Pittsburgh, Rutgers Law School, University of Alberta, Queen's University (Canada), and Fundação Getulio Vargas Law School (Brazil). They discussed works in progress on topics including "Property and Local Knowledge," "Resistance and Recognition in Contract," "Procedural Wrongdoing," and "Contract Law, State Capacity, and Inequality." Brooklyn Law School was represented by Gold, as well as Dean Cahill, Vice Dean Christina Mulligan, and Associate Dean Edward Janger.

"I'm delighted that the conference was such a success, especially under difficult conditions," said Gold. "The quality of papers and discussion made for a very exciting event."



Professor Andrew Gold

Wanda Denson-Low '81

Commitment to Change

FOR WANDA DENSON-LOW '81, attending Brooklyn Law School meant returning to the brilliant diversity of her hometown. The Queens native and Bronx High School of Science graduate came to the Law School after receiving her bachelor's degree in chemistry from Rensselaer Polytechnic Institute (RPI). There she was often the only woman and the only person of color in a 200-person lecture hall. While the vibrant energy just outside the Law School's gates inspired the native New Yorker, it was a different story inside the classrooms of 250 Joralemon Street, where she was one of only seven students of color in the incoming class of full-time students. This time, however, she resolved to change that.

As vice president of the Law School's chapter of the Black Law Students Association, she worked with other members to arrange the Law School's first minority recruitment event. Given a modest budget, they bought refreshments and distributed handmade flyers promoting the event to students at local colleges. The successful event eventually grew into part of the Law School's admissions programs and helped to increase the number of applicants from communities of color.

Today, Denson-Low continues that commitment to higher education as vice chair of the board and chair of the audit committee at RPI, and, with her husband, Ron Low, through her support for scholarships at the Law School for students from underrepresented groups.

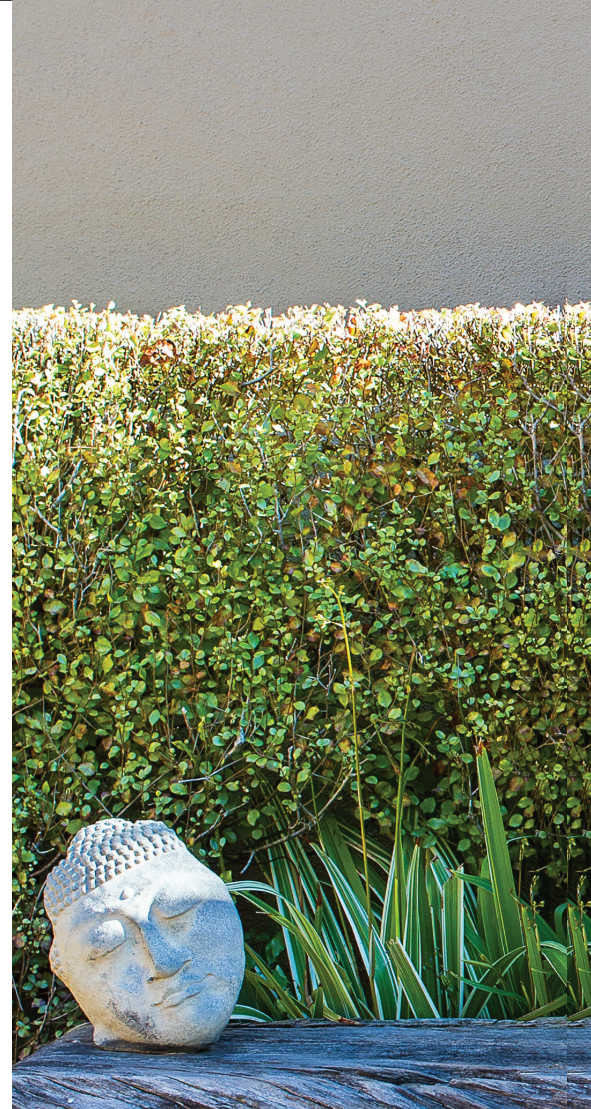
"Growing up during the Civil Rights Movement, we were taught by our families that, from elementary school to higher education, things were going to be tough for us," said Denson-Low. "Not because the work was challenging, but because the circumstances under which we had to learn were challenging. So, we went into institutions of higher learning with our eyes open, knowing that if things were going to change, we had to be the people to change them."

After her first full-time job out of law school at Union Carbide, where she was one of the first women of color to work as a patent attorney, she joined Hughes Aircraft Company in 1984. Within five years, she was promoted to chief patent counsel, making her the nation's first woman of color to serve in that role for a Fortune 500 company. In 1992, she became a vice president of the company, again the first woman of color to do so.

Denson-Low moved to Boeing after it acquired Hughes's Space and Communications division in 2000, serving as its general counsel. There, she held a succession of leadership roles, culminating in her appointment as senior vice president of Boeing's Office of Internal Governance. In this role, she was

responsible for the oversight of the Global Compliance, Internal Audit, Ethics and Business Conduct, and Risk Management departments for what was at the time the largest exporter in the country.

Throughout her career, it has been critical to Denson-Low that she not only look ahead to new challenges, but offer assistance to those who follow her. Early in their careers when their children were young, she and her husband, also an attorney, sacrificed to save money to set up small scholarships through local bar associations to cover book fees. As their careers progressed, the couple expanded their efforts in number and amount, endowing scholarships at RPI and the National Asian Pacific Bar Association in addition to other charitable giving. Denson-Low also mentored a sprawling



“We went into institutions of higher learning with our eyes open, knowing that if things were going to change, we had to be the people to change them.”



network of professionals and students in both the legal and STEM fields and used her time and resources to ensure access to education for people of diverse backgrounds.

“People fought and died for us to be able to attend integrated schools and institutions of higher learning,” said Denson-Low. “So, not only did we have a responsibility to attend school, but, once we were able to financially, we felt we had to help others do the same.”

In 2016, Denson-Low and her husband created 10 scholarships to help recruit promising applicants to Brooklyn Law School. The recipients received not only the funds, but also, after meeting with Denson-Low and her husband at a breakfast arranged by the Law School, her mentorship.

“Meeting the students felt like the realization of our dream to help someone,” she said. “We’re still in touch with some of those students today.”

Now in retirement after a trailblazing career, Denson-Low is more committed than ever to increasing access to higher education. This year, she and her husband have contributed to the Law School’s Diversity Initiative by creating four new scholarships to support students from underrepresented groups. Two of those scholarships will continue in perpetuity, laying the foundation for their son, Cameron Low ’19, to continue their legacy. She is also helping to build a pipeline between her two alma maters to encourage more diverse students and students with STEM backgrounds to study law.

“I feel a responsibility to the Law School because I had some modicum of success, and I want to help ensure that students who have the acumen and the talent have that same opportunity,” said Denson-Low. “What I’ve learned through all this engagement is that although I can’t change the past, I can change the future for the students who might come.” ■

— *Dominick DeGaetano*

Sonia Low '98

The Energy on the Floor

IN 2014, GOING TO THE JACOB K. JAVITS CONVENTION CENTER seemed like a long journey to Sonia Low '98. She had won a spot in that year's New York City Marathon lottery and would need to go there and back from her office in downtown Manhattan during her lunch break to pick up her race bib. The last time she had visited the far West Side venue was the year she took the New York State Bar Exam. The first time she visited the Javits Center, she was attending her graduation ceremony from the Bronx High School of Science.

"It was my first marathon, and I was initially dreading it," said Low, "but the feeling of camaraderie, excitement, and energy from all the people in line, from across the world, coming together for this event, was amazing."

Now, Low plays a crucial part in creating that energy. In 2019, after serving for several years in-house as general counsel of a restaurant hospitality company, she took on the role of vice president, general counsel, and corporate secretary at the Javits Center. In her first year, in addition to her regular duties, she dedicated time to walking the event floor and observing the employees and activities as part of learning the day-to-day business of the Javits Center. She also participated, and continues to participate, in the legal aspects of its massive expansion project, which was already underway and set to be completed in May 2021.

In March 2020, as the threat of the COVID-19 pandemic engulfed the city, the Javits Center was activated by the New York State government. Fulfilling its role as a public benefit corporation, it converted into a medical station to help relieve the building pressure on the city's hospital system.

With her job description changing overnight, Low joined with her executive team to meet the challenge of the crisis. As the Javits Center's staff set up walls and hospital beds, she oversaw the contracts and insurance agreements that would allow more than 15 government agencies, including the U.S. Army Corps of Engineers and the Federal Emergency Management Agency, to use the site as a base for New York's coronavirus response.

"In terms of the work that we perform, all of this was very different yet familiar," said Low. "The Javits Center is known as the destination to be and where you can load an event, in and out, very quickly, and be able to get the next show in. In some ways, this was one of our largest shows, and we were happy to play a significant role."

After the first wave of infections subsided in New York, the Javits Center moved on to its next challenge: reimagining the role of New York's premier event space during a time of social distancing. As the medical station beds and ventilators were put into storage, Low worked on agreements to transform one of the special exhibit halls into a live broadcast studio, allowing clients to hold remote events with top-notch production values.

"The broadcast studio was an opportunity for us to go in different directions and really think outside the box about how to expand the services we provide," said Low. "All companies need to reevaluate their business model from time to time, particularly due to changes in technology. As a public benefit corporation, the Javits Center has a mission to serve the citizens of the State and City of New York by generating new business and employment opportunities and catalyzing the continued redevelopment of the local community."

A lifelong New Yorker, Low received her undergraduate degree from Columbia University. She worked as a paralegal in the Manhattan District Attorney's Office and for criminal defense attorneys before attending Brooklyn Law School on a merit scholarship. She quickly embraced all of the opportunities available, including serving as an editor of the *Brooklyn Journal of International Law*, taking internships with the U.S. Attorney's Offices in both the Eastern and Southern Districts of New York, and participating in a clerkship with Hon. Ronald Ellis of the U.S. District Court for the Southern District of New York.

"Brooklyn Law School equipped me to embrace new challenges, and to not be

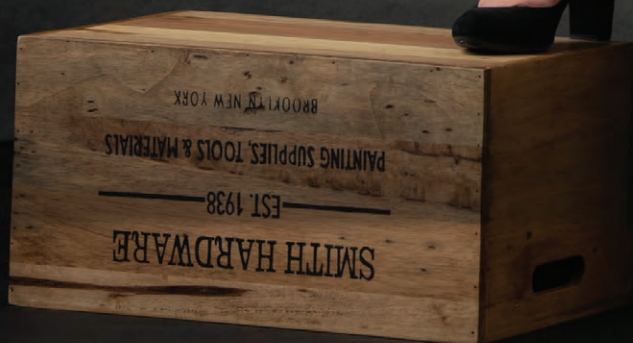
afraid to go outside of my comfort zone and jump in when I need to take on challenges that come my way,” Low said.

In January, Low had to pivot once again to help transform the Javits Center into the state’s largest vaccination site. At the time this issue went to press in May, over 500,000 New Yorkers had been inoculated at the site. While still in the midst of a historic crisis, Low finds the energy in the space palpably different.

“There’s a sense of optimism for the future we didn’t have last spring,” said Low. “We are helping New Yorkers to come out again. The city is always changing and evolving. You have to work at it to keep up with it, but that work is what creates our sense of community, unity, and resilience. Whether it is 9/11, Hurricane Sandy, or any of the other tragedies we’ve experienced as a city and a state, New York always comes together, and it always bounces back stronger.” ■

— *Dominick DeGaetano*

“Brooklyn Law School equipped me to embrace new challenges, and to not be afraid to go outside of my comfort zone and jump in when I need to take on challenges that come my way.”



Zach Klein '11

On Home Ice

AS GENERAL COUNSEL for the New York Islanders and the new UBS Arena, Zachary Klein '11 has been rink-side for the National Hockey League team's decade-long journey to find a permanent home. The opening of the new arena in Elmont, N.Y., for the 2021–22 season begins a new chapter for a team that has won four Stanley Cups and culminates years of legal work by Klein representing key stakeholders in the team's future.

Klein's association with the Islanders began on the other side of the negotiating table. As an associate with Pannone Lopes Devereaux & West in 2012, Klein represented Nassau County in its attempts to redevelop the Nassau Veterans Memorial Coliseum, which had hosted the team since 1972, and keep the team in the arena. After those negotiations fell apart, Klein, still representing Nassau County, was tasked with overseeing the Islanders' departure from the Coliseum to Brooklyn's Barclays Center.

Under new ownership in 2016, the team rededicated efforts to find a permanent home on Long Island. Rebuilding their in-house legal team with an eye toward building a new arena, the new owners asked Klein, who came highly recommended by the outgoing general counsel, to join the Islanders front office as deputy general counsel. There, Klein helped assemble the winning proposal for the Belmont Park project, which will include the UBS Arena, a 250-room hotel, and more than 300,000 square feet of destination retail space.

"We put our blood and sweat into trying to keep the team in the Nassau Coliseum," said Klein. "Now, to pivot and work with the Islanders on the new arena has been very interesting and very exciting. My work on the Coliseum project led to my opportunity with the Islanders, so I'm very fortunate."

When he was named general counsel at the beginning of 2020, Klein never anticipated his first year in the role would be consumed by responding to a pandemic, protecting the health and safety of players and staff, and ensuring that construction of the new arena continued safely.

