

USC MAGAZINE Law

FOR FRIENDS AND ALUMNI OF THE UNIVERSITY OF SOUTHERN CALIFORNIA GOULD SCHOOL OF LAW ISSUE 04 | FALL 2013/WINTER 2014



Child Witness Testimony
Using virtual tools to
ask better questions



Our profession continues to evolve. Technology and the lingering effects of the Great Recession have allowed — and sometimes required — innovations in various sectors of legal practice.

Terms like “project management,” “outsourcing” and “predictive coding” have become commonplace as each sector of the legal service profession has grappled with the “New Normal.” All of us involved in the legal profession are in a different environment than we were a decade ago.

These developments lead me to make two observations that are central to our school. The first is that USC Gould remains the most innovative top law school in the country. As reflected in the pages of this magazine, my colleagues and I

continue to adopt new methods of teaching to provide our students with the intellectual foundation essential to practicing law at any level. Whether it is meeting with recent graduates here in Los Angeles or in Seoul, South Korea, I hear from graduates how our faculty have prepared them to thrive in today's legal climate.

The second observation is the enduring value of a USC Gould education. I am constantly gratified to learn how the rigorous education we have provided over the years has enabled our alumni

“My colleagues and I continue to adopt new methods of teaching to provide our students with the intellectual foundation essential to practicing law at any level.”

to lead meaningful lives. It is the depth and breadth of your accomplishments that are the best testament to the critical thinking and creative problem-solving that we have instilled in generations of Gould alumni.

We continue to invest in the quality of our students' education. This fall, we welcomed three new faculty members. Sam Erman, who in addition to legal training has a Ph.D. in history, joins us to teach comparative constitutional law. Prior to entering academia, Prof. Erman served as a law clerk to Supreme Court Justices Stevens and Kennedy. Emily Ryo, who has both a J.D. and a Ph.D. in sociology, and who has already published in the leading sociology journal, explores issues surrounding immigration. Between law school and graduate school, Prof. Ryo was an associate at Cleary, Gottlieb, Steen and Hamilton. Abby Wood, who just completed a clerkship with Judge Noonan on the Ninth Circuit, uses her empirical training to help us better understand the workings of the administrative state.

As you read this magazine and learn more about some of the achievements of our faculty, students and alumni, I know that you will share my pride in our special school.

Very truly yours,

Robert K. Rasmussen

Dean and Carl Mason Franklin Chair in Law, and Professor of Law and Political Science

USC Gould
School of Law





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Clickers, clients and classroom-flipping: from high-tech tools to team-based learning, USC Gould professors embrace new ways to ask questions and find answers.



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In this issue you will see this new icon at the end of many of our stories. This denotes a story that has more content on our online magazine, which can be found at <http://lawmag.usc.edu/>

heard in the halls



Albert Brecht (1946–2012) has been inducted into the American Association of Law Libraries (AALL) Hall of Fame for his contributions to the field of law librarianship. Considered a trailblazer in library science, he was appointed director of USC's law library in 1975 at the age of 30. During his nearly 40 years of service, he pioneered the use of information technology in legal research. Brecht also served as an associate dean, the John Stauffer Professor of Law and chief information officer. He was president of the AALL from 1987–1988.

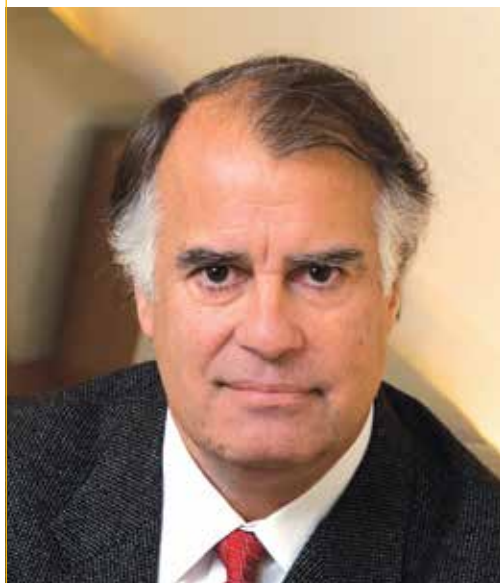


Prof. Elyn Saks has been appointed to a three-year term on the Center for Mental Health Services (CMHS) National Advisory Council. Appointed by the U.S. Secretary of Health and Human Services, Saks was selected for her expertise on public policy and mental health issues. The CMHS's mission is to improve Americans' mental health through the use of policy aimed at preventing and treating mental illness, developing prevention policies and programs, improving access to quality care, and advancing evidence-based practices.

Gerard Olson '14 will be the first J.D. student to attend the study abroad program at the Fundação Getulio Vargas University law school, also known as Direito GV in Sao Paulo, Brazil. He will take classes in English in the Global Law Program, which prepares lawyers to work internationally. Students in the program learn the basics of the Brazilian legal system, debate global issues from a Brazilian perspective and discuss multidisciplinary topics. 📖

NEW BOARD OF COUNCILORS CHAIR

This fall, Ken Doran '81 takes the helm of the law school's Board of Councilors (BOC) as its new chair. The longtime USC Gould supporter has plenty of leadership experience to draw upon, having served as Gibson, Dunn & Crutcher's



chairman and managing partner since 2002.

"I very much enjoyed my time at the law school," says Doran, who has served on the BOC since 2009. "I'm grateful for the opportunities that it has provided to me and am happy to give back to the school in any way I can."

The Board of Councilors is an advisory body providing advice and guidance to the law school leadership. Doran says the challenges facing both the legal profession and the law school community have created an opportunity for USC Gould to further distinguish itself from the competition.

"I am very excited about USC Gould's prospects for the future," he says. "With a solid financial footing and strong leadership from Dean Robert K. Rasmussen and his team, the law school will continue to attract the best and brightest students and faculty from around the world."

Doran is encouraged by the steps the dean and faculty have taken not only to strengthen the traditional law school curriculum but also to partner with USC's other professional schools and bring practitioners into the classroom.

"The fact that the dean is so committed to making sure that USC's graduates are as well or better prepared than graduates of other top-tier institutions to practice law is very exciting," Doran says. "We'll do what we can as a board to help." 📖

26,540 number of times
@USCGouldLaw tweets were delivered
to timelines on Twitter



STUDENT AWARDED MICHIGAN LAW FELLOWSHIP

Stephanie Krol '14 was selected to attend the Bergstrom Child Welfare Law Summer Program at the University of Michigan Law School. She said the fellowship program supplemented her work experiences with worthwhile professional insight and networking opportunities.

"It is a wonderful opportunity to come together to learn from some of the leading experts in the field and form a community of future child advocates," Krol said. "Creating change in this field is a national undertaking, so it is important to have created these connections early so that we can create the most effective change in the future."

This summer, she spent her fellowship assignment working as a legal assistant at Children's Law Center in Monterey Park, Calif. She says that opportunities such as the Bergstrom Child Welfare fellowship have only helped solidify her decision to continue working in this field.

"The child welfare field is an area of tremendous need," Krol said. "I like to know that I can make a difference and help kids achieve some semblance of normalcy and stability while they are attempting to achieve permanence in their family structures." 📌



DEAN WELCOMES INCOMING LL.M. AND SLE CLASSES IN KOREA

At a time when South Korea is undergoing major changes in its approach to legal education, Dean Robert K. Rasmussen and Prof. Alex Lee visited with Korean law firms, alumni and newly admitted students over the summer. Lee says that since the inception of the LL.M. program in 2002, USC Gould has been committed to creating international lawyers.

