

December 2008

Greetings!

I hope you enjoy a happy and healthy holiday season. In the last several years, I have written at this time of year to wish you well and to give you an update on the law school. This year, I am writing also with a special request. **Please consider seeking out and hiring BU Law students and alumni when you have an opening.**

Today, our students and alumni need your help more than ever. As you know, the current economic downturn has had an impact on legal employment. To date, the impact has been felt most strongly by those students who are seeking entry level and summer associate positions in the private sector. Last fall, our hiring season was particularly successful, with 65 percent of the 2L class having received job offers by December 1.

Although more employers than ever are soliciting applications from BU Law students, there are simply fewer summer associate and entry level private sector jobs available this fall. While we cannot predict the exact impact on other legal employers, we are certain that there will be an increase in the number of students seeking positions in a wider range of practice settings. Our students and graduates are highly qualified and they need your support during this difficult economic period. You can make a huge difference in their lives.

There are three things you can do to help.

- First, if you have an opening for students or graduates or know of others who do, please call Cynthia Tow, the Career Development Office Recruitment & Marketing Manager, at 617-353-3145 or e-mail the information to lawhire@bu.edu.
- Second, take on a 1L or 2L student volunteer intern or help us identify possible volunteer legal internships with clients or colleagues. As always, we are committed to preparing our students to be excellent attorneys. Now more than ever, we must assist our students in finding summer positions through which they may gain experience, build relevant skills and develop their professional networks. Please contact Cynthia Tow if you can help.
- Finally, if you have openings in non-law jobs for which a law degree is useful or know others who do, please let Cynthia Tow know.

Although our CDO has traditionally focused on current students, it stands ready to assist alumni as much as possible. Please contact Viveca Aghassi at 617-353-3159 or vaghassi@bu.edu if you are looking for employment.

Please also visit our Web site and join the BU Law Connection, our online directory for alumni and current students.

We have heard from those who registered that it has been a useful resource for job referrals and career networking. I describe the BU Law Connection in more detail at this letter's conclusion.

You truly are the law school's greatest asset. Please join our efforts to help our students be well prepared to meet the challenges of these uncertain times. If you have any questions, feel free to contact Maura Kelly, the Director of the Career Development Office, at 617-353-3141 or kelly@bu.edu.

Student News

We enrolled another great class of students this year – 282 students were selected from almost 6,000 applicants. This class has a median GPA of 3.68 and median LSAT score in the 93rd percentile. As you know, we've dropped our entering class size from over 400 in the 1990's to less than 300 today while maintaining the size of our faculty. The resulting reduction in tuition income represents a significant university investment in the law school, and our students now have a richer educational experience with more opportunity for interaction and attention from faculty.

Many of our students will graduate with significant debt. While the law school awarded \$8 million dollars of scholarship aid to 55 percent of the J.D. student population for the 2007-08 academic year, the average law school debt for our graduating students is just over \$90,000. This year, I am also using \$200,000 from the Annual Fund and endowment income to provide assistance to students with unmet need after the financial aid budget is exhausted. In addition, we have a Loan Assistance Grant Program that supports law students who choose public interest positions when they graduate. Your generous contributions to the Annual Fund and the Loan Assistance Grant Program have made this financial support for students possible.

I know this is a difficult time for many. I hope, though, that you will consider making a gift to the Annual Fund particularly because these times are so uncertain. Your generosity makes it possible for me to assist our students by helping to ease the debt burden they have when they graduate. This is particularly important in today's economy.

Our students are truly worth the investment! They are both accomplished and generous with their time. Many of our students are involved in *pro bono* activities and public interest jobs while they are in school. They returned to New Orleans during the 2008 spring break to help survivors of Hurricane Katrina. While there are fewer media reports today about the difficulties faced by residents of this hurricane ravaged city, the need for help continues, and our students are rising to the challenge.

Since the inception of the BU Law **Pro Bono Program** in the fall of 2006, the number of BU Law students who have taken the "*pro bono* pledge" has more than tripled. To participate in the *Pro Bono* Program, J.D. students agree to perform a minimum of 35 hours of *pro bono* work during their three years in law school, and LL.M. students pledge a minimum of 12 hours. Upon completion of their *pro bono* hours, students receive a notation on their law school transcripts attesting to their participation in the program.