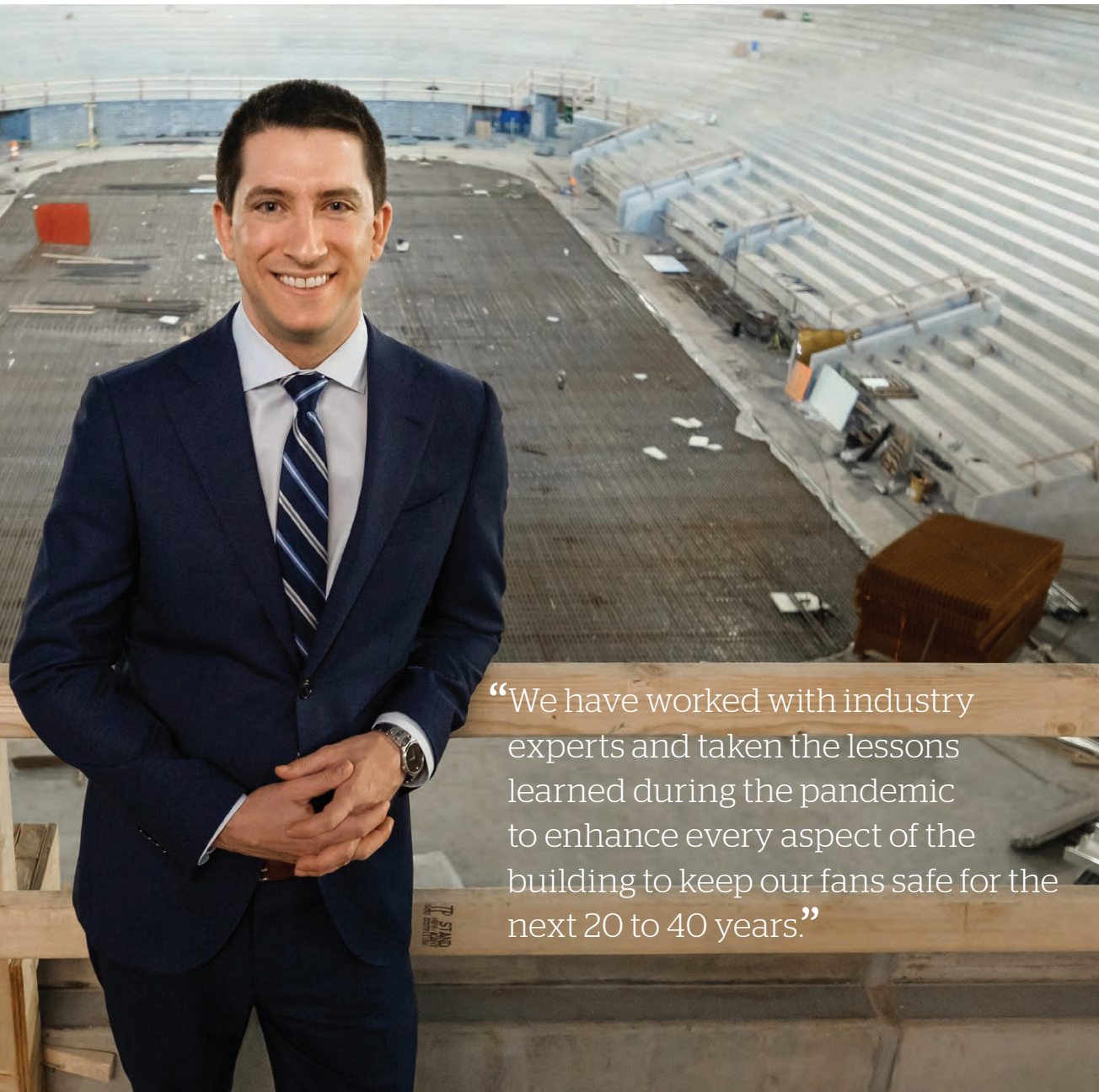
"Pre-COVID, on my first week on the job, I negotiated a contract to make sure there was childcare coverage during games, while also negotiating a multimillion-dollar credit agreement," said Klein. "That daily variety and uncertainty is what I love about the job. As things come up, you adapt and pivot to address the most pressing issue."



During spring 2020, construction on the new arena was paused for two months, not only for the safety of the crew, but to adjust construction plans and future-proof the building against public health threats. Even with the late addition of updated airflow and air exchange systems to minimize the threat of airborne diseases, construction is scheduled to finish this fall.

"We have worked with industry experts and taken the lessons learned during the pandemic to enhance every aspect of the building to keep our fans safe for the next 20 to 40 years," said Klein.

In February 2021, New York State



“We have worked with industry experts and taken the lessons learned during the pandemic to enhance every aspect of the building to keep our fans safe for the next 20 to 40 years.”

announced that fans would be allowed in reduced numbers to attend live sports. Klein is focused on the safety of fans and making sure the team complies with the State’s stringent requirements for attendance.

“We’re developing protocols for the whole fan experience, from when they buy a ticket to the time they’re sitting in the arena,” said Klein. “It will be unique, and it won’t be the same environment we were used to pre-COVID, but we are looking at every aspect to ensure that we take the right steps in the best interest of the fans.”

Klein credits assists from fellow alumni and his education at the Law School for

opportunities to advance in his career and hone his expertise. As a student, Klein clerked at Holland & Knight, where his work caught the attention of Josh Meyer ’96. When Meyer’s group left the firm to join Pannone Lopes Devereaux & West, they brought Klein along, hiring him as an associate upon graduation. He also worked alongside Jeff Gewirtz ’94, executive vice president, chief operating officer, and general counsel for BSE Global, which operates the Barclays Center, first during negotiations for the redevelopment of the Nassau Coliseum, and later as landlord to the Islanders. Now in the general counsel role himself, Klein has brought on Mackenzie Swenson ’15 as one of his associates.

“The whole package of what Brooklyn Law School offered me—the location, the educational opportunities, and the job prospects—checked all the boxes for me,” he said. “Since I’ve graduated, it continues to excel in all these areas.” ■

— *Dominick DeGaetano*



GENERATION STRONG

Suddenly finding themselves at the epicenter of a global pandemic and a renewed fight for racial and social justice, the members of Brooklyn Law School's Class of 2021 demonstrated remarkable focus, creativity, and resilience. Now, they are launching their careers prepared to lead in the law and beyond.

by Dominick DeGaetano

“THE JOURNEY YOU’RE STARTING ON TONIGHT WILL RE-CREATE YOU IN MANY WAYS. SOMETIMES YOU WILL FIGHT AGAINST THAT, AND OTHER TIMES YOU WILL BE WILLING TO BE CHANGED. BUT, AT THE END OF THREE OR FOUR YEARS, OR MAYBE SOMETHING IN BETWEEN, YOU WILL ALL BE DIFFERENT.”

The words of Associate Dean Stacy Caplow at the Law School’s August 2018 Convocation ceremony resonate today in ways the new students then in the audience, many of whom graduate in May 2021, never would have imagined.

The members of the Class of 2021 have been witnesses to—and participants in—history. As the devastating COVID-19 pandemic and mass protests against racial injustice roiled Brooklyn and the nation, students had to quickly adjust to the online classroom, as they also dealt with a range of sometimes dire circumstances on the home front, including illness, loss of employment, and even food insecurity. Meanwhile, they searched for jobs in an employment market reeling from the pandemic.

Despite these challenges, the members of the Class of 2021 remained more determined than ever to make the most of their legal education, support their classmates, work to advance diversity and inclusion at the Law School, and pursue careers that will make a difference.

Meet nine members of the Class of 2021 who, with their ingenuity, resilience, and stellar academic achievements, are ready to join the generations of graduates who weathered history-shaking times and went on to change the world.



HOMETOWN: Nesconset, NY

UNDERGRAD: Bard College

CAREER PLANS: Associate, Davis Polk & Wardwell

ACTIVITIES: Brooklyn Law Incubator & Policy (BLIP) Clinic, Community Development Clinic

INTERNSHIPS: Blank Rome; Coinbase; NYS Supreme Court, Commercial Division

FAVORITE BINGE WATCH: “I’m a huge *Dexter* fan. I keep it on in the background too often!”

SYDNEY ABUALY '21

While at Brooklyn Law School, Sydney Abualy discovered her passion for technology law. Her exposure to the borough’s tech and startup scenes led her to cofound the Law School’s chapter of Legal Hackers, which brings together lawyers and technologists to explore the intersection of law and technology.

“ During the pandemic, I stayed in Brooklyn. Of course, I was not expecting to spend my final semesters in law school working remotely, but I had a smooth transition, which I attribute to the Law School giving me the opportunity to stay grounded in the community and remain independent.

The pandemic compelled me to get creative around securing professional opportunities. Right before the pandemic hit, I went to a Wall Street Blockchain Association (WSBA) event at Linklaters discussing the federal regulatory landscape for crypto token offerings. It turned out that the organization was seeking help managing the efforts of more than 150 practitioners around the world. I joined them and took on that role, which gave me the opportunity to continue to explore the blockchain and digital currency space—building on my work at Blank Rome and leading to my internship at Coinbase. The rules of this nascent industry are still being developed, which calls for creative lawyering that is very interesting.

I can ascribe a lot of the opportunities that I’ve had to the connections I have made and the work that I’ve done. Finding innovative ways to develop professional relationships can further you in your career. But when you don’t have a Meetup group with startup founders at the Brooklyn Navy Yard to go to, what are the ways that you can stay in touch with people? Don’t be afraid to send an email to somebody you know in an industry you want to enter and ask for a cup of coffee over a Zoom call. ”



ZOE BERNSTEIN '21

Zoe Bernstein always had a healthy skepticism of “state power”—when she was 10 and her parents refused to put a telephone line in her room, she made her first protest sign to march in front of their television set. A first-generation college graduate, she says her keen interest in becoming a public defender drew her to Brooklyn Law School’s robust public interest programs and opportunities.

“ I got my first taste of criminal defense with the Criminal Defense and Advocacy Clinic, and I’m now in my fourth semester doing work connected to it. I’ve represented clients charged with prostitution-related offenses in the human trafficking intervention court in Queens, and worked with clients to vacate prior convictions, which were sometimes decades old. After New York State passed the Domestic Violence Survivors Justice Act in 2019, we helped clients use that new law to argue for resentencing.

Last summer, as part of my Brooklyn Law Students for the Public Interest Fellowship, I interned remotely at the Office of the Colorado State Public Defender. I worked directly under the head of the office’s sex litigation department, helping to advise practitioners and do advocacy work. I assisted a client who was being released after having been incarcerated since the 1970s, teaching him how to use a smartphone and other day-to-day skills.

In criminal law, you can come in with really firm ideas about who is a victim, who is a perpetrator, and what is a crime, but when you’re actually seeing the cases firsthand, it’s not as rigid as *Law & Order: SVU* would have you believe. Oftentimes, the perpetrators of harm are also victims themselves. The work complicates your view on things but, I think, in a good way, because you can challenge your own assumptions. ”

HOMETOWN: Denver, CO

UNDERGRAD: University of Colorado, Boulder

CAREER PLANS: Associate, Office of the Colorado State Public Defender

ACTIVITIES: Executive Articles Editor, *Brooklyn Law Review*; Criminal Defense and Advocacy Clinic

INTERNSHIPS: Legal Aid Society, Office of the Colorado State Public Defender, Mental Hygiene Legal Service

FAVORITE BINGE WATCH: “I have really leaned into my love of vampire TV shows.”

MARK BHUPTANI '21

Mark Bhuptani did not plan for a career in law. A Uganda-born chemical engineer working in the oil and gas industry in Houston, he found himself still looking for “the right challenge.” Drawn by the strength of its alumni network, he came to Brooklyn Law School, where he discovered a passion for intellectual property law.

“ My first summer, I worked at the New York Supreme Court Appellate Division, close to the Law School. I worked with Justice John Leventhal '79, who has a special interest in scientific matters in the courtroom. I helped him and his co-authors with their book for judges on how to admit complex scientific evidence in cases. Much of that material covered genetic engineering in the law, which inspired my note in the *Brooklyn Journal of International Law*. The tools for genetic modification are now out there, but they are minimally regulated, even in the United States. I wrote about this vacuum and suggested a potential regulatory framework that could address the challenges involved.

Earlier in law school, while we were still in the classroom, I was able to build some strong connections. During the pandemic, it’s been difficult to expand on those, but not impossible. I think it’s amazing that we can continue to learn and build relationships.

People in New York say that it takes 10 or 20 years of living in the city to become a New Yorker, but I feel like the pandemic cut that in half for me. Experiencing the city coming to a standstill was such a surreal experience, but watching everybody get through it together made me feel so proud to be part of the New York community. ”



HOMETOWN: Kampala, Uganda

EDUCATION: Worcester Polytechnic Institute, bachelor’s and master’s degrees in engineering

CAREER PLANS: Associate, Patent Litigation Group, Greenberg Traurig

ACTIVITIES: BLIP Clinic, LGBT Advocacy Clinic

INTERNSHIPS: NYS Supreme Court Appellate Div., Second Dept.; U.S. District Court, EDNY

PANDEMIC PET: “We got a COVID puppy, which helped make everything feel more normal.”



HOMETOWN: Queens, NY

UNDERGRAD: University at Buffalo, SUNY

ACTIVITIES: Corporate and Real Estate Clinic

INTERNSHIPS: U.S. Court of Appeals, Second Circuit; General Electric; NYC Employees' Retirement System; Redmond Law; Napoli Shkolnik

FAVORITE BINGE WATCH: "Rewatching *Grey's Anatomy*. There are a lot of seasons, so it never gets old for me."

BRIAN BROWN '21

At age 14, Brian Brown went along with his cousin, a criminal defense attorney, to a client visit. That experience set the Queens native on the road to Brooklyn Law School, where he has served in a variety of student leadership roles, including as a founding member of the new Student Advisor and Mentorship Program (SAMP).

“ Those of us who worked on SAMP set out to change the start of the law school experience. In the program, first-year students are assigned to an upperclass advisor, with whom they work for the entire year. The advisors conduct programs and workshops, covering topics like course registration and finding a summer internship. We also hold social events, so the new students can ease into the law school experience better.