"USC Gould challenges the J.D. and LL.M. students to interact and create a synergy," Lee said. "The LL.M. program contributes to them becoming international lawyers; the LL.M. students provide the J.D. students with tremendous insight because they are established professionals and they bring a different perspective."

Lee sees USC's diverse campus as a strong foundation for USC Gould and its partnership with Korean law firms and legal educators. Unlike other U.S. law schools with LL.M. programs, USC Gould devotes full-time staff — seven employees — to the international program.

Stefani Lee, student services advisor for the Office of Graduate and International Programs, says she enjoys being a part of a team that strives to make international students feel welcome.

"We basically provide a 'one-stop service' to the LL.M. students," she said. "We make our students feel at home in the law community. Although most of our graduates return to their home country, we keep strong bonds with them. Our alums always feel that they're part of the Trojan Family and they often say to us that studying at USC Gould was the best decision they made." 📌

WAGE JUSTICE CENTER RECEIVES \$200K GRANT

The Wage Justice Center has received a two-year, \$200,000 grant from the Harry and Jeanette Weinberg Foundation.

Founded in 2007 by Matthew Sirolly '05 and Melvin Yee '05, the center provides legal representation to low-income workers facing wage theft. The grant supports the center's ongoing efforts and two new projects.

Last year, the center began providing bimonthly clinics to educate low-wage workers on mechanic's liens, according to Sirolly.

"Day laborers probably have the highest rates of wage theft among all the low-wage workers and the lowest rates of collection," Sirolly says. "The mechanic's lien grabs on to a property so that if a day laborer is hired by a subcontractor who's hired by a contractor who's hired by a general contractor to work on a big building, they're able to attach to the property.

The action leads to them getting paid immediately. We've had about a ninety-five percent success rate in our experience with the mechanic's lien."

Another recent project has allowed the center to expand its work beyond Los Angeles. The California Department of Labor contracted with the center to help enforce claims they've produced from their administrative hearings.

"These judgments have been entered but traditionally have not been enforced," Sirolly says.

"They contracted with us to make more effective the process they've been using."

The Weinberg Foundation's mission is to help low-income and vulnerable individuals and families by providing grants to nonprofits that provide direct services. 🏠



“We all have learned that the spirit of our law school, the spirit of USC, is that we will never stop fighting on, and I think this will stay with us for the rest of our lives.”

—Shizhou Zhu '13, in his address at Commencement 2013

“Ask yourself: what is the single most important question I can ask in my life, and what am I doing with my life to confront that question head on?”

—Prof. Alex Lee, during his Spirit of the Law talk

CRIMINAL LAW AT THE CROSSROADS

With the validity of eyewitness testimony increasingly called into question, Prof. Dan Simon convened legal scholars, practicing attorneys, federal, state and local prosecutors and state supreme court justices last June for a conference to explore the strengths and weaknesses of the U.S. criminal justice system.

“It was really important to get a multitude of opinions on the panels and get the dialogues going with people from the various branches of the legal system,” Simon told the audience.

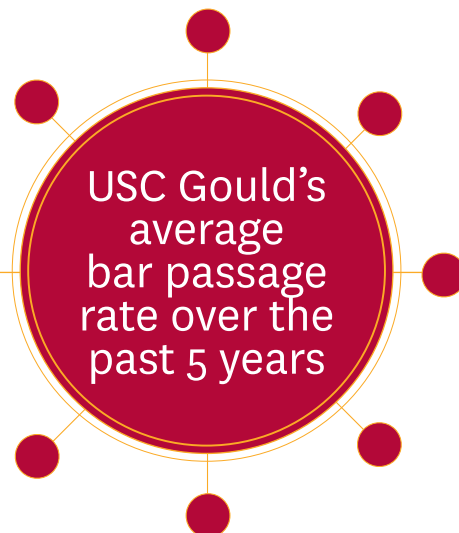
New Jersey Supreme Court Chief Justice Stuart Rabner recounted how his court has wrestled with the issue of eyewitness identification evidence. In 2011, Rabner authored the opinion, *State v. Henderson*, in a unanimous decision finding that the legal framework analyzing the reliability of eyewitness identification evidence — which had been in place for decades in New Jersey, the federal system and nearly every state in the nation — needed to be revised.

“We did so after looking at an extensive record of social science studies and expert testimony which demonstrated that human memory is malleable, that it can be altered and diluted by an array of variables which can lead to misidentifications,” Rabner said. “That led the court to make some changes that are now law in New Jersey.



Wrongful convictions are a result of systemic defects in the criminal justice system as opposed to rare events, according to Barry Scheck, co-founder of the Innocence Project. Scheck discussed the value of conviction integrity units for combatting the “cognitive problems” in the court system.

“While I think these innocence commissions have been very good in terms of trying to move the ball forward and improving the system for everybody, getting them to be a substitute for our courts when you’re reviewing instances of miscarriages of justice is going to be a heavy lift realistically,” Scheck said. 🏠



number of students }
pursuing dual degrees }

“Another particularly gratifying result of the [Transactional LawMeet] victory is that it provides a tangible example of something that we as teachers pride ourselves on: that USC Gould produces excellent lawyers who thrive in a real-world practice.”

—Prof. Michael Chasalow, commenting on students winning the Transactional LawMeet

A YEAR OF PUBLIC SERVICE IN NYC

Michael Santos '13 has blazed a public service path that is as diverse as it is decorated. Having served the legal needs of immigrant, LGBT and refugee communities everywhere from downtown L.A. and Chicago to small villages in Jordan, Santos moved this fall to New York City where he is spending the year at the Clinton Foundation.

Santos works for the Alliance for a Healthier Generation (AHG), a partnership of the Clinton Foundation and the American Heart Association that focuses on reducing childhood obesity through programs that reach homes, schools and doctors' offices.

Santos landed the yearlong position after being awarded a Clinton-Orfalea-Brittingham Fellowship.

“I like that the Clinton Foundation has a multifaceted approach to problems that involves doctors, parents,

schools and private companies,” Santos said. “I’m focusing on how to leverage provisions of the Affordable Care Act to benefit AHG programs.”

Last fall, he worked as an intern with the Office for Civil Rights at the U.S. Department of Health and Human Services, where he helped draft civil rights provisions of the ACA.

“It was perfect timing to be working in D.C.,” Santos says.

Other programs and organizations Santos contributed to during his law school career include the Iraqi Refugee Assistance Project (IRAP), Equal Justice Works' Summer Corps program, the National Immigrant Justice Center in Chicago, USC Gould's Immigration Clinic, the Los Angeles Gay and Lesbian Center, and the Organization for Refuge, Asylum, and Migration. 🏳️‍🌈



→twenty-one

TROJANS BY THE BAY

Nearly 400 miles from the USC campus last July, alumni and students working in the Bay Area gathered for a USC Gould-sponsored reception in San Francisco hosted by Farella Braun + Martel.

Student Bar Association President Dan Arriola '14 said he drove all the way from the San Joaquin Valley to attend the mixer.

"When you start law school, you don't know what you want to get involved with, so it's nice to hear from alumni, especially recent alumni, to hear how they decided," he said.

Arriola intends to become a prosecutor, and although most of the alumni in attendance were transactional attorneys, he said there is great value in networking where one expects to live and work.