Last spring, 30 graduating students were honored for their completion of the *Pro Bono* Program. The type of volunteer legal work varied greatly as did the number of hours students worked. Some students engaged in short-term research projects. Others participated in client counseling projects that required an ongoing weekly commitment. The number of hours ranged from 35 to 400, with one of our Banking and Financial Law LL.M. students volunteering over 200 hours

during his one year here. To date, 180 of our current students have committed to participating in the *Pro Bono* Program. I am delighted to report that many of our alumni are also participating in the program as supervisors of our students. We welcome your support!

Our **Public Interest Program (PIP)** continues to assist law students who choose to work in public interest summer jobs for little or no pay. Last year, 62 students applied for and received PIP grants. Another six graduating students received grants to cover the expense of their bar review courses last summer. Your contributions to the Annual Fund help make these programs possible, and we are grateful for your continued support. We anticipate that the need will be even greater this year as law firm summer jobs are fewer in number.

Many of our students work in public interest positions through PIP grants and fellowships. Each has a unique story; I'll tell you about just a few.

- **Tiffany Chen ('10)**, whose goal is to improve the US education system, spent her summer working in the Legal Office of the Massachusetts Department of Education through the Education Pioneers Fellowship.
- **Ariel Soiffer ('10)** and **Khadijah Britton ('10)** participated this past summer in the Rappaport Fellows Program which connects the next generation of civic leaders with top public policy makers to work on issues that affect people's lives and work in greater Boston and Massachusetts.
- **Jeremy Knee ('10)** was a Janet D. Steiger Fellow in the Oregon Attorney General's Office.
- **Sarah Green ('10)** was a Napolitano Scholar at the Massachusetts Commission Against Discrimination.
- This past summer five BU Law students received Equal Justice America Fellowships for their work on behalf of low-income individuals. **Pepper Hayes ('09)** worked at Casa Myrna Vazquez in Boston. **Matthew Ilacqua ('10)**, **Liam Ryan ('10)** and **Noreen Stackhouse ('10)** worked at Greater Boston Legal Services. **Jacob Stone ('10)** worked at the Harvard Legal Aid Bureau.
- An increasing number of students are pursuing international public interest positions in a variety of areas such as human rights, law reform, transitional justice, health law and environmental law. For example, **Anthony Marino ('09)** was an intern at the Legal Resources Centre in Ghana; **Anuj Khetarpal ('10)** traveled to India to work for International Bridges to Justice and **Wei Zhang ('10)** worked in China for the same organization.

I'm also pleased to report that our students' pass rate for the most recent administration of the Massachusetts Bar examination was 97.7 percent for first-time takers (130 students out of 134); the overall pass rate for all BU Law students was 97 percent. This rate was second only to Harvard Law School, where just 77 students took the test. We have not received pass rates for other states yet but hope for similar results elsewhere.

Interactive BU Law History Timeline Launched

From the day we opened our doors in 1872, BU Law has admitted students without regard to race, gender or religion. Our graduates have been pioneers in society and in their chosen fields. New to the School's Web site is an interactive history timeline which allows viewers to navigate through the law school's rich past to its present-day accomplishments. You may be surprised by what you learn!

Did you know that the first athlete in Olympic history to win two championships at the games graduated from BU Law? That **Lelia Robinson (1881)**, the first woman admitted to the Massachusetts Bar in 1882, was a BU Law graduate? That **Clara Bruce ('26)** was elected the first black woman editor-in-chief of the *BU Law Review* — long before President-elect Obama became the first black President of the *Harvard Law Review* in 1990? That three BU Law alumni won a landmark civil suit against the federal government in 2007? To learn more about our amazing history makers, visit our Web site: <http://www.bu.edu/law/timeline>.

Faculty News

Our faculty continues to receive the highest praise for its scholarship and teaching. The BU Law faculty is ranked #1 in the nation for teaching quality by both Princeton Review and the Leiter Law School rankings. Most students mention the faculty as a very strong factor in choosing BU Law.