As a student support coordinator, I oversee some of the programming for the student advisors who work with the first-year students. We're planning a program to match students with faculty advisors and are working with different affinity groups on campus to ensure that students from diverse backgrounds have access to all the resources.

It's been difficult advising students this year, because they are going through a dramatically different experience than we had in our first year. At the same time, a lot of aspects are the same. In some ways, there are even more resources available. Thanks to Zoom, students are able to attend more programs and get assistance more easily.

It's exciting to watch SAMP grow beyond the core group of folks who started it and become a part of the Law School's programming. The students have really appreciated its offerings, and the rising class of third-year students is eager to help the program continue next year. I hope that it can continue to evolve, grow, and be a valuable resource to students in the years to come. ”

JONATHAN CALLAWAY '21

Jonathan Callaway balanced two major commitments while studying at the Law School: a part-time position in Skadden, Arps, Slate, Meagher & Flom's marketing department, and flying for the U.S. Army National Guard. Callaway was mobilized by the Army three times during law school, but he never skipped a beat studying for his degree.

“ I don't come from a very prestigious background. I grew up in the middle of nowhere in a little trailer park town in Texas. No one else in my family has ever been to college. And while my family's been in the military since George Washington, no one else has ever been an officer.

I came to Brooklyn Law School because I felt it would be tolerant and accepting of me and my background, of who I am. People at Brooklyn don't treat people who don't fit the traditional mold of a law student like an outcast. I've made friends from all walks of life here.

It was hard to be an eager student in two radically different worlds, law and aviation. In three years, I feel like I've done nine years' worth of work. I would make flash cards so that anytime I had a free moment, I could be studying, polishing, and refreshing. During my first year of law school, I was sent on detachment to Georgia for a few weeks. On the aircraft that took us, each person was only allowed to bring a certain amount of weight, and two-thirds of my weight was my textbooks.

I know at some point I'm going to have a son or daughter come home and say that someone told them that they can't accomplish something, and I'll get to tell them not to listen. All you have to do is tell yourself you're going to do what you're setting out to do. ”



HOMETOWN: Princeton, TX

UNDERGRAD: Berkeley College, NY

CAREER PLANS: Experience Specialist, Skadden, Arps, Slate, Meagher & Flom; Judge Advocate, U.S. Army National Guard

EXTERNSHIP: Szaferman Lakind

POST-PANDEMIC PLANS: "In general, I need a monthlong vacation."



HOMETOWN: Garden City, NY

UNDERGRAD INSTITUTION: University of California, Berkeley

INTERNSHIPS: New York City Civil Court, Children’s Law Center Clinic, Legal Aid Society

FELLOWSHIPS: Brooklyn Law Students for the Public Interest (BLSPI) Fellowship, Marsha Garrison Family Law and Policy Fellowship

FAVORITE BINGE WATCH: *Bridgerton*

BRIDGET McDONAGH '21

As Student Bar Association (SBA) president, Bridget McDonagh used her voice to be an advocate and sounding board for her peers as they dealt with the daily challenges of the pandemic. She was among the first people the Law School administration would turn to for the student perspective on issues that would affect their experience.

“ My time in law school has underscored the importance of addressing both sides of an issue and asking for as many opinions as possible. As SBA president this year, I needed to advocate for all Brooklyn Law students. You can’t advocate for one side without also looking at the consequences of decisions on everyone involved. In some ways, the SBA acts as a liaison for students, connecting them to the people who can help them. Our peers know us, so they’re naturally more comfortable bringing issues to us than they would [be bringing them] to someone they don’t know as well.

For instance, students were concerned when the administration decided not to schedule a spring break this year, which they rely on to relax and catch up on work. So, the administration asked us if they should instead plan a break before finals. My executive board talked it over and canvassed our classmates, and the consensus was that people wanted that break—so we helped to make it happen.

Another example is pre-bar exam classes. The workload for those courses is sometimes tough to juggle with those from other classes that are worth more credits. We advised on different scheduling options for the assignments and on how they may impact grades.

These experiences have made me understand what I believe and what I really want in my career: to be in a position where my legal opinion matters, and where I can make a difference. ”

HYEZHIN RHEE '21

The child of diplomats, Hyezhin Rhee had already traveled the world and lived in multiple countries before starting college. A “global citizen,” she drew from that experience to chart her course in law school.

“ During my second year of law school, the Brooklyn Law School Asian Pacific Americans Law Student Association sent out an email from the Korean American Lawyers Association of Greater New York (KALAGNY) seeking a volunteer to help run their monthly pro bono clinics. Growing up, I was taught by my parents that, when you can, you have to be the source of happiness for others. When that email came in, I knew I had the opportunity to help.

Before COVID, I would go to the clinic, held at KALAGNY’s office in Manhattan, and help walk-ins, most of whom were Korean Americans. Many were not fluent in English, but I was able to utilize my Korean language skills to help.

Once the pandemic started, we had to stop providing the clinic for three months. That might have been fine for us, but that didn’t mean it was fine for other people. When there’s trouble, there’s more need for help. I helped the clinic adopt new technologies to continue serving the community during this hardship. With those resources, we could take virtual steps to lend help to our neighbors.

I think the pandemic taught us as attorneys the need to adapt. It was a chance for our generation to show to others that technology can help us be better lawyers. ”



HOMETOWN: Seoul, South Korea

UNDERGRAD: Emory University

ACTIVITIES: Brooklyn Law Incubator and Policy (BLIP) Clinic

EXTERNSHIPS: U.S. District Court, EDNY; the Fried Firm

LOCKDOWN SURVIVAL TIP: “Talk over Zoom with friends *who aren’t in law school.*”



HOMETOWN: Little Rock, AR

UNDERGRAD: Baylor University

CAREER PLANS: Associate, Phil Weiss Law

ACTIVITIES: Pro Bono Scholar at the City Bar Justice Center, Corporate and Real Estate Clinic, BLIP Clinic

NEW HOBBIES DURING LOCKDOWN: "Woodcarving! I love getting creative to keep my brain active."

CELESTE RUSSELL '21

Initially working in disease research at Hospital for Special Surgery, Celeste Russell realized that much of her work was directed by the legal framework of policy decisions. She enrolled at the Law School so she could gain the tools to shift the policy conversation and bring attention to the lack of financial resources available to marginalized communities.

“ For me, law school has been about gaining skill sets to assist marginalized communities and finding the gaps that people aren’t too concerned about in terms of justice and accessibility. Lots of folks are already working on health and housing policy, consumer fraud, and criminal justice reform. Those are great opportunities I will continue to support and advocate for, but I’m interested in working every day in the spaces that people aren’t thinking about, such as in tech law, data privacy, and trusts and estates.

As a part of the Law School’s Pro Bono Scholar program, I took—and passed—the bar exam in February and, since March 2021, have been working full time at the City Bar Justice Center assisting elderly low-income cancer patients [in drafting] wills, powers of attorney, healthcare proxies, and other end-of-life documents. Those services usually aren’t widely offered pro bono, due to the perception that only the rich have assets that they would want to leave their families.

I saw this firsthand during an internship with New York Legal Assistance Group my first year of law school. I worked on foreclosures, some of which were occurring because someone had passed away without an executor or a will. The fact that even in death, we continue to have disparities based on how much money we made in the world is a tragedy. This experience showed me how much this work is needed, and how much we need to expand these services for clients. ”

JEDEDIAH TIFFT '21

When Jed Tift first moved to New York City after college, he worked as a paralegal at Appellate Advocates. Inspired by his first taste of the law, and with an eye to the future, he decided to attend law school part-time in the evening while continuing to work with his immigration clients.

“ I was passionate about the work I had been doing as a paralegal, and thought I was going to become a public defender when I graduated. But things changed once I took on a few internships and explored areas outside criminal and immigration law.

During my internship with Judge Andrea Masley of the New York County Supreme Court, I sat in on a court hearing concerning the fallout of a merger transaction and became fascinated by the underlying details of the case. Until that point, I hadn’t thought of going down a corporate, transactional route. I read more and took classes in those areas, ultimately deciding that’s what I wanted to pursue.

My world turned upside down in the same way everyone else’s did in March 2020. Working remotely while also taking classes was not without its challenges. My summer associateship with Clifford Chance was also conducted remotely, but it was still a great experience.

If I had any advice for new law students, it would be to take full advantage of all the opportunities you’ll have to learn about and experience different areas of the law. Don’t be afraid to try internships in an area that might not fit within your preconceived career plan, and stay open to the many opportunities the Law School offers. ”



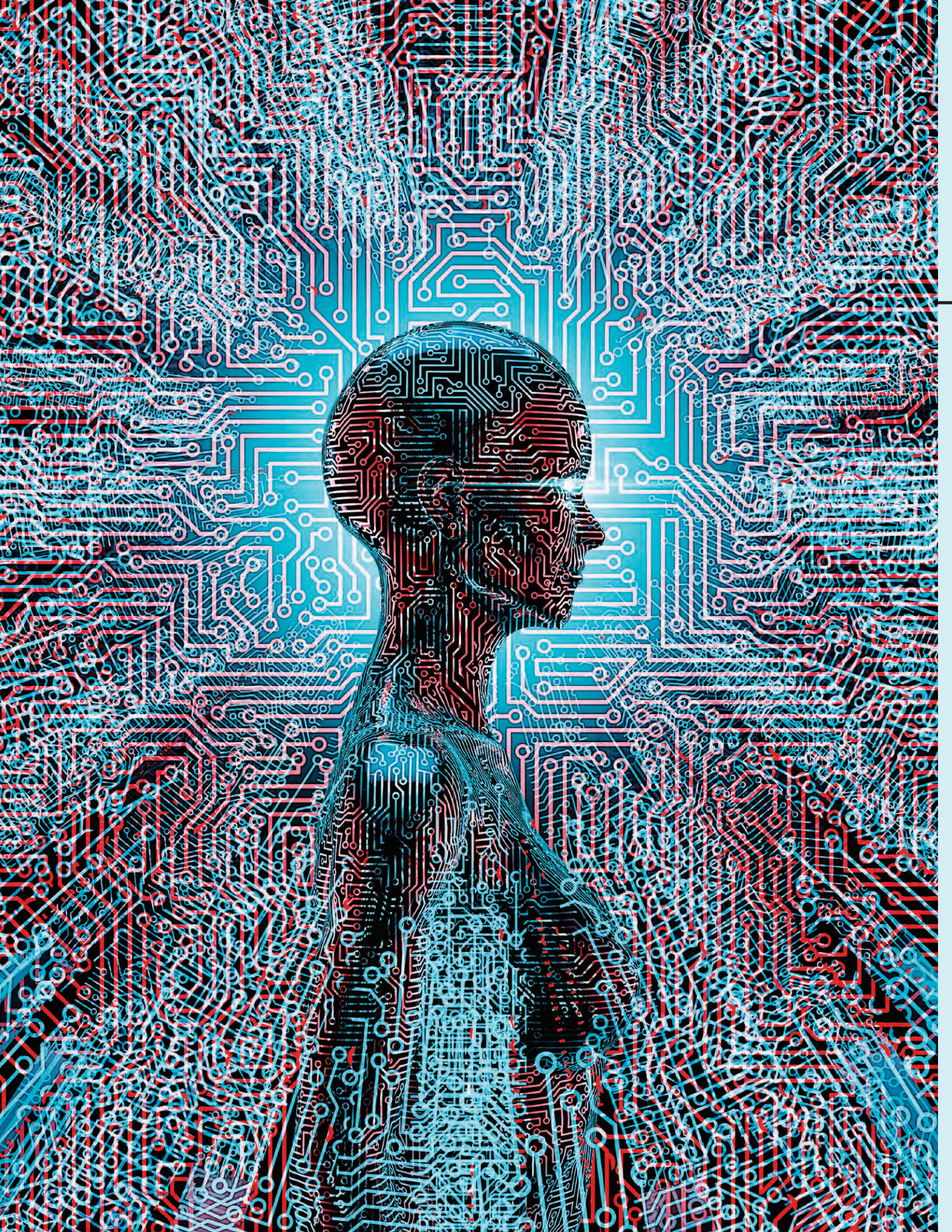
HOMETOWN: Ellisburg, NY

UNDERGRAD: Hampshire College

CAREER PLANS: Associate at Clifford Chance

INTERNSHIPS: Summer Associate at Clifford Chance; U.S. District Court, EDNY; New York County Supreme Court, Commercial Div.; U.S. Securities & Exchange Commission

OTHER RECENT ACHIEVEMENTS: “Getting married over Zoom.”



The New Laws of Robotics

by Professor Frank Pasquale

The stakes of technological advance rise daily. Combine facial recognition databases with ever-cheaper micro-drones, and you have an anonymous global assassination force of unprecedented precision and lethality. But what can kill can also cure; robots could vastly expand access to medicine if we invested more in researching and developing them. Already, businesses are taking thousands of small steps toward automating hiring, customer service, and even management.

All these developments change the balance between machines and humans in the ordering of our daily lives. Right now, artificial intelligence and robotics most often complement, rather than replace, human labor. In many areas, we should use our existing institutions of governance to maintain this status quo. Avoiding the worst outcomes in the AI revolution while capitalizing on its potential will depend on our ability to cultivate wisdom about this balance.

However, attaining this result will not be easy. A narrative of mass unemployment now grips policymakers, who are envisioning a future where human workers are rendered superfluous by ever-more-powerful software, robots, and predictive analytics that perform jobs just as well at a fraction of present wages. This vision offers stark alternatives: make robots, or be replaced by them.

Another story is possible and, indeed, more plausible. In virtually every walk of life, robotic systems can make labor more valuable, not less. Even now, doctors, nurses, teachers, home health aides, journalists, and others are working with roboticists and computer scientists to develop tools for the future of their professions, rather than meekly serving as data sources for their future replacements. Their cooperative relationships prefigure the kind of technological advance that could bring better healthcare, education, and more to all of us, while maintaining meaningful work.