Lindsey Morgan '10, an attorney with Simmonds & Narita LLP in San Francisco and member of the USC Gould Alumni Association board, said she always tries to attend alumni events.

"It's a good opportunity to see alumni I haven't seen in a while," she said. "And it's nice to have the support of people who have been practicing law longer than I have and the enthusiasm of people who haven't started practicing law yet."

Morgan said networking with fellow alumni allows you to compare notes and share experiences in ways you can't with other colleagues.

"The alumni network is the whole reason I went to USC Gould in the first place. I'm building relationships that I'll be able to use down the road." 🗡️



“With a USC law education, you are prepared to handle any assignment you are given.”

—Elizabeth Barcohana '07, providing advice to students on how to succeed in summer and first-year associate positions

USC Gould
website visitors
over the course of
the school year

1.1 MILLION



What Would

Amid a changing legal landscape, professors embrace

By Darren Schenck

USC Gould professors still employ Socratic method. They also use WebEx, interactive whiteboards and wireless devices called clickers.

As the effects of recession, globalization and information technology continue to make new demands on firms and attorneys, the USC Gould School of Law maintains a tradition of being at the forefront of legal education. In 1928, the law school offered the nation's first legal clinic, which led to a new era of experiential learning. And the law school was among the first to embrace an interdisciplinary approach to legal education in the 1960s. More recently, USC Gould introduced the concept of inter-professional education, in which law students take classes with their future colleagues and clients in the university's other professional schools and embrace the international scope of legal practice.



Socrates Do?

new teaching tools

Change occurs in the classroom, too. In 2011, Dean Robert K. Rasmussen created an ad hoc task force on legal education. Its charge was to question the law school's approach to legal education and consider all alternatives that would contribute to an ideal curriculum — to take a fresh look at educational practices and outcomes.

Led by Prof. Gillian Hadfield and comprising faculty and other legal experts, the task force issued a report recommending broader adoption of a pedagogical approach that embraces teamwork and problem-solving. It also urged methods that allow instructors to more readily gauge how well students are grasping the material not only from one class to the next but also within a single class session.

previous page: Prof. George Lefcoe surveys downtown L.A. real estate with students Ashkan Agahzadeh '14 and Misia Snyder '14

below: Prof. Daria Roithmayr uses the interactive SMART Board to work in the margins of a presentation.

"The law school has always embraced innovative approaches to legal education, but we have never lost sight of our core values," Dean Rasmussen says. "We teach students to think critically at the highest intellectual level in preparation for a decades-long career."

The path to change is lighted by many USC Gould faculty who have been experimenting — in some cases, for years — with their teaching

methods. While some approaches lean on high-tech tools and others require face-to-face interaction, they all enable more students to gain a deeper understanding of the knowledge and skills they'll need for a successful legal practice.

PRACTICE WHAT YOU TEACH

Proving that not every great idea is a new one, George Lefcoe, holder of the Ervin and Florine Yoder Chair in



Real Estate Law, has emphasized the attorney-client relationship and engagement with real-world problems since teaching his first Property class in 1962.

“If students never see a client, if they never see a lawyer and client discussing things together, you’re missing something!” Lefcoe says. “You’re missing the big picture.”

For other professors, it is technology that drives deeper student engagement. One of the earliest adopters of technology in the classroom was Tom Lyon, holder of the Judge Edward J. and Ruey L. Guirado Chair in Law and professor of psychology.

When Lyon began teaching Evidence nearly 20 years ago, he began punctuating his lectures with clips

“If students never see a client, if they never see a lawyer and client discussing things together, you’re missing something!”

— Prof. George Lefcoe

Lefcoe team-teaches most of his class sessions with L.A.’s top real estate attorneys and their clients. He also brings his students on at least eight site visits each year, where the class gets an up-close and personal view of developments in progress.

For his class, Lefcoe says he depends “entirely on the advice and counsel of people in the real estate business. The topics are driven by my conversations with them.”

from courtroom-based films and TV shows like *Perry Mason* to help illustrate how rules of evidence play out in trial.

“A few years into this, I realized that the clips themselves led to a kind of passivity on the part of the students,” Lyon says. So he began distributing transcripts of the clips ahead of time so that students would be prepared to answer questions on them in class.

SCOTT BICE TALKS SOCRATIC METHOD

Famously dreaded, popularly misrepresented, and often fondly remembered, Socratic method remains an important part of a USC Gould education. And despite what the public (and nervous 1Ls) may believe, this classic approach to teaching law wasn’t invented as a means to humiliate first-year students.

For Scott Bice, the Robert C. and Nanette T. Packard Professor of Law and USC Gould’s resident master of Socratic method, this approach shares the same goals as those of more recently developed teaching tools. He recently shared

his thoughts on teaching in an interview taped for the online edition of USC Law Magazine.

“[Socratic method] is, when done well, interactive learning, where the students come prepared on the material and then are questioned about the material to make sure they have an understanding,” says Bice. “The Socratic classroom experience gives students the opportunity to... understand that a lot of law is learning to make arguments about the interpretation of the material that they’ve read. That’s going to serve their clients’ interests in solving the problem.”

In the interview, Bice discusses his first encounter with Socratic method as a 1L and how his approach has evolved (more coach, less drill instructor).

Go to lawmag.usc.edu to watch the interview with this legendary professor.



Even then, he was faced with the usual conundrum: a handful of confident students volunteering answers while others remained quiet — and maybe in the dark.

With the emergence of clickers — remote control devices that allow students to anonymously answer questions during class — Lyon now is able

sending them off to work out problems on their own, professors do the reverse: they require students to read or view the lecture materials before coming to class, where they then spend time working on problems, usually in teams.

Two USC Gould research services librarians, Cindy Guyer and Karen Skinner, detailed their

“The idea is that you minimize the amount of time it takes to learn the basics, so you can quickly move to application, which is both more interesting and more real.”

—Prof. Tom Lyon

to gauge which concepts students have grasped and where he needs to spend more time.

“The program allows you to project a bar graph of the way the answers play out. I can see how many students got it right, but also I can get a sense of what errors are the most common,” he says. “Despite the fact that it’s a very large class, I can engage as many students as possible, because they’re all voting on the clicker questions, and they’re all working on these issues before they come to class.”

Lyon says clickers and similar devices allow you to reach every student, especially those who otherwise might be left behind.

“It raises the overall quality of the class,” he says. “The idea is that you minimize the amount of time it takes to learn the basics, so you can quickly move to application, which is both more interesting and more real.”

FLIP THIS CLASSROOM!

Moving from lectured knowledge to practical application describes the dynamic at the heart of “flipping the classroom,” a method that many at USC Gould have embraced in recent years. Rather than spending class time lecturing students, then

experiences using this method in a paper, “Seven Tips for a Successful Flip!” Charged with teaching legal research, Guyer and Skinner first flipped the classroom in the fall of 2010.

“We wanted to get more practice into our classrooms,” Skinner says. “We didn’t want to stand up there and just talk at the students.”

To free up class time for practice, Guyer says they moved the lecture content outside the classroom using online tutorials. Students were responsible for knowing the material before they came to class, where they would work with classmates doing research exercises.

“Part of their learning style has a very strong social component,” Guyer says. “As humans, of course we always learn from each other... and we now honor it, and acknowledge it, and encourage it. We’re just creating a skills-based practice opportunity.”