Professor Andrew Kull received one of the University's most prestigious honors in May — the Metcalf Award for Teaching Excellence. Also in May, **Professor Neil Hecht** was awarded the Michael J. Melton Award for Teaching Excellence. **Associate Dean Gary Lawson** received the David Saul Smith Award which was created two years ago by a generous alumnus to support the scholarly work of our faculty. **Professor Ward Farnsworth** received the United Methodist Scholar/Teacher of the Year Award in November 2008.

Thanks to the generosity of our alumni, we've appointed three faculty members to chaired professorships this year.

Professor Wendy Gordon has been named the Phillip S. Beck Professor of Law in recognition of her scholarly achievements in the field of intellectual property law. **Professor Robert Bone** has been named the Robert Kent Professor in Civil Procedure in recognition of his important work in that area. **Professor Keith Hylton** has been named the Honorable Paul J. Liacos Professor of Law in honor of his scholarly work in antitrust, torts and labor law.

Professor William (Rusty) Park, who is known around the world for his expertise in arbitration, has been appointed to the World Bank's dispute resolution panel by President George W. Bush. Professor Park will serve on the International Centre for Settlement of Investment Disputes until 2014. Professor Park is general editor of *Arbitration International*, vice president of the London Court of International Arbitration and has served on the International Commission for Holocaust Era Insurance Claims in London and the Claims Resolution Tribunal for Holocaust-related Swiss bank accounts.

Professor Michael Meurer will be the principal investigator for a significant multi-year grant (\$443,000) awarded to BU Law by the Ewing Marion Kauffman Foundation. The grant will fund research on whether the law is optimally tailored to promote innovation by small firms. The Foundation awards a limited number of grants on a competitive basis to law schools in the United States to conduct interdisciplinary research on topics related to law, innovation and economic growth. Professor Meurer recently co-authored a book on patent failure with economist and BU Law **Lecturer James Bessen**, entitled *Patent Failure: How Judges, Bureaucrats, and Lawyers Put Innovators at Risk* (Princeton University Press, 2008).

The Morin Center for Banking and Financial Law is flourishing under **Director Cornelius Hurley's** guidance. You may have heard or seen Con discussing the financial crisis in the US over the past months in such publications as *Business Week*, the *Boston Globe*, *NPR's Marketplace* and the *Wall Street Journal*, among others.

This year, we welcomed **Associate Professor Anna di Robilant** to our faculty. Anna is an impressive scholar with a law

degree from the University of Turin, Italy, a Ph.D in Comparative Private Law from the University of Trento, Italy, and an LL.M. from Harvard Law. She is also a candidate for a Doctor of Juridical Science degree at Harvard. And, of course, she is an excellent teacher! Anna will be a great addition to our faculty as we strive to prepare our students for global practice. Her fields of study encompass Property Law, European Union Law, European Legal Culture and History, European Private Law and Comparative Law.

We also welcomed **Dan Berman**, a leading international tax lawyer, as **Director of the Graduate Tax Program** this summer. Dan has 25 years experience in tax planning, tax controversies, tax policy work and negotiating and interpreting tax treaties. He has worked as a partner in private law firms, as Deputy International Tax Counsel for the US Treasury Department and as Legislation Counsel for the Joint Committee on Taxation of the US Congress. In the spring, Dan plans to teach a course on the federal legislative process, drawing upon his in-depth knowledge of tax and his experience in the legislative and administrative branches of the federal government.

This summer, we bade farewell to **Professor William Ryckman, Jr.**, who retired after 46 years of dedication and superb teaching at BU Law. Many of you studied with him and some of you were able to come to the law school to say good-bye. We wish him a happy and healthy retirement.

Professor Fran Miller will retire at the end of this academic year. Some alumni have joined together in contributing to a fund to commemorate Fran's tenure at BU Law. If you would like to support this effort, or for more information, please contact John Nissenbaum in the Esdaile Alumni Center at 617-358-4756 or jnissen@bu.edu.

International Programs

The events of this fall have made us all more keenly aware that we operate in a global marketplace with strong interdependence among nations. BU Law recognized this development some time ago, strengthening our international focus and infusing a global perspective into our curriculum at both the J.D. and LL.M. levels.