They also show how law and public policy can help us achieve peace and inclusive prosperity, rather than a “race against the machines.” We can do so only if we update the laws of robotics that guide our vision of technological progress.

After decades of technological breakthroughs, artificial intelligence is now a part of our daily lives.

Guiding principles for AI law and policy are essential if we are to capitalize on its immense potential, while continuing to center human expertise in the economy and stave off the rise of the machines.

Excerpted from *New Laws of Robotics: Defending Human Expertise in the Age of AI* by Frank Pasquale, published by the Belknap Press of Harvard University Press. Copyright © 2020 by the President and Fellows of Harvard College. Used by permission. All rights reserved.

The Old Laws

In the 1942 short story “Runaround,” science fiction writer Isaac Asimov delineated three laws for his mechanical characters:

- A robot may not injure a human being or, through inaction, allow a human being to come to harm.
- A robot must obey the orders given it by human beings except where such orders would conflict with the First Law.
- A robot must protect its own existence as long as such protection does not conflict with the First or Second Laws.

Asimov’s laws of robotics have been enormously influential for science fiction writers and the technologists inspired by them. They seem clear-cut, but they are not easy to apply. Consider, for instance, whether Asimov’s laws allow robotic cars. Self-driving vehicles promise to eliminate many thousands of traffic fatalities each year, but may also put hundreds of thousands of paid drivers out of work. Does that harm entitle governments to ban or slow down the adoption of self-driving cars? These ambiguities, and many more, are why the statutes, regulations, and court cases affecting robotics and AI in our world are more fine-grained than Asimov’s laws.

I propose four new laws of robotics to guide us on the road ahead. They are directed toward the people building robots, not the robots themselves, and better reflect how actual lawmaking is accomplished.

Rule One: Robotic systems and AI should complement professionals, not replace them

For policymakers, it is still an open question which barriers to robotization make sense, and which deserve scrutiny and removal. Robotic meatcutters make sense; robotic day care gives us pause. Is this caution mere Luddite reaction, or reflective of a deeper wisdom about the nature of childhood?

Numerous factors matter in the rush to automation, many specific to jobs and jurisdictions. But one organizing principle is the importance of meaningful work to the self-worth of persons and the governance of communities. A humane agenda for automation would prioritize innovations that complement workers in jobs that are, or ought to be, fulfilling vocations. It would substitute machines to do dangerous or degrading work, while ensuring those presently doing that work are fairly compensated for their labor and offered a transition to other social roles.

Rule Two: Robotic systems and AI should not counterfeit humanity

From Asimov’s time to the vertiginous mimicry of *Ex Machina* and *Westworld*, the prospect of humanoid robots has been both fascinating and frightening. Machine learning programs have already mastered the art of creating pictures of “fake people,” and convincing synthetic voices may soon become common. As engineers scramble to fine-tune these algorithms, a larger question goes unasked: Do we want to live in a world where human beings do not know whether they are dealing with a fellow human or a machine?

Despite the growing ethical consensus for the disclosure of the use of algorithms and smart machines in interactions with users, there are subfields of AI devoted to making it ever more difficult for us to distinguish between humans and machines. These research projects might culminate in a creation like the advanced androids of our science fiction films, indistinguishable from a human being. Yet, in hospitals, schools, police stations, and even manufacturing facilities, there is little to gain by embodying software in humanoid bodies, and plenty to lose.

Rule Three: Robotic systems and AI should not intensify zero-sum arms races

Debates over “killer robots” are a central theater for ethics in international law. There are many scenarios where a future arms race could begin. As AI and robotics enter the picture, the stakes of falling behind one’s rivals rise, since emerging technologies promise to be much more targeted, ubiquitous, and rapidly deployed. These technologies and tactics, including new weapons systems, automated cyberattacks, and disinformation campaigns, threaten to disrupt long-settled expectations about the purpose and limits of international conflict. We must find new ways of limiting their development and impact.

Deadly and invasive technologies pioneered by armies could be used beyond the battlefield. Today, more law enforcement agencies aim to use facial recognition to scan crowds for criminals. In China, the government utilizes “social credit scores” created from surveillance data to determine what trains or planes a citizen can board, what hotels a person can stay in, and what schools a family’s children can attend.

Some applications of these systems may be quite valuable, such as public health surveillance that accelerates contact tracing to stop the spread of infectious disease. However, when the same powerful capacities are ranking and rating everyone at all times, they become oppressive.

Rule Four: Robotic systems and AI must always indicate the identity of their creator(s), controller(s), and owner(s)

There is a nebulous notion of “out of control” robots that escape their creator. Perhaps such accidents are unavoidable. Nevertheless, some person or entity should be responsible for them. A requirement that any AI or robotics system has some designated party responsible for its action would help squelch such projects, which could be just as dangerous as unregulated bioengineering of viruses.

Of course, some robots and algorithms will evolve away from the ideals programmed into them by their owners, as a result of interactions with other persons and machines. Whatever affects the evolution of such machines, the original creator should be obliged to build in certain constraints on the code’s evolution to both record influences and prevent bad outcomes. Once another person or entity hacks into or disables those constraints, the hacker is responsible for the robot’s wrongdoing.

A Future of Opportunity

Conversations about robots usually tend toward the utopian (“machines will do all the dirty, dangerous, or difficult work”) or the dystopian (“...and all the rest, creating mass unemployment”). But the future of automation in the workplace—and well beyond—will hinge on millions of small decisions about how to develop AI. How far should machines be entrusted to take over tasks previously performed by humans? What is gained and lost when they do so? What is the optimal mix of robotic and human interaction? And how do various rules—whether codes of professional ethics, insurance policies, or statutes—influence the scope and pace of robotization in our daily life? Answers to these questions can substantially determine whether automation promises a robot revolution or a slow, careful improvement in how work is done.

Too many technologists aspire to rapidly replace human beings in areas where we lack the data and

algorithms to do the job well. Meanwhile, politicians have tended toward fatalism, routinely lamenting that regulators and courts cannot keep up with technological advance.

Both triumphalism in the tech community and minimalism among policymakers are premature. As robots enter the workforce, we have a golden opportunity to shape their development with thoughtful legal standards for privacy and consumer protection. We can channel technology through law. We can uphold a culture of maintenance over disruption, of complementing human beings rather than replacing them. We can attain and afford a world ruled by persons, not machines. The future of robotics can be inclusive and democratic, reflecting the efforts and hopes of all citizens. And new laws of robotics can guide us on this journey.



Frank Pasquale, professor of law, is a noted authority and scholar on the law of artificial intelligence, algorithms, and machine learning, focusing on how information is used across areas including health law, commerce, and tech. His previous book, *The Black Box Society: The Secret Algorithms That Control Money and Information* (Harvard University Press, 2015), has been recognized internationally as a landmark study on how “big data” affects our lives. He is also coeditor of *The Oxford Handbook of Ethics of AI* (Oxford University Press, 2020). Pasquale chairs the Subcommittee on Privacy, Confidentiality, and Security, part of the National Committee on Vital and Health Statistics, where he is serving a four-year term.

Follow [@FrankPasquale](#) on Twitter

Faculty

Passing Liberty's Torch:

A Conversation with Professor Susan Herman



SUSAN HERMAN, the inaugural Ruth Bader Ginsburg Professor of Law, stepped down recently as president of the American Civil Liberties Union (ACLU) after serving 12 years in that role and 32 years on its board of directors. Here, she reflects on her presidency during a time of significant and ongoing challenges to rights and liberties under the Constitution, particularly those of racial minorities and other historically marginalized people.

What accomplishments during your tenure as president are you most proud of?

Particularly over the past four years, the most important part of my role as president was to help keep the ship steady through the turbulence. During this time, the ACLU brought over 430 legal actions against the federal government, some of which were existential battles about the rule of law, and over 100 COVID-related lawsuits. The ACLU's very talented staff, including some Brooklyn Law School alumni, did amazing work, even while working remotely.

Why did you make the decision to step down now?

Last year, 2020, was the ACLU's centennial. I decided to turn over the gavel to someone new now because the timing was good for us to have an orderly transition to new leadership for the beginning of the ACLU's second century.

The ACLU is now poised, along with the country, to enter a new chapter. My successor, Deborah Archer, is the first nonwhite ACLU president. Twelve years ago, I asked her to serve as the ACLU's national affiliate equity officer, and she played a major role in helping the ACLU grow into a more fully diverse and inclusive organization. Our affiliates and staff are all far more diverse and inclusive now, and 60 percent of the members of the ACLU National Board identify as nonwhite.

What are your hopes for the future direction of the ACLU?

The ACLU is launching some very important racial justice initiatives, building on our previous work against mass incarceration policies, and on the national outrage over the murder of George Floyd. An increasing number of people have been recognizing that the ACLU is, and has been, not just a white liberal organization defending free speech, but one that works to defend the rights and liberties of everybody. I believe that this will really blossom with Deborah at the helm.

This past year has been a tumultuous one. Can you offer us some historical perspective on these times?

Reflecting on the ACLU's first century, I was consistently struck by how much the civil liberties issues around 1920 resembled our issues a century later: xenophobia, assaults on freedom of speech, demonization of people regarded as different, and even a pandemic the U.S. president tried to hide. As ACLU co-founder Roger Baldwin said, "No civil liberties battle ever remains won." American history is full of pendulum swings, but it is helpful to remember that we did survive the World War I era, as well as the Civil War, and the country's first transition of power in the 1800 presidential election, which rivaled the 2020 election in its hyper-partisanship and drama. The challenge is to learn from these wrenching experiences so that despite inevitable reverses, we can continue to bend the arc of our history toward justice.

Read the full interview: www.brooklaw.edu/herman

Alexis Hoag and Andrew Jennings to Join Faculty

Alexis Hoag, a civil rights and criminal defense lawyer, and Andrew Jennings, an authority on corporate governance, will join the Law School this fall. “We are thrilled to be welcoming Alexis and Andrew to the faculty,” said Dean Cahill. “These two brilliant and talented additions to our faculty will build on and carry forward the existing strengths of our criminal and business law curriculum, scholarship, and academic centers. We are fortunate to have them joining us.”



Alexis Hoag is the inaugural practitioner-in-residence at the Eric H. Holder Jr. Initiative for Civil and Political Rights at Columbia Law School. Prior to academia, she spent over a decade as a civil rights and criminal defense lawyer. She will teach classes on evidence, criminal law and procedure, and an upper-level seminar on prison abolition.

Hoag’s scholarship examines the ways in which practices within the criminal legal system

erode people’s constitutional rights and perpetuate racial subordination. She serves on the editorial board of the *Amicus Journal* and chairs the capital punishment committee of the New York City Bar Association.

She previously served as senior counsel at the NAACP Legal Defense and Educational Fund and as an assistant federal public defender in Nashville, Tenn.

Hoag graduated from Yale College and New York University School of Law, where she was a Derrick Bell Public Interest Scholar and an editor on the *Review of Law and Social Change*. She clerked for the Hon. John T. Nixon of the U.S. District Court for the Middle District of Tennessee.

“I’ve been fortunate to have already partnered with members of Brooklyn Law School’s faculty, examining ways to transform the criminal legal system,” said Hoag. “I am thrilled to continue this work, and to mentor and guide students as they form their professional identities as lawyers.”



Andrew Jennings is a lecturer in law and the teaching fellow for the Corporate Governance & Practice program at Stanford Law School. He will teach classes on corporate law and securities regulation.

Jennings’s research focuses on corporate governance and compliance, securities regulation, and white-collar crime. He is the creator and host of the Business Scholarship Podcast, where he interviews legal and

business scholars, as well as experts in business and other related fields. Jennings was previously a scholar-in-residence at Duke Law School and a law clerk to the Hon. Helene N. White of the U.S. Court of Appeals for the Sixth Circuit. He practiced law at Cravath, Swaine & Moore, where he handled mergers and acquisitions and corporate governance matters, and at Sullivan & Cromwell, where he practiced in criminal defense and investigations and civil litigation.

Jennings earned degrees from Hampden-Sydney College and Duke University School of Law, where he concurrently earned a master’s degree in economics while serving as executive editor of *Duke Law Journal*.

“I started out practicing law in New York City before going to Stanford and am looking forward to coming back to the heart of our nation’s capital markets,” said Jennings. “As a securities scholar, I want to be where I can have real-world impact, and Brooklyn Law offers great opportunities for me to do just that.”

Professor K. Sabeel Rahman Appointed to Biden Administration

PROFESSOR K. SABEEL RAHMAN, an expert in democratic participation and civic engagement, has been appointed by President Joseph R. Biden as senior counselor at the Office of Management and Budget’s Office of Information and Regulatory Affairs.

“From the pandemic to economic inequality to climate change to racial inequity, this moment of crisis will require a strong public policy response,” said Rahman. “I’m humbled to have the opportunity to serve and to help advance policies geared for this moment.”

Rahman’s scholarship has focused on the interactions

between law, political economy, economic inequality, and racial exclusion, and on the ways in which law can create more inclusive democracy. He will be on leave from the Law School to serve in the administration.

Since 2018, Rahman has served as president of Demos, a public policy organization. Rahman previously was a visiting professor of law at Harvard Law School and a fellow at both the Roosevelt Institute and New America. He was special advisor to New York City on economic development issues and has worked and consulted for a variety of organizations on issues of democracy reform.

Professor Roberta Karmel Examines Erosion of Security Exchange Commission's Independence



Professor Roberta Karmel

IN HER LATEST ARTICLE, “Little Power Struggles Everywhere: Attacks on the Administrative State at the Securities and Exchange Commission,” published in the *Administrative Law Review*, Professor Roberta Karmel, Centennial Professor of Law, examines how the politicization of appointments, strictures such as the application of cost-benefit analysis, and court involvement in decision making have undermined the status of the U.S. Securities and Exchange Commission (SEC) as an expert and independent agency.