The prospect of granting his Property students more time to practice skills in the classroom persuaded Virginia S. and Fred H. Bice Professor of Law Scott Altman to try out the classroom-flipping concept, as well. Like the librarians, he had to find a mechanism for creating that time without cutting out basic knowledge the students needed to learn.

He drew inspiration from Khan Academy, an online educational resource he had used to help his children with their high-school algebra and geometry homework.

“The math in Khan Academy was very similar to some of the more visual parts of property,” he says. “If I could post those diagrammatic videos, little drawings with voiceover, onto the web for my students to review outside of class, I could substantially cut down on the lecturing in class and devote more time to problems or interactive discussions.”

Altman used the iPad application Doceri to create presentations students could view before coming to class. He says the biggest challenge for him was “just letting go” and allowing students to work on problems together. But he found this approach emboldened students who otherwise would have been reticent to talk in class.

“When you’re just calling on people, the only people paying attention are the ones who are on the hot seat at the moment,” he says. “Small-group discussion and clickers are both mechanisms for inducing everyone in the room to be engaged.”

PROBLEMS LEADING TO QUESTIONS

Ideas beget ideas. As more USC Gould faculty compare notes and embrace new teaching methods, more ideas gestate. Visiting professor Bryant Danner, a longtime attorney who served as general counsel for Edison International, has students in his Legal Profession course use clickers at the outset of some classes to prioritize the order in which they would like him to address that day’s subjects. A strong believer in the value of lawyer-client simulations, he is now working on various ways to conduct them in traditionally large classes.

“The purpose of my course... is to give the students some experience of what really happens in a real-life context,” he says.

Lecturer David Ho, general counsel at Fullscreen, has his students use Twitter to track topics and trends for his Digital Media Transac-

tions class. The evolving news feed drives discussion at the start of each class.

“The class is more akin to a practicum, with less lecture and more discussion and drafting,” he says.

And George T. and Harriet E. Pfleger Chair in Law Daria Roithmayr, an early proponent of problems-based teaching, continually seeks new ways to encourage her students’ active participation in their own education.

Roithmayr uses tools like SMART Board, an interactive whiteboard application that allows her students to mark up the slides and problems she presents. After each class, she saves the digested presentation and makes it available to her students online. In this way, the work her students do in class becomes part of the material from which they all learn.

“In years past, I would erase a blackboard and that work would go away,” she says. “There’s a way in which students are prone already to think that their contributions don’t matter in the same way that my interventions do, but if I save their contributions on the slide... then that becomes part of the material they need to study for the exam. That privileges their contribution in a way that wasn’t possible without the technology.”

In a seminar requiring agent-based modeling, Roithmayr employs WebEx, a tool that allows students to share their computer desktops with every member of the class. She even uses it for her office hours.

In other classes, Roithmayr bans laptops and requires students to work in teams representing opposing sides in a legal dispute. Whatever the method, she says problems-based teaching is a way to get students to engage with material at a high level and ask difficult questions.

“As a student, I thought the law was something where you really just had to consult the right rule or the right case,” she says. “Letting students struggle with the law to figure out what the law is, whether or not the law gives them an answer — I think that’s a really valuable experience.” 📌



LEGAL INNOVATIONS

By Maria Iacobo

Over the last several years, legal practitioners and educators have recognized that their industry's reluctance to develop or accept innovative ideas is among the reasons for the profession's current challenging times. But this recognition has yet to cause a stampede of new approaches.

That's why Gillian Hadfield is sending new law graduates into the working world with the tools to think and respond creatively to problems that plague much of the legal system. Hadfield, the Richard L. and Antoinette Kirtland Professor of Law and professor of economics, designed a new course called Legal Innovation to encourage students to pursue transformative solutions to legal problems.

"One of the reasons we don't have very much innovation in law is because it's a very closed system," Hadfield says. "The idea pool is very homogenous. Everybody in the legal system is trained as a lawyer. It's all lawyers talking to lawyers."

Hadfield says that students become ingrained with the idea that risk is something to avoid — at all costs — early on in law school.

"Law is careful, and law gets very focused on examining the risk of what you're trying to do. [Students] spend all their time reading cases about disasters in relationships: contracts that fell apart, products that blew up, rights that were violated. They end up with a message we don't actually intend, which is, 'Be afraid, be very afraid.'"

After graduation, lawyers practice in a risk-averse manner, further hindering advancement across the legal sector, according to Hadfield. It's a cycle she aims to break.

Sean Wilson '13 says Hadfield's class was, by far, the most unusual of his law school education.

"Generally, in law classes you're doing two things: you learn the framework for how the law is and what the state of the law is; then, you learn how to solve problems within that framework," Wilson says. "In the [Legal Innovation] class, the first thing you say is, 'Forget the framework. Would the legal world work better if the framework looked like this?'"

Hadfield begins with students examining areas of the legal system that are mired in problems, such as: access to justice;

the issues of cost, efficiency and complexity in corporate law; governance in poor and developing countries; and legal education. Students meet in small groups to discuss what kinds of changes are needed and the feasibility of the changes they propose. During the semester, students develop a proposal to do “something different” in the legal sector to improve outcomes.

Jaime Heine '13 and Daniel Amato '13 developed a private consulting firm to help developing countries improve their legal infrastructure. As an example of what such a firm might do, they proposed helping to establish a self-regulatory organization to support the development of mobile phone banking and payment services in Kenya.

“We were trying to think of a better way to provide legal services to developing countries as opposed to just throwing money at the problem,” Amato says. “And we wanted to do it in a completely different way that didn’t require countries to essentially just turn over the country, or a part of it, to an outside advisor or operator.”

Adds Heine: “Businesses can’t take off without supportive legal environments. If you don’t have a vibrant economy it’s hard to build a stable intelligent government that can build this. So — could we as a private firm come in and build that type of support and advice?”

Wading through the plethora of articles deploring inefficiency created by billable hours, David Peer '14 decided to address the issue for his final project. Peer proposed to amend the ABA Model Rule 1.5, which establishes the ethical standards for reasonable fees. He says the initial reaction by many was: you can’t do that.

“I think it’s hard once you’ve been practicing and using the rules for so long to think that there could be a better set or a different set of rules,” Peer says. “It’s easier for somebody who doesn’t have that ingrained in them to think that there could be another way to do it.”

Peer structured his amendment to focus on value and results for the client.

“Billing by the hour promotes inefficiency in some sense,” Peer says. “There’s no reason to get a job done in ten hours if you do it in twenty and get paid more in twenty.”

Michael Roster, a USC law lecturer and former chair of the Association of Corporate Counsel, discussed Peer’s proposal with ACC members. Five years ago, Roster and an ACC team implemented their Value Challenge, an initiative to reconnect the value and cost of legal service.

“When we saw David’s proposal, we chuckled,” said Roster. “He went to the heart of the matter in a basic direct way that none of us had thought about. Many great breakthroughs seem self-evident once they appear, like $E=MC^2$. David, with amazing clarity, said, ‘Why don’t we change the model rule for fees?’”

Peer and Roster plan to publish the amendment proposal in a journal before submitting it at a future ABA House of Delegates’ meeting.

Hadfield was wowed by the creativity and feasibility of the students’ projects. It was only the second time she had taught the course — the first at Harvard as a visiting professor in 2012 — so she was not certain how far her students would take their ideas.