Our J.D. students are taking advantage of the School's extensive opportunities to study abroad. We now have **13 foreign study programs** — our most recent addition is in Geneva at the Graduate Institute of International and Development Studies. We've also added our first international dual degree program combining a J.D. with an LL.M. degree in European Law from the Université Panthéon-Assas in Paris. Also known as Paris II, this school is one of Europe's most highly acclaimed law schools.

We've also created the **Summer International Internship Program (SIIP)**, which matches overseas law firms, corporations and non-profit organizations with first and second year J.D. students. The program responds to the increasing interest among J.D. students in receiving real world experience in international practice settings. It also benefits overseas employers who are seeking J.D. students to work on projects where English-language proficiency, an understanding of American law and US legal research skills are needed. These placements result in summer experiences that greatly enhance students' global perspectives and help prepare them for international practice. If you would like to participate by hiring some of our J.D. students, please contact Maura Kelly in the Career Development Office.

Our **Graduate Program in Banking and Financial Law** now offers a concentration in international banking and financial law as well as international internships. This program attracts a large number of international lawyers who want to learn

more about US banking and financial regulation. Today, 72 percent of students who graduate from the program are foreign trained lawyers.

Our largest graduate program is the **LL.M. in American Law**, which is specifically designed for international lawyers who want first-hand exposure to a traditional American-style legal education. International lawyers in this program are integrated into our J.D. classes, learning US law side by side with American students. This integration naturally leads to networking and an exchange of perspectives between US law students and foreign trained lawyers.

Health Law

This year, we celebrate 50 years of health law at BU. BU Law has been a pioneer in this field, bringing an innovative interdisciplinary approach to the study of health law. **Professor Fran Miller**, who holds appointments in the Schools of Law, Management and Public Health, revised and expanded our health law curriculum to recognize the fundamental changes occurring in the health law sector in the 1970's and continues to keep our curriculum current. **Professor George Annas**, who holds appointments in the Schools of Law and Public Health, has been called the "father of patients' rights" because of his pioneering scholarship in this area. **Associate Professor Kevin Outterson**, who joined our faculty last year, will continue Fran Miller's work. We are also delighted to have one of the pioneers in the field, **Ernest Haddad ('64)**, on our staff as Associate Dean for Special Projects. You can read more about our 50 years of health law history on our Web site at www.bu.edu/law/healthlawbrochure.

Past Events

We celebrated Constitution Day at the law school on September 18 with an address by **Rhode Island Supreme Court Chief Justice Frank J. Williams ('70)**. A decorated veteran, Chief Justice Williams also serves as Chief Judge of the Court of Military Commission Review. He is also an expert on Abraham Lincoln; his book of essays, *Judging Lincoln*, was published by Southern Illinois University Press in 2002.

The Morin Center for Banking and Financial Law presented a panel on September 23 to explore the causes of the turbulence in the financial markets and the regulatory response to it. Panelists included **Robert R. Bench**, former Deputy Comptroller of the Currency; **Patrick E. Clancy**, President & CEO, The Community Builders, Inc.; **Arthur R. Connelly**, Chairman-Elect, American Bankers Association; and Professor **James E. Post**, BU School of Management. **Cornelius Hurley**, Director of the Morin Center, moderated the discussion.

The Student Affairs Office hosted a Brown Bag Lunch on **"The Role of Securitization in the Financial Crisis"** on October 14. BU Law **Professor Tamar Frankel**, a renowned expert on securitization, and **Professor Mark Fagan**, Senior Fellow, Mossavar-Rahmani Center for Business and Government at the John F. Kennedy School of Government at Harvard University, led the discussion.

On October 16, the National Security Law Society, a student organization begun by second year student **Michael Greenwald**, invited two former CIA officials who currently teach in BU's Department of International Relations to speak with students. **Professors Arthur Hulnick** and **Joseph Wippl** spoke about **"Torture and 'Enhanced Interrogation': A Perspective From Inside the CIA."**

Stephen B. Bright, President and Senior Counsel of the Southern Center for Human Rights in Atlanta, delivered the annual Shapiro Lecture in October entitled: **"Is this Justice? Technicalities and Bad Lawyers in Criminal Cases."** A committed opponent of the death penalty, Bright writes and teaches about capital punishment, conditions and practices in prisons, legal representation for poor people accused of crimes and judicial independence. His work has been the subject of a documentary film and two books.