“When the SEC’s remit spread to general corporations, business interests began to aggressively push back against SEC rulemaking,” writes Karmel. “This is a game of raw politics that is a disservice to the SEC, the public, and even regulated business interests.”

Karmel, a member of the Brooklyn Law School faculty since 1985 and co-director of the Dennis J. Block Center for the Study of International Business Law, was the first female commissioner of the U.S. Securities and Exchange Commission and a director of the New York Stock Exchange. She is the recipient of many honors for her scholarship, including a Fulbright Scholar grant to study the harmonization of the securities laws in the European Union. Her extensive published work includes *Life at the Center: Reflections on Fifty Years of Securities Regulation* (PLI, 2014) and *Regulation by Prosecution: The Securities and Exchange Commission Versus Corporate America* (Simon & Schuster, 1982).

A symposium, *A Life Navigating the Securities Markets: A Celebration of Professor Roberta Karmel’s Work, Teaching, and Mentorship*, was held in May 2021 to bring together leaders in the field and to honor her distinguished career. The papers presented will appear in the *Brooklyn Journal of Corporate, Financial & Commercial Law*.

Israeli Supreme Court Justice Alex Stein Returns to Teach at the Law School

ALEX STEIN returned to the Law School faculty this spring as a visiting professor of law to teach Law and Economics from his home in Israel, and will teach Evidence in the fall. Stein is a sitting justice on the Israeli Supreme Court and an internationally recognized authority on torts, evidence, medical malpractice, and economic analysis of law.

Stein was a full-time faculty member of the Law School until his appointment to the high court of Israel in 2018. He sees his roles as justice and teacher as complementary. “I’ve refined my teaching methods throughout my academic career,” said Stein. “In fact, I believe my teaching experience has positively affected the clarity and internal logic of my written decisions.”

Stein is one of the most frequently cited scholars in the field of evidence. He is the author of five books, two of which are considered pathbreaking in the fields of torts and evidence, and over 80 articles, many of which have appeared in the world’s leading journals. Before joining the Law School in 2016, he held faculty posts at Hebrew University of Jerusalem and Cardozo Law School, and was a visiting professor at Harvard Law School, Yale Law School, Columbia Law School, Oxford University, and the University of Toronto, among others. He holds bachelor’s and master’s degrees in law from the Hebrew University of Jerusalem and a doctorate in law from the University of London.

Stein looks forward to continuing his association with the Law School as it returns to in-person classes. “I had an enjoyable experience teaching in Brooklyn as a full-time professor, and I was missing that part of my work after moving to the bench,” said Stein. “It would be wonderful to rejoin my colleagues—as well as to spend some time in the great city of New York.”



Professor Alex Stein

Professor Miriam H. Baer Explores the Consequences of Corporate Misconduct

PROFESSOR MIRIAM H. BAER'S recent work explores the intersection between the Supreme Court's latest decisions on the rights of corporations and the Court's evolving stance on the Fourth Amendment.

Baer's forthcoming article, "Law Enforcement's *Lochner*" in the *Minnesota Law Review*, examines the potential convergence of the Court's corporate personhood jurisprudence and its shifting view of Fourth Amendment privacy. She contends that the fusion of these two areas of law could upend rules that promote the government's investigation and enforcement of corporate misconduct.

Her analysis of these implications for corporate compliance appears in her chapter in the forthcoming *Research Handbook on Corporate Purpose and Personhood* (Edward Elgar Publishing, 2021). Baer argues that even if external compliance enforcement by the government changes or erodes, several countervailing factors would likely sustain some version of internal enforcement.

Baer's work on personhood and procedure follows earlier scholarship on corporate criminal law that straddles the line between corporate regulation and criminal law. Her chapter "Corporate Criminal Law Unbounded" was recently published

in the *Oxford Handbook on Prosecutors and Prosecutions* (Oxford Univ. Press, 2021). She also published an essay, "Three Conceptions of Corporate Crime (and One Avenue for Reform)" in Duke Law School's journal *Law and Contemporary Problems*. In these essays, Baer theorizes a series of reforms that would clearly define corporate criminal law's boundaries and restrain prosecutorial discretion, while enabling the government to hold corporate executives accountable.

Drawing on these and other observations, Baer is currently working on a book, *Myths and Misunderstandings of White-Collar Crime* (Cambridge Univ. Press., forthcoming 2022). She proposes changes to Congress's definitions of major white-collar crimes to "make white-collar practice more understandable" and therefore more defensible.



Professor Miriam H. Baer

Noteworthy

Adjunct Professor Margo K. Brodie was named chief judge of the U.S. District Court for the Eastern District of New York, where she has served as a judge since 2012.

Dean Michael Cahill was included in *City and State's* "Law Power 100" for 2021. The list recognizes the leading legal professionals in New York State.

Professor Cynthia Godsoe was named director of the Law School's Edward V. Sparer Public Interest Law Fellowship Program.

Adjunct Professor Haeyoung Yoon was appointed to President Biden's COVID-19 Health Equity Task Force.

Habitat for Humanity NYC Honors Professor Debra Bechtel



Professor Debra Bechtel

HABITAT FOR HUMANITY NEW YORK CITY presented Professor Debra Bechtel, founder and director of the Corporate and Real Estate Clinic, with the Sondra Roach Community Partnership Award at the Habby Awards during a Virtual Habitat House Party in November 2020.

The Habby Awards celebrate volunteers and partners who have made a significant impact throughout the past year. The Sondra Roach Community Partnership Award is presented to a community partner who has shown outstanding commitment to the Habitat NYC mission.

After a six-year effort, Bechtel, Corporate and Real Estate Clinic students, and pro bono attorneys from Kramer Levin Naftalis & Frankel's bankruptcy department helped 16 longtime residents of 2178 Atlantic Avenue in Brooklyn emerge from a foreclosure and a Chapter 11 bankruptcy in control of their building with affordability preserved. The payoff of the foreclosing lender was funded through an \$893,000 loan from the Habitat for Humanity NYC Community Fund.

At the Law School, in addition to leading the Corporate and Real Estate Clinic and teaching the Real Estate and Community Development Externship, Bechtel is the deputy director of the Center for Urban Business Entrepreneurship (CUBE). In the spring 2021 semester, she also served as interim director of the Edward V. Sparer Public Interest Law Fellowship Program.

Following are selected highlights of recent faculty scholarship.
To learn more, visit www.brooklaw.edu/facultyscholarship

Jodi Balsam

Criminalizing Match-Fixing as America Legalizes Sports Gambling, 31 **Marquette Sports Law Review** 1 (2020)

SINCE 2018, when the Supreme Court struck down the law that prohibited states from allowing sports betting, almost every state and Washington, D.C., has enacted, passed, or proposed legal sports betting legislation. These laws prescribe very little in the way of criminal penalties in the event of betting-related manipulation of the underlying athletic competitions. Balsam explores the moral and legal dimensions of honest athletic competition and the importance of defining game manipulation as a crime, and recommends a federal penal provision that makes competition manipulation a separate criminal offense.

Anita Bernstein

There's Feminism in These Judgments, 61 **Boston College Law Review Electronic Supplement** I-112 (2020)

BERNSTEIN IDENTIFIES common ground between her book *The Common Law Inside the Female Body* (Cambridge Univ. Press, 2018) and *Feminist Judgments*, a movement that looks to rewrite published judicial decisions to steer their results or their rationales in a feminist direction. This article was featured in one of two symposium issues dedicated to Bernstein's book since its publication, following one published by *Northwestern University Law Review* in 2019.

Dana Brakman Reiser

Buyer Beware: Variation and Opacity in ESG and ESG Index Funds (with Anne Tucker), 41 **Cardozo Law Review** 1921 (2020)

INDUSTRY LEADERS, critics, and commentators all herald a shift in investing and corporate governance to more broadly consider environmental, social, and governance (ESG) factors. Brakman Reiser and Tucker examine a sample of ESG and traditional funds from 2018–2019, documenting great variation in their investment strategies. They investigate the supply- and demand-side drivers fueling ESG market growth, and explore mechanisms to better match investors to high ESG-committed funds.

Wilfred Codrington III

So Goes the Nation: The Constitution, the Compact, and What the American West Can Tell Us About How We'll Choose the President in 2020 and Beyond, 120 **Columbia Law Review Forum** 43 (2020)

BECAUSE THE U.S. CONSTITUTION is extremely difficult to amend, many have rallied around the National Popular Vote Interstate Compact, a plan that seeks to elect the presidential candidate receiving the most votes nationwide by leveraging states' power over the Electoral College. Codrington discusses three potential challenges facing the compact: two recent court decisions on the Electoral College, a mounting campaign to have states withdraw their support for the plan, and arguments by conservative commentators that the plan is unconstitutional.

Robin Effron

The Invisible Circumstances of Notice, 99 **North Carolina Law Review** __ (forthcoming 2021)

THE DUE PROCESS right of notice is understudied compared with other fundamental rights. This analytical deficit would be less troubling if the modern American execution of notice and its mechanics were mostly unproblematic, but for a number of participants, notice does not function particularly well. Effron suggests that lawmakers should not wait for the circumstances of notice to change—key changes can be forged by the state and the judiciary itself.

Edward Janger

Value Tracing and Priority in Cross-Border Group Bankruptcies: Solving the Nortel Problem from the Bottom Up (with Stephan Madaus), 27 **University of Miami International & Comparative Law Review** 334 (2020)

JANGER AND MADAUS argue that in bankruptcy cases involving the insolvency of corporate groups, creditors asserting claims of priority based on territoriality, security, asset silos, or corporate form should have the burden of establishing the realizable value of those claims. This approach establishes an entitlement floor for, and fixes the value of, veto rights in group restructurings.

Jayne Ressler

Anonymous Plaintiffs and Sexual Misconduct, 50 **Seton Hall Law Review** 955 (2020)

JOINING WITH OTHER SCHOLARS in responding to the #MeToo movement, Ressler focuses on the lack of access recipients of sexual misconduct have to protection from retaliation. She proposes that under certain circumstances, they should be permitted to bring anonymous formal civil actions against the perpetrators.

Jocelyn Simonson

Movement Law (with Amna Akbar & Sameer Ashar), 73 **Stanford Law Review** __ (forthcoming 2021)

SIMONSON AND HER CO-AUTHORS make the case for “movement law,” an approach to legal scholarship grounded in engagement with grassroots organizing and leftist social movements. In this moment of crisis, they argue, scholars across disciplines should co-generate ideas alongside these groups that aim to transform the political, economic, and social landscape.

Lawrence M. Solan

Revisiting a Classic Problem in Statutory Interpretation: Is a Minister a Laborer? (with Tammy Gales), 36 **Georgia State University Law Review** 491 (2020)

SOLAN AND GALES consider the use of corpus linguistic methods as a tool for statutory interpretation. Their study examines contemporaneous historical linguistic usage to evaluate the U.S. Supreme Court's claims of ordinary meaning in *Holy Trinity Church v. United States* (1892).

Aaron Twerski

An Essay on the Quieting of Products Liability Law, 105 **Cornell Law Review** 101 (2020)

FOR SEVERAL DECADES, courts and commentators have disagreed on the standard for liability in product design defect cases, with a strong majority opting for risk-utility and a significant minority preferring consumer expectations. Twerski contends that in jurisdictions that allow for recovery in these cases on a consumer expectations theory, plaintiffs should introduce a reasonable alternative design as the predicate for recovery.

Alumni Events

Alumni Inspire at Women's Leadership Network Event

The Women's Leadership Network fall gathering focused on the role of leaders in overcoming the unprecedented challenges of the global pandemic and racial inequality. In an engaging virtual panel discussion, alumni and students examined how leaders are emerging during this critical time, and how they can address issues, advance dialogue, and institute positive change.

The panelists included **Jenny Chung '14**, associate at Chiesa Shahinian & Giantomasi and president of the Asian Pacific American Lawyers Association of New Jersey (APALA-NJ); **Kevin Lauri '90**, chair at Jackson Lewis; and **Caroline Werner '97**, director of CLW Solutions and a faculty member at New York University School of Social Work. **Meeka Bondy '94**, a member of the Women's Leadership Circle, led a Q&A with the panelists. Karen Porter, the Arthur Pinto and Stephen Bohlen Associate Dean for Inclusion and Diversity, moderated the event.

On leading APALA-NJ's response to the increase in violence against Asian Americans, Chung said, "With so many people calling me at all hours to give me their opinions on how



Jenny Chung '14



Kevin Lauri '90



Caroline Werner '97

to do everything and anything, I realized I had to focus and do what was, in my view, best for our group."

Porter stressed the importance of preparing attorneys for the mantle of leadership. "Although lawyers have always assumed the role, the skills of leadership have not been an explicit part of our education," she said. "Our task in the legal profession is not only to prepare lawyers for leadership, but to inspire them to seek roles of ultimate responsibility, and to do so in a way that fosters their own well-being and that of others."



Jara Jacobson '22

Women's Leadership Network Scholarship

The first Women's Leadership Network Scholarship has been awarded to Jara Jacobson '22. The scholarship, established by the members of the Women's Leadership Circle and supported by other members of the community, is awarded to students who best exemplify the network's mission.

Meet Jara and learn how to contribute to the scholarship at www.brooklaw.edu/WLN

Mentor Program Connects Students with Alumni

ONE HUNDRED AND FIFTY STUDENTS connected with alumni mentors as part of the 2020–21 Mentor Program. The program was conducted virtually, a first in its 28-year history.

"Through creating these one-on-one relationships, the Mentor Program provides students with a valuable link between the law school experience and the practicalities of a legal career," said Michael Tenenhaus, associate director of career and professional development.