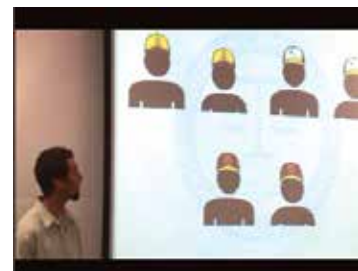
“I wanted them to be transformative and to graduate as people who don’t have blinkers on,” she says. “I want them to have a much broader view of what we’re doing in law and that it doesn’t have to look this way.”

For their part, the students credit Hadfield for pushing them to let go of their fixed ideas and pressing them to examine the what, why and how of their proposals.

“In other classes, the teacher might tell you, ‘We don’t need to talk about that, we just need to know what the law is,’” says Wilson. “Prof. Hadfield says, ‘Yes! Absolutely! Run with that! Keep going! Expand that! Explode it! Take it out to the stratosphere!’”

Tim Biche '13 says he expects to apply what he learned in Hadfield’s class when he starts work this fall.

“I don’t think there’s any other class in law school that’s similar to it or any professor doing what Prof. Hadfield’s trying to do, so I’m very glad I got to do it,” says Biche. “I’m excited about the things I learned and looking forward to carrying those with me for the rest of my career.” 🚀

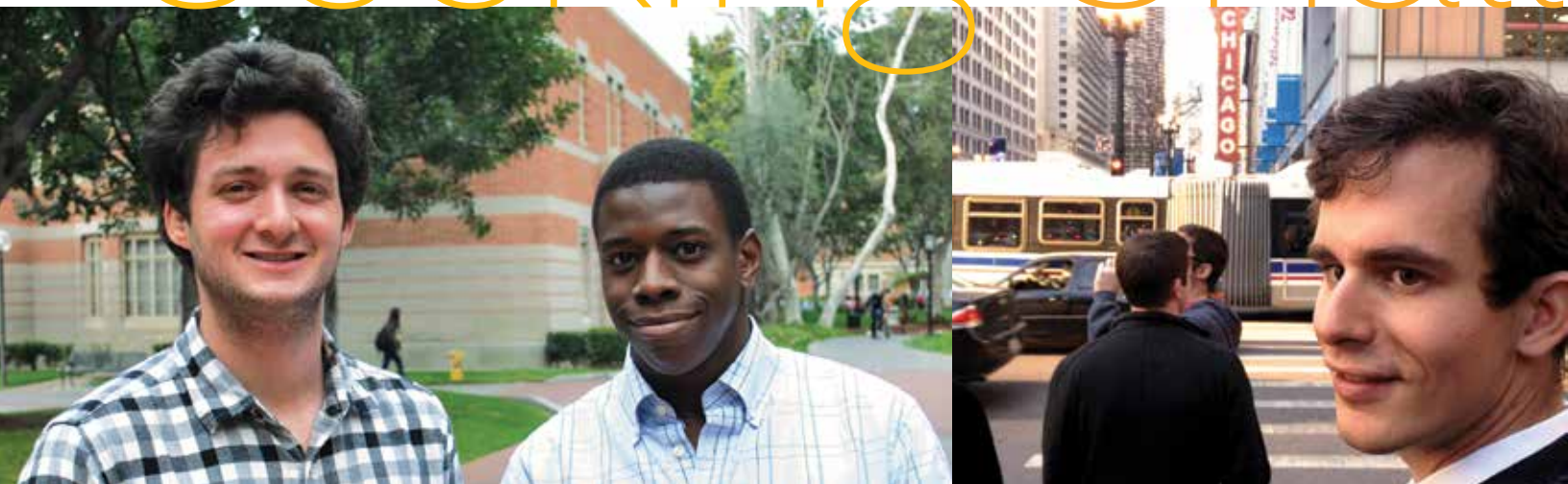


top and bottom: Ben Jakovljevic '14 and Sean Wilson '13 designed a clinical mock trial program to give students litigation experience with real cases.

middle: Jamie Heine '13 and Dan Amato '13 developed a consulting firm to help developing countries improve their legal infrastructure.

Visit lawmag.usc.edu to view videos of students presenting their creative solutions to problems plaguing the legal system. 📶

Seeking Chall



By Andrew Clark

When Jackson Trugman '13 compares what his analytical skills were at the beginning of law school to what they are now, he notices quite the difference. For him, that's the effect moot court has.

"I can read cases from about a hundred different angles now," says Trugman, who recently served as chair of the USC Gould Hale Moot Court Honors Program, in addition to competing on the National Moot Court team.

"I've been working to develop a really acute understanding of analogy, which is the bread and butter of our system of common law," he says.

The hard work paid off for Trugman and his moot court teammate, Derek Kigongo '13. They advanced to the semi-finals in the George Washington University Religious Freedom National Moot Court competition in Washington, D.C., earlier this year.

These two were not alone, however. This past school year was a banner year for the law school's competitive squads. The moot court teams were dominant in regional competitions and performed strongly at the national level. A USC Gould team placed second at the inaugural Ninth Circuit Bankruptcy Negotiation Competition. Meanwhile, four students claimed the top prize at the National Transactional LawMeet competition in Philadelphia in April.

"They key has been practice, practice, practice," says Trugman. "My partner and I practiced a lot with each other, too."

THE BLUEPRINT FOR A SUCCESSFUL SQUAD

When asked about the key to the National Moot Court team's strong performances, Prof. Rebecca Lonergan said a number of factors are at play.

"Students see the team as a way to practice their skills, such as persuasive writing and oral arguments," says Lonergan, the team's advisor. "They're getting to work on complex and cutting-edge issues, things like healthcare reform."

Devin Murtaugh '13 and his teammate Brendan Charney '13 won the ABA Law Student Division National Appellate Advocacy Competition in San Francisco. In April, they competed in the national finals in Chicago. For Murtaugh, his time on moot court has helped him sharpen his confidence.

"I used to get painfully nervous before competitions," says Murtaugh, who was named as one of the top 10 National Best Advocates at the Chicago competition. "But after two years of practice I've learned to stop worrying about everything that might go wrong, and start focusing on making the best arguments I can."

Charney echoed his partner's sentiments when asked about the impact that his moot court experience had on him personally.

"After spending hours and hours preparing for every question, every case, every line of argument, the biggest lesson I learned was to translate that preparation into an easygoing, conversational style at the podium," says Charney, who along with Murtaugh served on the Hale program's executive board.

enges



“Smiling doesn’t come naturally when the pressure is on, but it really helps build rapport with the judges.”

PRACTICING THE ART OF THE DEAL

Success wasn’t limited to the moot court teams this year. The talented quartet of Dilveer Vahali ’14, Darren Guttenberg ’13, Jennifer Cohen ’14 and Nicole Creamer ’13 proved to be the best in the country at the National Transactional LawMeet. Preparing for the two-day competition was an intense process for the students. Their tasks included preparing a draft amendment for a 58-page stock purchase agreement and negotiating from the position of a seller. The Gould team won top prize among teams representing sellers.

As an MBA/J.D. candidate, Vahali said that it did get a bit challenging balancing his course load with his team duties. However, he had spent the past year working on the MBA requirements for his degree, so for him the team was the perfect opportunity to stay sharp with his legal skills.

“Though it took an extra five or ten hours a week, being on the team was totally worth it,” Vahali says.

“I got to have first-hand experience in an area that I want to work in.”

Though he was deeply involved with the team before the national competition, Guttenberg missed the finals in Philadelphia due to the birth of his first child. However, like Vahali (who went in his stead), he found the preparation involved with the team invaluable for his career.