On November 13, US State Department Ambassador-At-Large for War Crimes **Clint Williamson** spoke about **"US War Crimes Issues and the Change of Administration."** BU Law alumnus **Brendan Doherty ('06)**, a Presidential Management Fellow in the US State Department War Crimes Division, arranged the Ambassador's visit and also spoke with students about his law school experiences and how they prepared him for his current position.

OutLaw, the School's lesbian, gay, bisexual and transgendered student organization, celebrated its 30th anniversary with a cocktail party on November 13. Alumni and current students joined together for the celebration.

On November 14 & 15, we held a major conference entitled: **"The Most Disparaged Branch: The Role of Congress in the 21st Century."** BU Law **Professor James Fleming**, a constitutional scholar who joined our faculty last year, assembled an impressive group of academics for this event. NYU **Professor Jeremy Waldron** delivered the keynote address and Stanford **Professor Lawrence Lessig** gave a lunch address.

Upcoming Events

We have many events scheduled for the spring semester and would be delighted to have you join us for some or all of them. Details on these and other events will be posted on the BU Law Web site as they become available.

February 7, 2009

The American Journal of Law and Medicine Symposium will explore "Access to HPV Vaccines: Human Rights and Global Health."

February 27-28, 2009

BU Law will host this year's regional European Law Moot Court Competition.

March 27, 2009

The annual Pike Conference will explore the topic of Autism and the Law.

April 2, 2009

The annual Public Interest Auction will be held to support students who choose to work in public interest jobs.

May 17, 2009

BU Law's Commencement will be held at Agganis Arena at 4 P.M.

Alumni News

Our alumni continue to excel in many diverse areas. Here are just a few of their stories:

- **Judge Sandra Lynch ('71)**, the first woman to serve on the 1st Circuit Court of Appeals, has become Chief Judge of the Court and is the first woman to hold that position as well. We plan to hold an event in her honor this spring. Look for more details on our Web site.

- **Massachusetts Attorney General Martha Coakley ('79)** appeared before the US Supreme Court in November 2008 to argue on behalf of the Commonwealth in the case of *Melendez-Diaz v. Massachusetts*.
- **Jay D. Roth ('71)**, National Executive Director of the Directors Guild of America (DGA), received the DGA's Honorary Life Member Award. He was honored for his exceptional leadership in the entertainment industry for the past 25 years, exemplified by his outstanding stewardship of the DGA.
- **Bettina Plevan ('70)**, a partner in the Labor and Employment Law Department at Proskauer Rose in New York, was honored by the Brooklyn Legal Services Corporation for her work as an extraordinary advocate for access to justice for the underprivileged.
- Three LL.M. alumni were among the attorneys who worked on the Caribbean finance deal for the purchase of Aerodom by Advent. **Ernesto Bournigal (Banking '05)**, **Vitelio Mejia (Banking '07)** and **Vera Martinez (American Law '07)** all provided legal advice on the deal which was the first LBO acquisition in the Dominican Republic and the largest Caribbean infrastructure financing in recent years.

Please tell us your good news so that we can share it with the BU Law community.

The BU Law Connection

We've launched a new program to help the BU Law alumni community connect with each other, with current law students and with the School. It's called the **BU Law Connection**. You should have received a postcard announcing this program this fall. You can also find information about how to join the networking program on our Web site. Just go to www.bu.edu/law and click on the red BU Law Connection box at the top of the page. I urge all of you to join the network and to take advantage of this opportunity to connect with the BU Law community. Your participation is what makes our community strong and vibrant.

We'll continue to update you on news about the School through *The Record*, our alumni magazine (which I hope you recently received), our quarterly electronic newsletters for alumni, and our weekly *Friday Update*. **Please let us know (e-mail lawweb@bu.edu) if you're not receiving these and would like to be on our e-mail list.**

Thank you for all you do to support the School of Law, whether by hiring our students and alumni, contributing to the Annual Fund or simply by telling others about the wonderful community that is BU Law. All of your efforts on our behalf, large and small, make a difference, and we are very grateful to you.

Best wishes for a happy holiday season and a happy, healthy, and prosperous 2009.



Maureen A. O'Rourke
 Dean and Professor of Law
 Michaels Faculty Research Scholar