"The fact that we were able to make this many matches this year during an unprecedented pandemic is a true testament to the dedication of our alumni community and their desire to pay it forward," said Caitlin Monck '02, director of alumni engagement and special programs.

Among this year's mentor pairings are **David Bayer '13**, associate labor relations counsel for the National Football League and a mentor since 2015, and **Jamie Kaplan '22**, currently a legal intern with the New York City Football Club, who connect via monthly virtual meetings.

"David has given me great advice and perspective on legal experience at a firm and working with sports teams, as well as about law school and my career," said Kaplan.

For Bayer, himself a former mentee, the mentorships are about giving back to the Law School community, but also about building meaningful relationships. "I really enjoy speaking to students and learning about their goals and interests," he said. "I have former mentees who have become friends."

IMPACT

Fred Rosen '69 Helps Kick-start the Next Generation of Entrepreneurs

FRED ROSEN '69 has not had the typical legal career. In 1982, he created the opportunity to leave his own practice and become the CEO of a computerized ticketing company that had exhausted its capital and was facing closure. Under Rosen's leadership, that company grew to become Ticketmaster, now the predominant and leading player in the live event business.

"Most people thought I was not of sound mind to take over a failing company, but I wanted to run my own show," said Rosen. "When you're advising clients, it's their movie. People depend on you for advice and guidance, but it's still their movie. Personally, I got tired of being in other people's movies."

Since selling Ticketmaster and leaving the company in 1997 to start exciting new ventures, Rosen has also explored ways to share his passion for entrepreneurship with the next generation. In 2021, he created, through the Fredric D. Rosen and Nadine Schiff Family Foundation, the Seymour and Hannah Rosen Endowed Scholarship, which will enable Brooklyn Law School students to follow in his footsteps.

Rosen's scholarship has unique criteria meant to target students who he believes have what it takes to run their own businesses. The recipients will be first-generation law students, like Rosen, with financial need who have shown a demonstrated interest in entrepreneurship. Additionally, the eligible students will place in the middle of their class in academic performance.



Fred Rosen '69

"The top students are going to get there anyway," said Rosen. "The middle are all works in process. Good grades are not the primary test for ultimate success—creativity, energy, humor, and ambition must also be factored in."

In today's competitive environment that stresses academic success, Rosen believes that risk tolerance, an essential component of entrepreneurship, is undervalued. "The mistake that everybody tends to make is that they want to be the smartest person in the room," said Rosen. "You don't have to be the smartest person in the room—you have to have the final decision in the room. I've hired lawyers from the best law firms and from the

best law schools, but their personalities, which make them excellent attorneys, also made them risk averse." He sees this scholarship as an effort to rectify that disparity between the "A" students and those with entrepreneurial drive and higher risk profiles.

Rosen named the scholarship for his parents, who encouraged his interest in attending law school, despite never having attended college themselves. "My mom lived into her 90s, but I lost my dad when I was 26. He saw me graduate law school, but he never got to see my career," said Rosen. "I wanted to do something for them, in their name, that would be fun. I think they would get a kick out of the fact that they have a scholarship."

Support the Student Mental Health Initiative

This spring, Dean Cahill announced the Student Mental Health Initiative, which provides support for students' mental health and well-being, enabling them to thrive in the classroom and beyond. As part of this initiative, and with the support of donors, the Law School launched BrookLaw.Care, which offers access to medical and mental telehealth care at no cost to all students. The proceeds from the virtual Alumni Luncheon in May supported the initiative.



Give to the Student Mental Health Initiative by making a gift TODAY at www.brooklaw.edu/give or email Caitlin Monck '02, director of alumni engagement, at caitlin.monck@brooklaw.edu

New Scholarship Honors the Legacy of Bernard Mirotznik '52

ATTORNEY CHARLES MIROTZNIK has made a planned gift to Brooklyn Law School that will establish an endowed scholarship in memory of his father, Bernard Mirotznik '52, who died in 2019. The recipient of this scholarship will be selected annually by the dean, under advisement of the Scholarship Committee.

Born in 1925, Bernard Mirotznik was a decorated veteran of the Army Air Corps, stationed in the United Kingdom during World War II. "He deeply believed in the value of education," said his son. "It inspired my siblings and me—all lawyers—and gave us the opportunity to succeed."

Bernard Mirotznik's parents were immigrants from Russia who owned a chicken market in lower Manhattan. "My father was a hardworking and highly respected man," the younger Mirotznik said. "[But] it was only because of the G.I. Bill that my father could go to college."

He attended Brooklyn Law School after graduating from New York University. He later established his practice in East Meadow, N.Y.

Actively engaged in his community, he was a member of the Nassau County Bar Association and the Jewish Lawyers Association. He was involved in local politics, and performed volunteer legal work for the 452nd Bomb Group Association for more than 30 years.

"My father had humility, always held his head high, and was professionally independent. It led me to follow in his footsteps," said Charles Mirotznik. "He was a great mentor. I hope that spirit is passed on here."



Charles Mirotznik



Whatever your motivations or ability to give, you have many options to create an enduring impact. To learn more about how you can help the next generation of Brooklyn Law School students, contact Caitlin Monck '02, director of alumni engagement, at caitlin.monck@brooklaw.edu

Alumni Board Member Sasha Linney '11 Gives Back



Sasha Linney '11

Sasha Linney '11, executive committee member of the Alumni Board and current associate general counsel for GoldenTree Asset Management, has generously made a \$25,000 unrestricted gift to the Annual Fund. Linney's gift will help fund the Law School's urgent and immediate needs, including financial aid for students in need, support for teaching and research, and sustained support of dynamic clinical programs and initiatives.

"I was a beneficiary of the Clare R. Petti Scholarship, the Judge Shirley Wohl Kram Memorial Scholarship, and a Sparer Fellowship when I was at law school, and they helped me tremendously," said Linney. She was also a former Moot Court Honor Society member and managing editor of the *Brooklyn Law Review*.

Under the mentorship of Professor Michael Gerber, bankruptcy law was at the center of Linney's legal education. As an Edward V. Sparer Public Interest Law Fellow, she interned for the New Economy Project, helping the nonprofit fight abusive lender practices. As a corporate associate at Debevoise & Plimpton, she worked on projects that included the American Airlines Chapter 11 filing and restructuring. She then joined GoldenTree in 2016, a firm focusing on distressed products and high-yield bond opportunities.

Linney recognizes the financial challenges for some young alumni to give back early in their career. "Giving back is sometimes hard to imagine when you still have loans," she said. "But I have such loyalty to the Law School and wanted to show my appreciation. The

smallest amount you can give comes back to you." To support the Annual Fund, go to www.brooklaw.edu/give or email Kamille James Ogunwolu, director of individual giving, at kamille.james@brooklaw.edu.

ClassNotes

1967

Stanley M. Grossman was awarded a Lifetime Achievement Award by the *New York Law Journal*. Grossman, a senior counsel at Pomerantz, focuses his practice on securities litigation.

1968

Alan E. Weiner published an article, "Becoming Successful in Today's Professional World," in the *CPA Journal*.

1969

Michael Rikon, partner at Goldstein, Rikon, Rikon & Houghton, was inducted into the 2021 Hall of Fame by the International Association of Top Professionals.

1973

James Grossman was selected by his peers for inclusion in the 27th edition of *The Best Lawyers in America* for his expertise in eminent domain and condemnation law. He is a partner at Barclay Damon.

1974

Joseph Karp, founder of the Karp Law Firm, received the 2021 Martindale-Hubbell Silver Client Champion Award in recognition of superior service provided to his clients.

1975

Stephen J. Dannhauser joined the board of Ellington Financial as an independent director. He is a consultant for Weil, Gotshal & Manges, where he has worked since 1975.

1976

Stephen J. Silverberg joined the executive committee of the Estate Planning Council of Nassau County. His practice focuses on estate and tax planning, estate and trust administration, asset preservation planning, and elder law.

1979

John Leventhal joined Aidala, Bertuna & Kamins as a partner. He focuses his practice on appellate law and litigation. He was previously an associate justice of the New York State Supreme Court, Appellate Division, Second Judicial Department.

Rosalyn Richter joined Arnold & Porter as a senior counsel in its complex litigation practice group. She was previously an associate justice of the New York State Supreme Court, Appellate Division, First Department.

1985

Linda Maryanov, a wills, trusts, and estate planning attorney at Zimmerman and Maryanov, founded and continues to facilitate a popular trusts and estates study group.

1986

Carlos Ortiz joined McDermott Will & Emery as a partner in its white-collar defense and litigation groups. He was previously a partner at Norton Rose Fulbright.

ALUMNI POWER BROKERS RECOGNIZED BY CITY @ STATE

The following alumni joined Dean Cahill on City & State's 2021 Law Power 100 list, which recognizes the leading legal professionals in New York State.

Gerald Lefcourt '67, whose practice is focused on the areas of criminal law and complex civil litigation

Sanford Rubenstein '71, founding partner of Rubenstein & Rynecki

Jeffrey Citron '75, managing partner at Davidoff Hutcher & Citron

Vincent Pitta '78, founding partner at Pitta Law, whose practice focuses on labor and management relations

Frank Carone '94, executive partner at Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone

Anta Cissé-Green '03, president of the Metropolitan Black Bar Association and senior vice chancellor for legal affairs and general counsel of the State University of New York

Camille Joseph Varlack '03, chief operating officer and partner at Bradford Edwards & Varlack

1987

Jill Ginsberg, senior partner at Ginsberg Shulman, received a Florida Bar President's Pro Bono Service Award for her work with the Mission United Veterans Pro Bono Legal Project, which helps veterans in civil legal matters.

Paul Sweeney was named to the *Irish Voice's* 2021 Irish Legal 100, a list that honors distinguished American lawyers of Irish descent. He is a partner at Coughlin & Gerhart in its labor and employment law and commercial litigation groups.

1988

Scott Middleton is the president of the board of directors of East End Arts, a nonprofit arts organization serving the East End of Long Island. Middleton is senior partner at Campolo, Middleton & McCormick.

David Pollack joined Goldberg Segalla as special counsel in its workers' compensation group. He was previously a senior associate at the Law Office of Joseph A. Romano.

1990

Daniel Rosenfeld joined Sullivan & Worcester as a partner in its litigation group. Rosenfeld was previously a partner at DLA Piper.

Laura Watters was promoted to acting executive director of the Staten Island Foundation, where she previously served as a program director.

1991

Mary Critharis was appointed as the U.S. Patent and Trademark Office's acting chief policy officer and director for international affairs. She was previously senior counsel at the same agency.

Thomas DiBiase was appointed general counsel for the U.S. Capitol Police. He was previously the acting general counsel for 11 months and the deputy general counsel for 10 years.

Ada Clapp joined Berdon as a senior partner. She was previously general counsel at Elysium Management.

Juliet Howard was appointed as a judge on the New York City Housing Court. She was previously a court attorney in New York County.

Caroline Krauss was named a 2020 Distinguished Leader by the *New York Law Journal*. Krauss and Valentina Shaknes '07 are co-founders of the family law firm Krauss Shaknes Tallentire & Messeri.

1992

Jeffrey Berkowitz joined Uniphar as an independent nonexecutive director of its board. Berkowitz is also CEO of Real Endpoints.

Joanne Forbes was appointed a city court judge by the Newburgh City Council. She was previously a senior principal law clerk for the New York State Unified Court System.

Mark Kornfeld joined Buchanan Ingersoll & Rooney as a shareholder and will serve as its current court-appointed federal equity receiver. He was previously a partner at Quarles & Brady.

Norman Leon was named by *Law360* as a 2020 Employment MVP. Leon is a partner at DLA Piper.

1993

Deborah Riegel, a member at Rosenberg & Estis, was included in the 2021 *Crain's New York Business* Notable Women in Law. She focuses her practice in the area of landlord tenant law, real estate law, condominium/co-op law, and commercial litigation.

1994

Jeffrey Gewirtz was promoted to chief operating officer of BSE Global, which operates the Barclays Center in Brooklyn, the NBA's Brooklyn Nets, the WNBA's New York Liberty, the NBA G League's

Long Island Nets, and the NBA 2K LeagueNets GC. He continues to serve as executive vice president and general counsel of the company.

Narda Jones was appointed to be one of the seven lead members of President Joe Biden's White House science team. She previously served as the senior technology policy advisor for the Democratic staff of the U.S. Senate Committee on Commerce, Science, and Transportation.

Jill Salmon was promoted to head of professional lines for the U.S. at Berkshire Hathaway Specialty Insurance. She has been with BHSI since 2014.

Blair Todt joined health benefits company Anthem as executive vice president and chief legal officer. He was previously senior vice president and chief legal officer at Health Care Service Corporation.

1995

Robert White was appointed first Assistant District Attorney of the Orleans Parish District Attorney's Office.

1996

Ari Markenson was one of the authors of *What Is the Corporate Practice of Medicine and Fee Splitting?* (American Bar Association Health Law Section, 2021). He is a partner and co-chair of Winston & Strawn's healthcare and life sciences industry practice groups.

John Scannell joined CIB Marine Bancshares' Board of Directors as an independent director. He is also a senior advisor at Hildene Capital Management.

Sanford Smokler was promoted to shareholder at Simmons Hanly Conroy in its complex litigation group. He focuses his practice on mass torts, including medical device, pharmaceutical, and opioid litigation.

Charles Ward was promoted to general counsel at Bow Wow Labs. He has been with the company since 2017.

1997

Mitch Graffeo joined Tech Launch Arizona, University of Arizona, as its senior licensing manager. He was previously the owner and sole proprietor of Individualized IP Management.

John Lewis was appointed president and CEO of the United Nations Federal Credit Union. He previously served as UNFCU's senior vice president of corporate affairs and general counsel.

Michael Mosberg was named chair of the American Bar Association's family law section. Mosberg is a partner at Aronson Mayefsky & Sloan.