“It was a wonderful opportunity to actually work on simulating a negotiation,” Guttenberg says.

“We received substantial instruction as we worked and it was a great environment for learning.”

This year’s competition focused on a complex topic: the sale of a pharmaceutical company. For these four students, that meant setting deadlines as they strove to perfect the deal.

“Beginning in January, we had something due every Friday, whether it was a draft of the amendment or markups to the opposing side’s amendment or a client conference call,” Creamer says.

However, their efforts are something that will stay with them for some time.

“It was a phenomenal experience for the students,” says Prof. Michael Chasalow, the team’s advisor.

“On an educational level, they are working on real-world transaction issues. They got to sit down at the negotiating table and they received feedback from very seasoned people in the field.” 📌

from left: Jackson Trugman '13 and Derek Kigongo '13; Brendan Charney '13; Carolyn Sissoko '13, Alison Weinberg '13, law lecturer George Webster and Stephen Oppen '14; standing: Darren Guttenberg '13, Prof. Michael Chasalow and Dilveer Vahali '14; seated: Jennifer Cohen '14 and Nicole Creamer '13



THE RIGHT QUESTIONS:

Virtual child witness improves child interviewing techniques

By Ahmanielle Hall

Interviewing a child who is the victim of abuse or has witnessed abuse is a difficult job for attorneys as well as law enforcement or medical personnel. Yet, many professionals need to practice these interviewing techniques to elicit accurate information.

Meet “Julian,” a Virtual Child Witness (VCW) created by Prof. Tom Lyon and a group of computer experts at the USC Institute for Creative Technologies (ICT) to improve child interviewing techniques.

The purpose of the VCW is to give interviewers practice and feedback in interviewing a realistic simulation of a child. Lyon, who has conducted hundreds of interview trainings, explains that training increases knowledge, but when trainees go out into the field their knowledge often doesn’t translate into better interviewing.

“The virtual child makes it possible to ask very sensitive and embarrassing questions,” Lyon says. “You can imagine how hard it would be to set up a situation where children pretend they’ve been abused; there would be all sorts of ethical issues with doing it that way. The virtual child allows you to program how a real child would respond.”

Lyon and his ICT collaborators Bruce John, Thomas Talbot and Albert “Skip” Rizzo presented data from an early version of the VCW at the 2013 International Pediatric Simulation conference, demonstrating that naïve interviewers ask the VCW lots of yes/no questions.

“The problem with kids is that our usual styles of interacting don’t work,” Lyon says. “The typical child is going to seem very nonresponsive, very reticent if we use our typical tools: yes or no questions. What the virtual child does is it mimics that problem; but if you ask him an open-ended question you get lots of information.”

The approach is modeled after a protocol for interviewing children developed by Michael Lamb and colleagues at the National Institute of Child Health and Development. Lamb, who is now at the University of Cambridge, explained that the protocol encourages the use of recall questions and discourages the use of yes/no or recognition questions.

“Interview techniques based on recall memory involve asking open-ended questions like, ‘What did you do this morning?’” Lamb says. “In contrast, conventional techniques for interviewing child witnesses rely on recognition memory. However, informa-

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Has Muse, Will Travel

Chris Stone reflects on a wide-ranging career

By Darren Schenck

In a career spanning nearly 50 years at USC Gould, Prof. Chris Stone has covered a lot of territory, academically and geographically. The author of influential books includ-



ing the environmental classic, *Do Trees Have Standing?*, and the award-winning study of corporate misbehavior, *Where the Law Ends*, Stone co-developed USC Gould's signature first-year course — Law, Language and Ethics — and taught it for years. He also worked at the forefront of the major legal issues of his day, presenting at conferences hosted by some of the world's top universities.

This past summer, the legendary professor arrived at his latest destination: retirement.

When Stone arrived at USC Gould in 1965, he joined a cohort of intellectual talent that was transforming the law school from an

excellent regional institution to a nationally respected law school. With his deep and wide-ranging interests in such fields as philosophy, economics and ethics, Stone helped drive a radical approach to legal education that drew upon multiple disciplines from throughout the academy.

He devised and introduced into the curriculum novel courses including Rights of Groups and Globalization and the Law. All the while he was publishing in a variety of areas including the environment, ocean policy, legal philosophy, white collar and corporate crime, and U.S. alternate energy policy.

Considering Stone's extraordinary career, it's remarkable that the beloved teacher and scholar had no intention of joining the academy when he graduated in 1962 from Yale Law School.

"I was practicing law at the Cravath firm in New York and enjoying it, when Martin Levine and George Lefcoe encouraged me to come out and take a look at USC," he says. "When I came out here, I discovered the spirit and commitment of the place, and the students were terrific."

Stone notes that it was an exciting time of social and intellectual change and challenge. He says he enjoyed the freedom and support to pursue his intellectual interests, wherever they carried him.

"When you're practicing law, your focus is generated by the client's needs; in academia, you can select issues that are important to society," Stone says.

At the law school, Stone almost immediately engaged with the outer world through a number of public institutions and commissions.

"The first issue I took on was hallucinogenic drugs and the law under a grant from the National Institutes of Health," Stone says.

He proceeded to work under the auspices of a variety of governmental agencies including the President's Task Force on Communications Policy, the Energy Research and Development Administration, the National Science Foundation, the United

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Class-Action Ace

Justin Farar brings legal expertise and entertainment flair to his work

By Robin Heffler

It's not unusual for Justin Farar '00 to show films like 1991's *Class Action* — a dramatic thriller about a lawsuit over a dangerously defective automobile — when he teaches USC Gould's course on class-action suits.

"Even though many things are not accurate in the movie, it's interesting for students to see legal elements like depositions for class-action suits represented in real-life situations," says Farar, a USC Gould lecturer in law since 2011.

Farar also shares his own experience as a plaintiff's attorney in the Los Angeles office of Kaplan Fox Kilsheimer, LLP, where he practices securities litigation and antitrust litigation with a special emphasis on institutional investors. After beginning his career as a defense litigator of copyright law, he has had notable successes in his current field.

Among these successes was a \$2.43 billion settlement for retired teachers and other public employees, resulting from a class-action suit alleging failure to disclose information to shareholders after the merger of Bank of America Corporation and Merrill Lynch & Company. In another case, members of a city retirement system received a \$45 million settlement from a suit that alleged a genetic analysis firm inflated its stock price by hyping the accuracy of a prenatal screening test for Down's syndrome.

"I like that these cases are opportunities to seek justice for the little guy," he says. "And, I spend a lot of time traveling to conferences to develop new business, where I enjoy meeting people from different walks of life and getting to hear their stories."

Given his outgoing and friendly personality, teaching is a natural fit for Farar, who proposed the class-action course to the dean. "I enjoy seeing someone learn something new," he says. "It also helps me to be a better lawyer because I have to think about the rules that apply to class action, and look up tough questions from students."

For Ryan Guiboa '12, taking Farar's course was rewarding both in and out of the classroom.



"He encouraged class participation, but never put people on the spot," Guiboa says. "If a student was struggling, he would try to help. He's also a perfect sounding board. Over coffee, his career advice to me was 'you don't have to take a traditional path and go into a big firm right away. As long as you're doing something productive, explore other opportunities that may be difficult to do later in your career.'"

Farar, who is married to Ilana Cristofar Farar '01, takes his own advice to keep life interesting.

The Pacific Palisades resident and father of two young children plays bass guitar all over California in a 1980s tribute band called Wayward Sons. And down the road, he would like to work again on copyright and intellectual property issues.

"I'd like the challenge of seeing how copyright applies to artists," he says. 🎸

THE RIGHT QUESTIONS

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tion obtained through recognition memory is less likely to be accurate.”

To develop the VCW’s responses, Lyon wrote the questions and corresponding answers using research from surveys and analyses of real child witnesses’ responses.

“We have about 100 kids we’ve asked these questions of and we pulled out the activities and responses so we can say this is a more realistic portrayal of what kids would say,” Lyon says

An important part of making the prototype a more realistic tool is to provide it with more varied responses, according to Lyon.

“In order for it to be realistic, you can’t have a set series of questions and answers,” he says. “The trick is to program it so that it can go along many different branches. Just think of a video game: what makes it so interesting is that each time you play you might take a different route and get a different result.”

Lyon also hopes that future VCW models will have more age variation.

“An 8-year-old boy is what we’re shooting at with this first version; as we continue to develop this, we can create different genders and different ages,” Lyon says.

To optimize feedback from the virtual child witness, it is being uploaded to the SimCoach platform, a program that will allow Lyon to be more hands-on in the programming and analyses phases.

“As a part of SimCoach, I can create new questions and answers on my own,” he says. “In our research, we look at the kinds of questions that are asked in court and the field. We can incorporate those questions into the VCW and test what interviewers prefer and how to improve their performance.”

To further expand the VCW’s capabilities, Lyon, John and their colleagues hope to secure more funding.

“We’ve received a seed grant from USC for \$50,000 to develop the new prototype,” Lyon says. “In turn we hope to shop it around and get additional funding from federal agencies and foundations.” 🚧

Has Muse, Will Travel

continued from page 19

States Sentencing Commission, and the Department of Energy, as well as the Canadian Institute for Advanced Research. He also served as Rapporteur for the American Bar Association’s Intersectional Committee on International Law and the Environment in preparation for the 1992 Rio Earth Summit.

From his travels, Stone not only gained access to scholars and policy-makers but also received the benefit of exposure to top practitioners, from whom he learned much about what was happening “in the trenches.”

“All these exchanges furnished me with material to work with,” he says.

In addition to his many law review contributions, Stone reached out to the broader audiences of lay periodicals including *Harvard Business Review*, the *New York Times*, *The Nation*, *Harper’s* and the *Los Angeles Times*.



Asked what he’ll miss the most, he replies, “Scholarship at the intensity that one enjoys when one is on board. The milieu — being able to drop in on colleagues and bounce ideas around, the outstanding support staff, and of course the students, whose love of ideas made them a joy to teach and to learn from over the years.”

PROFESSOR, SCHOLAR, FRIEND

Over nearly five decades at USC Gould, Chris Stone touched the lives of countless individuals. Go to lawmag.usc.edu to read tributes to Stone from Professors Scott Bice and George Lefcoe, USC Vice

Provost Martin Levine and Stephen Rader ’81. While you’re there, feel free to add your own! 📶

ONE NIGHT, SEVERAL GENERATIONS



By Ahmanielle Hall

Nearly 350 alumni and friends gathered at the JW Marriott in downtown Los Angeles on June 15 for USC Gould's annual alumni reunion. At dinner, Dean Robert K. Rasmussen shared the secret of the law school's success.

"The strength of USC Gould is due largely to the commitment, support and friendship of the people in this room – our alumni," Rasmussen said. "Your professional and personal accomplishments and your contributions to your communities strengthen USC Gould."

The class of 1963 celebrated its 50-year reunion, along with the classes of '68, '73, '78, '83, '88, '93, '98, '03 and '08.

Alumni reveled in memories and shared laughs over photos. The USC Marching Band and Song Girls entertained guests, who responded with a sea of "Fight On" signs.

Valyncia Simmons '03, a partner at Baker Williams Matthiesen LLP in Washington, D.C., says she enjoyed catching up with her classmates.

"After ten years of practice, it was great seeing so many successful classmates doing exciting work," she said. "We've come a long way from 1L status. Here's to climbing higher."

Jeff Gross '93 was the featured speaker; he and Judge Candace Cooper '73 were recognized for being alumni members of USC Gould's Board of Councilors.

"There's nothing like seeing the impact of a USC Gould education and the diverse paths our alumni have taken," Cooper said. "Being present at the combined reunion gave me an opportunity to witness the law school's legacy of producing stellar legal professionals over the years."

Gross acknowledged the generosity of the 10 participating classes, whose percentage of alumni giving more than doubled from the previous year. The Class of 2003 had the highest attendance with 43 alumni present. The percentage of alumni making a gift to the law school for reunion more than doubled from the previous year. The Class of 2008 had the highest percentage of donors, with 34 percent of the class making gifts. The Class of 1963 edged the Class of 1983 for the largest contribution with gifts totaling more than \$160,000. The total gift was represented by a check for \$472,000 at the event, and subsequent gifts pushed the reunion total to just under \$500,000.

For a complete slideshow, please visit USC Law Magazine online at: lawmag.usc.edu

top: The Trojan Marching Band

second: Jeff Carlin '03, Summer Carlin, Lindsey Blenkhorn '03, Jonathan Haswell, Andrew Hendifar, Sheiva Taban Hendifar '03, Melissa Lee '03 and Vikram Reddy '03

third: Judge Candace Cooper '73

bottom: Chip McAteer, Theresa C. McAteer '83, Kathy Swaidan, Karl I. Swaidan '83

HONOR ROLL

George Berger '73 won the San Diego Book Award for historical fiction for *South of the Burnt Rocks West of the Moon*. Past award winners include J. K. Rowling and Susan Vreeland.

Gloria Castro '97 was recently appointed Senior Assistant Attorney General (SAAG) for the Health Quality Enforcement (HQE) Section of the California Attorney General's office in Los Angeles, Calif. She leads 60 attorneys statewide and represents the medical board and board of psychology among a total of 14 state licensing agencies for health care professionals.



Charles DiSalvo '74 wrote *M.K. Gandhi, Attorney at Law: The Man before the Mahatma*, the first biography of Mahatma Gandhi's life as a lawyer. The book will be published in the U.S. in November. It was published in India last fall by Random House and has received positive reviews from publications such as the *Asian Review of Books* and *The Caravan*.

Eric Galen '00 joined Hertz Lichtenstein LLP as a partner in entertainment and technology law. His work will focus on helping innovators and creators fund and build media and technology businesses. Galen founded Music 180, a company dedicated to promoting collaboration between emerging artists and industry professionals.

Noel Hyun '12 was appointed senior planner for Mike Bonin, the new councilmember for the 11th District in Los Angeles. Prior to this appointment, she served as deputy planner for then-L.A. City Council President Eric Garcetti and assisted with fundraising and community outreach during Garcetti's mayoral campaign.



Lisa Kloppenberg '87 is the new dean of Santa Clara University School of Law. Prior to her appointment, she served as dean of the University of Dayton School of Law from 2001 to 2011. Kloppenberg is recognized as an expert in mediation, dispute resolution and law school curricular reform.

Mitchell J. Langberg '94 is the new office managing partner for Brownstein Hyatt Farber Schreck's Los Angeles headquarters. He will be responsible for the strategic growth and management of the firm. His practice focuses on business and entertainment litigation, and he has extensive experience in defamation law.