Laurie A. Stanziale joined Fox Rothschild as a partner in its construction and real estate practice groups. She was also included in the 2021 *Crain's New York Business* Notable Women in Law. Stanziale was previously a partner at Tarter Krinsky & Drogin.

1999

Laurie Grasso, a partner at Hunton Andrews Kurth, was included in the 2021 *Crain's New York Business* Notable Women in Law.

Dean Steele joined Moses & Singer as a partner in its corporate and maritime and multimodal transportation practice groups. He was previously senior counsel at Norton Rose Fulbright.

2000

Brian Guzman founded Guzman Advisory Partners, a firm that offers outsourced in-house legal services. Guzman was previously a partner at Indus Capital Partners.

Alexander Kaplan joined Oppenheim + Zebrak as a partner. Kaplan was previously a partner at Proskauer Rose. He practices in the areas of copyright, trademark, advertising, right of publicity, and trade secrets law.

Nicholas Pinto was appointed as a member of the Sea Cliff board of trustees. Pinto manages his own private practice, focused on criminal law.

Jeffrey Schulman was recognized by the *New York Law Journal* as a 2020 Litigation Trailblazer. He is a partner at Pasich, where he focuses his practice on insurance, construction defect, product liability, multimedia, asbestos, and first-party claims.

2001

Krista Halpin joined Norris McLaughlin as an associate in its real estate and finance practice group and cooperative and condominium law industry group.

Ime Lopez joined Rocky Mountain Victim Law Center as a senior attorney in the Legal Information Network of Colorado Program. Lopez also recently joined the boards of directors for the Pikes Peak Pro Bono & Justice Center and Safe Passage.

Charles Montorio-Archer was appointed by Governor J.B. Pritzker to the Illinois Youth Budget Commission. He is currently the president and CEO of One Hope United.

2002

Todd Albert was appointed Oregon's public records advocate. He was previously deputy of the Office of the Public Records Advocate.

Angela Baglanzis-Mastrangelo joined Hyland Levin Shapiro as counsel in its restructuring, reorganization, and liquidation group. She was previously an attorney at Obermayer Rebmann Maxwell & Hippel.

Andrew Bourne joined the insurance recovery firm Cohen Ziffer Frenchman & McKenna as a partner. He was previously with Hoguet Newman Regal & Kenney.

Asim Grabowski-Shaikh was promoted to partner at BakerHostetler in its corporate transactions group.

2003

Joshua Kopelowitz joined Fox Rothschild as a partner in its litigation and real estate practice groups. He was previously with Rosenberg & Estis.

Ory Apelboim was promoted to partner at Blank Rome. He focuses his practice on complex matrimonial and family law matters for high-net-worth individuals, including divorce, property distribution, child custody, spousal and child support, and marital agreements.

Nirav Patel attained board certification with the American Board of Plastic Surgery and is now a diplomate of the board. He has also been a fellow of the American College of Legal Medicine since 2018 and recently opened up his own surgical solo practice.

Sara Schramm, shareholder at Blasingame Burch Garrard & Ashley, was reappointed by Judge M. Casey Rodgers in the Northern District of Florida to a second term on the 3M Combat Arms Earplug product liability multidistrict litigation plaintiff leadership team.

2004

James Cretella, member at Otterbourg, was named chair of the firm's alternative and specialty finance practice group.

Michelle Gitlitz, a partner at Crowell & Moring, was included in the 2021 *Crain's New York Business* Notable Women in Law.

Nicholas Palumbo joined Davis Polk & Wardwell as a partner in its finance practice group. He was previously a partner at White & Case.

Nicole Wyskoarko was promoted to executive vice president and co-head of artists and repertoire (A&R) at Interscope Geffen A&M. She was a partner at Carroll, Guido & Groffman before joining Interscope Geffen in 2018.

2005

Jason Cade was named the University of Georgia School of Law's associate dean for clinical programs and experiential learning. As associate dean, he works to enhance and advance the school's 18 experiential learning offerings, which currently include its clinical courses and a wide range of simulation classes.

2006

Brooke Crescenti was promoted to vice president and general counsel at Gucci, where she has worked since 2012.

2007

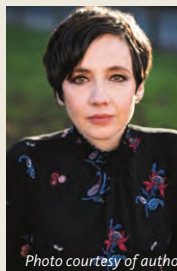
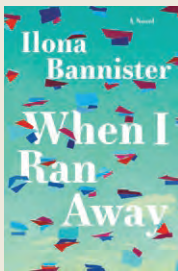
Samir Ahuja was promoted to of counsel at Blank Rome. He focuses his practice on finance, restructuring, and bankruptcy matters.

Ross Hofherr was promoted to partner at Harris Beach. He focuses his practice on defense of consumer class actions, premises liability claims, and complex business disputes in state and federal courts.

David Knapp joined Lippes Mathias Wexler Friedman as partner in its insurance group. He was previously a partner at Ward Greenberg Heller & Reidy.

Adam Koelsch joined McNeese Wallace & Nurick as of counsel in its state and local tax practice group. He was previously a state and local tax manager at Grant Thornton.

Heather Maly joined Ice Miller as a partner in its business and litigation practice groups. She was previously an associate at Venable.



Ilona Bannister '07 published her debut novel, *When I Ran Away* (Doubleday, 2021). In the novel, Gigi Stanislawski meets a British expat on the Staten Island Ferry as both flee from lower Manhattan during the 9/11 attacks. Married and living in London 10 years later, a traumatic birth of their baby leaves Gigi raw, desperately missing New York and grieving for the brother she lost in the terrorist attacks.

Raging at the unspoken pain of motherhood, she realizes she must somehow find a way back—not to the woman she was but to the woman she wants to be. A story of loss, motherhood, and love, the novel draws from Bannister's experience practicing immigration law in the U.S. and United Kingdom and her upbringing on Staten Island.

Valentina Shaknes was named a 2020 Distinguished Leader by the *New York Law Journal*. Shaknes and Caroline Krauss '91 are co-founders of the family law firm Krauss Shaknes Tallentire & Messeri.

2008

Erica Bernstein joined Macrae as a partner. Previously, she worked for the boutique recruiting firm she founded, Erica Michele Group.

Seth Cardeli joined Levin & Perconti as partner in its traumatic birth litigation group. He was previously a partner at Janet, Jenner & Suggs.

Adam Gregory was promoted to partner at Levine DeSantis. He focuses his practice on estate planning, wealth preservation, gifting strategies, federal gift and generation-skipping transfer taxes, and offshore tax controversies.

Meredith McBride was promoted to partner at Butler Tibbetts in its marital and family law practice group.

Aaron Prince joined Vinson & Elkins as a partner in its corporate practice group. He was previously a partner at Wilson Sonsini Goodrich & Rosati.

Allan Rotlewicz returned to RumbergerKirk as a partner. He focuses his practice on first-party property and casualty defense claims. Rotlewicz will continue to serve his previous employer, Anchor Insurance Holdings, as outside general counsel.

Robert Sitman was promoted to managing director and head of asset management at Blackstone Mortgage Trust. Before joining Blackstone in 2014, Sitman was an associate at Fried, Frank, Harris, Shriver & Jacobson.

2009

Nicholas David was promoted to partner at Troutman Sanders. He is a member of the firm's construction law practice, representing owners and developers through all phases of the development and construction process.

Alexander Drylewski was recognized by the *New York Law Journal* as a 2020 Rising Star. Drylewski is a partner at Skadden, Arps, Slate, Meagher & Flom in its securities and complex commercial litigation groups.

Gordon Sung was promoted to U.S. general counsel of Pony.ai, Inc., a global autonomous vehicles company. He was previously legal counsel for Kia Motors America.

2010

Sparkle Sooknanan joined the Department of Justice as a Deputy Associate Attorney General. She was previously a partner at Jones Day.

2011

Christopher Bouriat was promoted to partner at Reed Smith in its labor and employment practice group.

Jennifer Bouriat opened her own criminal defense and investigations firm, Jennifer Bouriat Law. She was previously a partner at Pietragallo Gordon Alfano Bosick & Raspanti.

Christopher DiCicco was promoted to shareholder at Marshall Dennehey in its casualty group.

Mathew Dudley was promoted to partner at Harris Beach. He focuses his practice on zoning and land use.

Michael Scavelli was promoted to partner at Steptoe & Johnson. He focuses his practice on complex commercial litigation, internal/government investigations, and white-collar criminal defense matters.

Brad Wanner was promoted to partner at Harris Beach. He focuses his practice on mass tort litigation, including products liability and commercial litigation.

2012

Allison Arotzky joined Moritt Hock & Hamroff as an associate in its creditors' rights, restructuring and bankruptcy practice group. She was previously an associate at Curtis, Mallet-Prevost, Colt & Mosle.

Elizabeth Dahill was promoted to partner at Seyfarth Shaw in its real estate practice group.

Sagar Dalal joined Spearhead as managing director in its advanced wealth management division. He was previously senior vice president at Momentum Advanced Planning.

Jason Labate was promoted to partner at Goldstein Hall. His practice focuses on real estate and community development, nonprofit formation and governance, and real estate and project finance.

Kristina Srica was promoted to assistant chief in the Antitrust Division at U.S. Department of Justice, where she has worked since 2012.

Yamicha Stephenson was appointed to chair of the Corporate Counsel Section of the New York State Bar Association. She previously served as the section's treasurer and secretary. Stephenson is currently a manager at Deloitte in its anti-money laundering and sanctions practice groups.

2013

Adam Blander was promoted to partner at Wolf Popper. He focuses his practice on commercial and securities litigation, corporate governance, and consumer rights.

Karl Dowden was recognized by *Super Lawyers* as a 2020 New York Metro Rising Star in real estate law. He manages his own private practice.

Tyler O'Reilly was promoted to partner at Harris Beach. He focuses his practice on mergers and acquisitions, corporate finance, commercial contracts, and corporate governance.

2014

Sherief Morsy joined McCune Wright Arevalo as an associate in its consumer fraud class actions and complex litigation matters group. He was previously a senior associate at Faruqi & Faruqi.

Erin Ogburn joined LPL Financial's Leadership Council on Legal Diversity's 2021 Fellows Program. She is currently an assistant vice president and associate counsel at LPL Financial.

2015

Jared Brenner was elected to the board of directors of Songwriters of North America. He is an associate at Stubbs Alderton & Markiles and previously practiced at WilmerHale.

Erica Carter joined Epic Games as counsel. She was previously counsel for Sesame Workshop.

Richard Quatrano was recognized by *Super Lawyers* as a 2020 New York Metro Rising Star in business and corporate law. He is an associate at Farrell Fritz.

2016

Anthony Beneduce was recently elected to the board of directors of the Puerto Rican Bar Association. He currently serves as secretary to the Young Lawyers Committee of the New York County Lawyers Association. Beneduce is an associate at Zaremba Brown.

Michael Troiano joined Moritt Hock & Hamroff as an associate in its creditors' rights, restructuring and bankruptcy practice group. He was previously a law clerk at the U.S. Bankruptcy Court.

2017

Brittany Parisi joined Wong Fleming as an associate in its commercial litigation, creditors' rights and bankruptcy, and trial insurance defense and coverage practice groups.

2018

George Peters joined Certilman Balin as an associate in its real estate and land use and zoning practice groups.

In Memoriam

David N. Dinkins '56

David N. Dinkins '56, the 106th mayor of New York City, died Nov. 23, 2020, at age 93. Born July 10, 1927, in Trenton, N.J., Dinkins served as the city's first Black mayor from 1990 to 1993. While leading the city during a time of unrest and upheaval, he also introduced many of the initiatives and programs that led to the city's revitalization.

As mayor, Dinkins instituted a comprehensive plan to reduce crime and expand opportunities for the children of New York. His administration, the most diverse in the city's history, initiated the revitalization of Times Square and established cultural staples such as Fashion Week, Restaurant Week, and Broadway on Broadway. It also successfully negotiated to keep the U.S. Open Tennis Championships in New York for the next 99 years.

At the Law School, Dinkins was a longtime member of the Alumni Association Board of Directors. He was honored as Alumnus of the Year in 1990 and was named an Icon of the Law School in 2015. Dinkins also was an active member of the Black Law Students Association, which, in 2018, presented him with the inaugural David N. Dinkins Award.

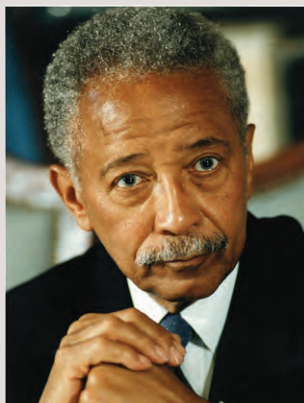
"In 1953, Brooklyn was one of the few schools that would admit you if you had to work," remembered Dinkins, who worked in his father-in-law's store in Harlem while attending law school. "I will forever be grateful for what Brooklyn Law School did for me."

Dinkins began his public service career in 1966 as a member of the New York State Assembly. He was president of the New York City Board of Elections and served as city clerk for 10 years before his elections as Manhattan borough president in 1985 and mayor in 1989.

In 2003, the David N. Dinkins Professorship Chair in the Practice of Urban & Public Affairs was established at Columbia University, where he was a member of the faculty. Dinkins received numerous awards and accolades throughout his career and was associated with a variety of civic and charitable organizations that assist children and young people.

Dinkins graduated with honors from Howard University in 1950 and received an LL.B. from Brooklyn Law School in 1956. He was a recipient of the Congressional Gold Medal for his service as a Montford Point Marine in the U.S. Marine Corps during World War II.

Dinkins was predeceased by his wife, Joyce Burrows Dinkins. He is survived by his two children, David Jr. and Donna Dinkins Hoggard; two grandchildren, Jamal Hoggard and Kalila Dinkins Hoggard; and his sister, Joyce Belton.



1950

Eugene Hurkin
January 8, 2021

Robert Stone
May 5, 2021

1952

Hon. Ralph P. Franco
October 14, 2020

1953

Irv Frankel
November 21, 2020

Samuel Levine
July 26, 2020

1954

Melvin Maiman
December 23, 2020

Arthur Osman
September 21, 2020

1955

Roland Thau
November 10, 2020

Harry Unger, Jr.
November 23, 2020

1956

Donald H. Blyn
January 12, 2021

Hon. Stanley Feinstein
September 19, 2020

1957

Hon. Leonard S. Clark
February 25, 2021

1958

Herbert L. Haas
October 14, 2020

Jay Simon
August 13, 2020

1959

Robert Michael Balancia
February 15, 2021

Hon. Lila Levy-Dino
September 2, 2020

To learn more about the historic life of Mayor Dinkins, listen to NY1's "The Making of a Mosaic," a three-part podcast hosted by Errol Louis '05: www.brooklaw.edu/dinkins

In Memoriam



Professor Emerita Mary Falk

Professor Emerita Mary Ruth Falk, a longtime member of the legal writing faculty, died March 21, 2021. She was 78.

Falk joined the faculty in 1987, where she taught a variety of legal writing courses, including the Law School's first advanced legal writing seminar. She served as chair of the Edward V. Sparer Public Interest Law Fellowship Selection Committee and as supervisor of the Jerome Prince Memorial Evidence Competition. She retired from teaching in 2016 but continued to write and publish articles.

She coauthored several widely used textbooks for law students, including *Appellate Advocacy: Principles and Practice* (5th ed., LexisNexis, 2012), with Professor Emerita Ursula Bentele and Eve Cary. She coauthored two books and numerous articles on cognitive theory and language and the law with Professor Elizabeth Fajans.

Before joining the faculty, Falk served as associate appellate counsel for the Legal Aid Society Criminal Appeals Bureau.

Falk was born in 1942 in Queens, N.Y. She graduated from Sarah Lawrence College in 1963 and received a master's degree in French literature from Yale University. After a career in publishing, she earned her law degree at New York University School of Law.

She was predeceased by husband Omar K. Lerman, and is survived by stepson Dion Lerman and Alanna Campbell, whom she considered a daughter.

Grace Gribetz Glasser '53



Grace Gribetz Glasser '53, who served as director of placement at the Law School from 1985 to 1993, died Dec. 16, 2020. She was 93.

She graduated from Cornell University in 1950 before attending

law school. There, she met her husband of 68 years, I. Leo Glasser '48, U.S. District Judge of the Eastern District of New York, who was a member of the Law School faculty before serving as dean from 1977 to 1981.

Glasser worked for District Council 37's prepaid legal services and earned her master's degree in social work from the Wurzweiler School of Social Work at Yeshiva University while raising four children and maintaining an active involvement in her community. She also taught art in the

New York City Public Schools system.

Fondly remembered by longtime faculty as a "smiling presence," Glasser served the Law School not only with distinction, but with joy. She and her husband were dedicated members of the Law School community. Her father, Louis J. Gribetz '17, was one of Brooklyn Law School's earliest graduates.

In addition to her husband, Glasser is survived by children Dorothy, David, James '85, and Marjorie; grandchildren Sasha, Louis, Joshua Jacob, Nathaniel, Sarah '20, Juliana, Elizabeth, Annie, and Jesse; and great-grandchildren Lev, Misa, and Theodore. The Glasser family legacy at the Law School also continues with her nephews David '77 and Kenneth '03, and niece Rachel '14.

Mohammad Malik '10



Mohammad Malik '10, an associate at Olshan Frome Wolosky in New York, died Oct. 28, 2020, at age 35, along with his wife, Dr. Noor Shah, a surgeon, in a swimming accident while honeymooning in Turks and Caicos Islands in the Bahamas.

Malik was a corporate attorney focusing on shareholder activism, proxy contests, mergers and acquisitions, and corporate governance. Prior to joining the firm, he was an attorney in the Legal and Compliance Department at BlackRock, where he focused on mergers and acquisitions, board governance, public company reporting, and registered funds compliance. Malik graduated from Cornell University before attending law school.

He is survived by his parents, Col. R. Maqbool and Najam Malik, his brothers Salman, Ahmad, and Murtza, and his sister Saadia.

Murray Schisgal '53



Associated Press

Playwright and screenwriter Murray Schisgal '53, creator of the Oscar-nominated comedy *Tootsie* and the Tony Award-nominated farce *Luv*, along with more than 50 Broadway and off-Broadway productions, died Oct. 1, 2020, at age 93.

Born Nov. 25, 1926, in Brooklyn, Schisgal left high school at 17 to enlist in the Navy during World War II. After attending law school under the G.I. Bill, he practiced in New York until 1956, then taught high school English in Harlem before turning to writing.

Following the 1961 London success of three of his one-act plays, Schisgal debuted off-Broadway in 1963 with *The Typists* and *The Tiger* (the latter adapted for film), starring Eli Wallach and Anne Jackson. Schisgal had a Broadway hit (and a Tony nomination for Best Play) with 1964's *Luv*, starring Wallach, Jackson, and Alan Arkin, and directed by Mike Nichols.

Among Schisgal's plays, *Jimmy Shine* (1968) launched a decades-long artistic relationship with actor Dustin Hoffman, who directed Schisgal's *All Over Town* (1975) and starred in *Tootsie* (1982). With co-writer Larry Gelbart, Schisgal won several screenwriting awards for *Tootsie*, including the New York Film Critics Circle Award.

He also wrote for television and was a producer for such films as *A Walk on the Moon* (1999) and *A Separate Peace* (2004), as well as writing the 1980 novel *Days and Nights of a French Horn Player*.

Schisgal is survived by his son, Zach Schisgal; daughter, Jane Schisgal; sister, Diane Troy; and four grandchildren. His wife, Reene, died in 2017.

Ralph K. Winter Jr.



Ralph K. Winter Jr., former chief judge of the U.S. Court of Appeals for the Second Circuit and a member of the Board of Trustees for 27 years, died Dec. 8, 2020. He was 85.

Winter served as a trustee from 1986 to 2013, a time of significant growth for the

Law School, including expansion of the main campus building at 250 Joralemon Street and construction of Feil Hall. He also contributed to the intellectual life of the Law School by speaking at academic symposia and events.

Winter was appointed to the Second Circuit in 1981 by President Ronald Reagan. From 1997 to 2000, he served as chief judge of the Second Circuit, attaining senior status in 2000. In 2017, he received the Edward J. Devitt Distinguished Service to Justice Award, the highest honor awarded by the federal judiciary.

Born in Waterbury, Conn., in 1935, Winter received his law degree from Yale Law School in 1960. He clerked for Second Circuit Judge Thurgood Marshall, who would become the first Black justice on the U.S. Supreme Court as well as Winter's lifelong mentor.

Winter taught at Yale Law School for 20 years. During that time, he successfully represented the plaintiff in the landmark U.S. Supreme Court case *Buckley v. Valeo*, alongside future faculty member Joel Gora and former U.S. Senator Eugene McCarthy.

He served as a mentor for generations of young lawyers. His former law clerks include Professor Brian Lee, as well as Jodi Golinsky '98, Kelly Gilmore '07, Shannon Haley '08, Megan Overgaard '09, Rachel Green '10, Stanton Gallegos '11, Shawna MacLeod '12, and Kiran Sheffrin '13.

Winter was predeceased by his wife of 50 years, Kate, in 2012. He is survived by his son Andrew, his daughter-in-law Kimberly, and his granddaughter Kiersten.

1961
Haig Chekenian
December 12, 2020

Arnold M. Gussin
November 7, 2020

1964
Terry Bernstein
December 15, 2020

Stanley Rand
January 5, 2021

Hon. Preston Sandford Scher
February 21, 2021

1965
William I. Aronwald
October 29, 2020

1968
L. Stephen Turer
February 25, 2021

1970
Barbara Burger
November 9, 2020

1972
Peter L. Agovino
November 16, 2020

1974
Nicholas Miglino
April 9, 2020

Sally Weinraub, Esq.
December 2, 2020

1979
Mitchel Miller
December 16, 2020

1980
Jack I. Appel
November 2, 2020

Liam T. O'Connor
October 8, 2020

1984
Charles Dorego
March 13, 2021

Daniel J. Scanlon
February 21, 2021

1988
Peter J. Mollo
October 23, 2020

2005
Bradley Chain
January 2, 2021

By Amanda Kadish '20

THE LIMITS OF SECTION 230

IN OCTOBER 2020, Glenn Greenwald, a well-known and controversial national security journalist, announced he was leaving *The Intercept*, an online publication he helped create, to start an email newsletter on Substack. In his first newsletter on the new platform, Greenwald wrote, “I will be publishing here... in order to practice journalism free of the increasingly repressive climate that is engulfing national mainstream media outlets across the country.”

Launched in 2018, Substack promises journalists and other writers independence and the opportunity to create their own mini media empires. Readers subscribe to their favorite writers and, in return for a small monthly fee, are emailed periodic newsletters. The platform is gaining traction. It has received funding and support from Y Combinator, a startup accelerator whose portfolio includes such household names as Airbnb, Stripe, and Dropbox. Journalists are also embracing the model, and are leaving more established publications such as *Buzzfeed*, *Vox*, *Rolling Stone*, and the *New Yorker* to start newsletters on the platform.

While it has long been argued that the news business is due for a remodeling, is Substack in the business of news? Not according to its co-founder and CEO, Chris Best. “I think our asset is the platform that we’re creating,” said Best in an interview with *The Verge*. “We aren’t a media company... The whole point of Substack is that, as a writer, you can use Substack to go independent, and we are spawning a million media companies.”

Despite Best’s contentions, Substack’s infrastructure says otherwise. The company has offered certain writers advances to join, as well as providing editorial support and the option to buy health insurance. It also offers, on a case-by-case basis, a legal defense program for writers facing “bogus legal threats” from politicians.

This kind of protection is exactly why journalists maintain their jobs at places like the *New York Times* or the *Washington Post*. So, why then is Substack not embracing the title of media company as opposed to tech platform? Likely because it wants a safety net of its own—Section 230 of the Communications and Decency Act.

Section 230—the “26 words that created the internet,” according to Jeff Kosseff, a cybersecurity law professor at the U.S. Naval Academy—states: “No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider.” Section 230 establishes a baseline of protection for information platforms so they can avoid liability for their users’ content. Without

it, many of today’s biggest tech companies wouldn’t be in existence.

As a result, tech companies such as Facebook, Google, and Twitter have gone to great lengths to prove they are not “publishers,” but “platforms.” While old media remains liable for the work it puts into the world, these companies argue they shouldn’t be subjected to costly litigation for the words that users put on their platforms.

Section 230 finds itself in the crosshairs of both liberal and conservative politicians, who argue, for different reasons, that the law needs to be amended. Conservatives argue social media is censoring their voices, while liberals argue that a lack of censorship has led to the proliferation of misinformation. Regardless of the

merits of either of these claims, it appears that even Facebook’s ability to label itself a platform may be coming to an end, making it even more unlikely that Substack could claim the same.

Given all this, perhaps it might be wisest for Substack to embrace the title of publisher. After all, it isn’t as though publishers haven’t been given a safety

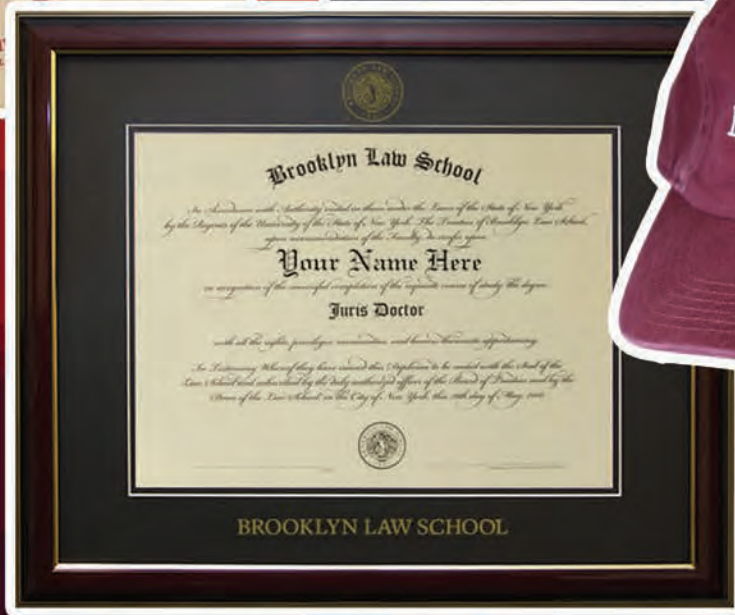
net of their own. One of the most well-cemented cases in First Amendment jurisprudence is *New York Times v. Sullivan* (1964). In its decision, the U.S. Supreme Court held that public officials suing publishers for libel could recover only if they showed by clear and convincing evidence that statements were made with “actual malice,” with knowledge that they either were false or were written with a reckless disregard for whether they were true.

This is likely a better standard for Substack, which seems to want to ensure that the work published on its site meets a certain standard of professionalism. As the company writes on its “About Us” page, “We started Substack because we believe that what you read matters and that good writing is valuable.” Substack shouldn’t shy away from embracing high-quality journalism. Although it may be tempting to follow in the footsteps of so many other Silicon Valley companies, they may find that the protections offered to them under First Amendment jurisprudence will better protect them, and better serve their mission to reshape the media landscape. ■

Amanda Kadish '20 began law school as an evening student and graduated in December 2020. She was a member of the Moot Court Honor Society, where she was a quarterfinalist in the American Association for Justice Competition, and the Brooklyn Law Incubator & Policy Clinic.

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