Steven Mindel '85 was named one of Southern California's Top 100 lawyers from 2007 to 2013 and a Super Lawyer by *Los Angeles Magazine* from 2004 to 2013. He is a managing partner at Feinberg, Mindel, Brandt & Klein, LLP, where he is head of the business transactions department and specializes in business transactions and family law.

Morgan Pietz '08 was named "Litigator of the Week" in the May edition of *American Lawyer* for his work on what it called a "copyright trolling" case. The case was also covered by the *Los Angeles Times*, *Forbes*, *Business Week* and other newspapers and online sites.



Margaret Jane Radin '76 has published *Boilerplate: The Fine Print, Vanishing Rights, and the Rule of Law*, which discusses solutions to problems that can arise when consumers waive certain rights by signing user agreements. She is the Henry King Ransom Professor of Law at the University of Michigan Law School. She is also the Faculty of Law Distinguished Research Scholar at the University of Toronto, where she serves on the faculty advisory group for the Centre for Innovation Law and Policy.

David Simon '89 has released his book, *Meatonomics*, which examines the economic systems in the meat and dairy industries and how they affect consumers' eating, spending and health. He is an employment and labor attorney with his own practice in Santa Ana, Calif.



Vered Yakovee '02 has joined the Boston Celtics as their assistant team counsel. Prior to her appointment, she practiced sports and insurance law at her own firm in Marina Del Rey, Calif., and taught sports law at USC Gould. She is also a governor of the ABA Forum on the Entertainment and Sports Industries and serves as co-chair of the forum's sports division.

The ONLY WOMAN

Jackie Lacey '82 answers the call of leadership

By Maria Iacobo

When November rolls around, most law students begin to focus on exams. As a 3L, Jackie Lacey '82 had a more pressing concern: how close would the birth of her first child be to her final exams?

As it turned out, she went into labor a few weeks early — after classes on a Friday — and, following a two-week break, returned in time for her last few classes and final exams. A photographer snapped a photo of Lacey in her commencement gown holding



her young son and with her husband; the photo ended up in the school's catalogue.

"I saved that picture because I felt with all of the changes that were going on in my life at that time, if I could still complete the last semester of law school, if I could still be a mom, then any other challenges that came my way would be a piece of cake," Lacey says.

In fact, Lacey overcame challenges before and after law school and last November was elected District Attorney of Los Angeles County — the largest prosecutorial office in the country. She is the first woman and first African American to hold this office.

Born and raised in Los Angeles, Lacey graduated from Dorsey High School in the city's Crenshaw district and entered USC Gould at a time when enrollment was predominantly male and Caucasian.

"I was very impressed by the support of the faculty. I felt [they] really took a lot of time to get to know me and make me feel comfortable," Lacey says. "There were four African Americans in my class out of 200 students and it was challenging. Some classmates came from very successful families and legacy families. I was the first from my family to go to college let alone law school and there was a tremendous amount of pressure I felt to succeed. I didn't want to let my family down."

After an initial stint in entertainment law, Lacey knew she had found her legal home at the Santa Monica city attorney's office, where she quickly began handling trials.

"I instantly realized this was the type of work that I was meant to do: to deal with victims and police officers and argue before a judge very passionately about things I cared about such as public safety and accountability," Lacey says.

In 1986 she moved to the Los Angeles County District Attorney's office for the opportunity to try felonies. As a D.A., Lacey prosecuted hundreds of serious criminal cases, winning national attention for her successful prosecution of the county's first race-based hate crime murder.

When Steve Cooley '72 was elected the county's district attorney in 2000, he tapped Lacey to work on his management team. Cooley, the county's only district attorney to have been elected to three terms since 1940, says Lacey was a "very accomplished and successful trial lawyer" and someone who is "genuine and sincere. That goes a long way in the prosecutorial business."

"She was the first person I selected as part of my administration after I was elected," Cooley says. "It was a brilliant move on my part as Ms. Lacey moved through the management 'chairs,' performing brilliantly in all assignments."

Lacey oversaw the development of several innovative initiatives to reduce criminal behavior such as the nation's first Animal Cruelty Prosecution Program and prosecution programs to

N in the ROOM

address graffiti and gun-related crimes. She also supported alternative-sentencing courts, which focus on treating the underlying causes of some criminal behavior. These programs have reduced the amount of recidivism, saved taxpayers the cost of incarcerations and now are embraced by prosecutors across the country.

“There was a time when, in order to be an effective prosecutor, you had to be what’s called ‘tough on crime,’” Lacey says. “I don’t even know where that phrase comes from. Everybody who did something wrong had to go to prison or jail. You argued for the maximum sentence. Not necessarily

“There is still a shortage of women at the leadership level.”

the fair sentence, but the maximum sentence, because that was the approach to keeping the community safe.”

Rising through the ranks, Lacey had few female colleagues with whom to confide and commiserate.

“It can be challenging for women to work in the law enforcement field, particularly at the leadership level, because it isn’t uncommon for me to be the only woman in the room,” Lacey says. “About 56 percent of the D.A.’s are women now. A bit more than half are in leadership positions. When I started out it was not that way. It was a male-dominated field in the courtroom level. Now, there is still a shortage of women at the leadership level.”

When Cooley decided not to run for a fourth term, Lacey says she took a long time to consider whether or not to run for the top job.

“I knew I could lead this office; I wasn’t too sure I could campaign,” Lacey says. “Campaigning is a foreign world for a prosecutor. Asking for money was going to be a challenge as well as getting outside my comfort zone and getting to know a lot of people in order to be elected.”



For Lacey, a confluence of factors influenced her decision to run.

“I don’t know if it was the election of the first African American president, or my actually competing in my first half-marathon. I don’t know if it was finally getting my kids out of undergraduate school and having them safely tucked away in jobs....

I felt the call of leadership and I really felt it was my time.”

For a more in-depth interview with Lacey, visit USC Law Magazine online at: lawmag.usc.edu 

Admitting Privileges

Marshall Grossman '64 thrives when the stakes are high

By Maria Iacobo

Marshall Grossman '64 was not initially admitted to USC's Gould School of Law. He acknowledges that he was “properly turned down” because he was a “B” student and didn’t score well on the LSAT.

Not easily denied, he cold called then-Associate Dean Orrin Evans. Grossman asked to be admitted to an accelerated “2/4” program, which allowed a handful of well-qualified students to enter a four-year law school program after two years of undergraduate study.

“The dean asked me, ‘Why should I admit you when you’re not qualified?’ and I said, ‘If you let me in, I will never disappoint you.’”

Grossman was accepted. He served as an editor on the law review, graduated Order of the Coif and has built a distinguished national reputation as a lawyer. In practice for 49 years, he has no end of high-stakes litigation. The *National Law Journal* has twice recognized Grossman as among the “Top 10” trial lawyers in the country, and he consistently receives high recognition in Chambers and Best Lawyers in America.

“I love it every day,” Grossman says. “Each case provides a postgraduate education and I get paid for it. That’s a pretty good gig.”

With few clients at the start of his career, Grossman was drawn to the newly discovered opportunities in class-action litigation. He was the lawyer and plaintiff in a landmark class-action suit he brought against the Playboy Club – the first successful consumer class action in California. Its success and ensuing national attention brought clients to him.

In the early ’70s, at age 35 Grossman was the lead counsel for the more than 100 private and class-action lawsuits filed against Equity Funding Corporation and its accountants and others. Under his guidance, the recovery was a record \$60 million in cash and \$100 million in stock.

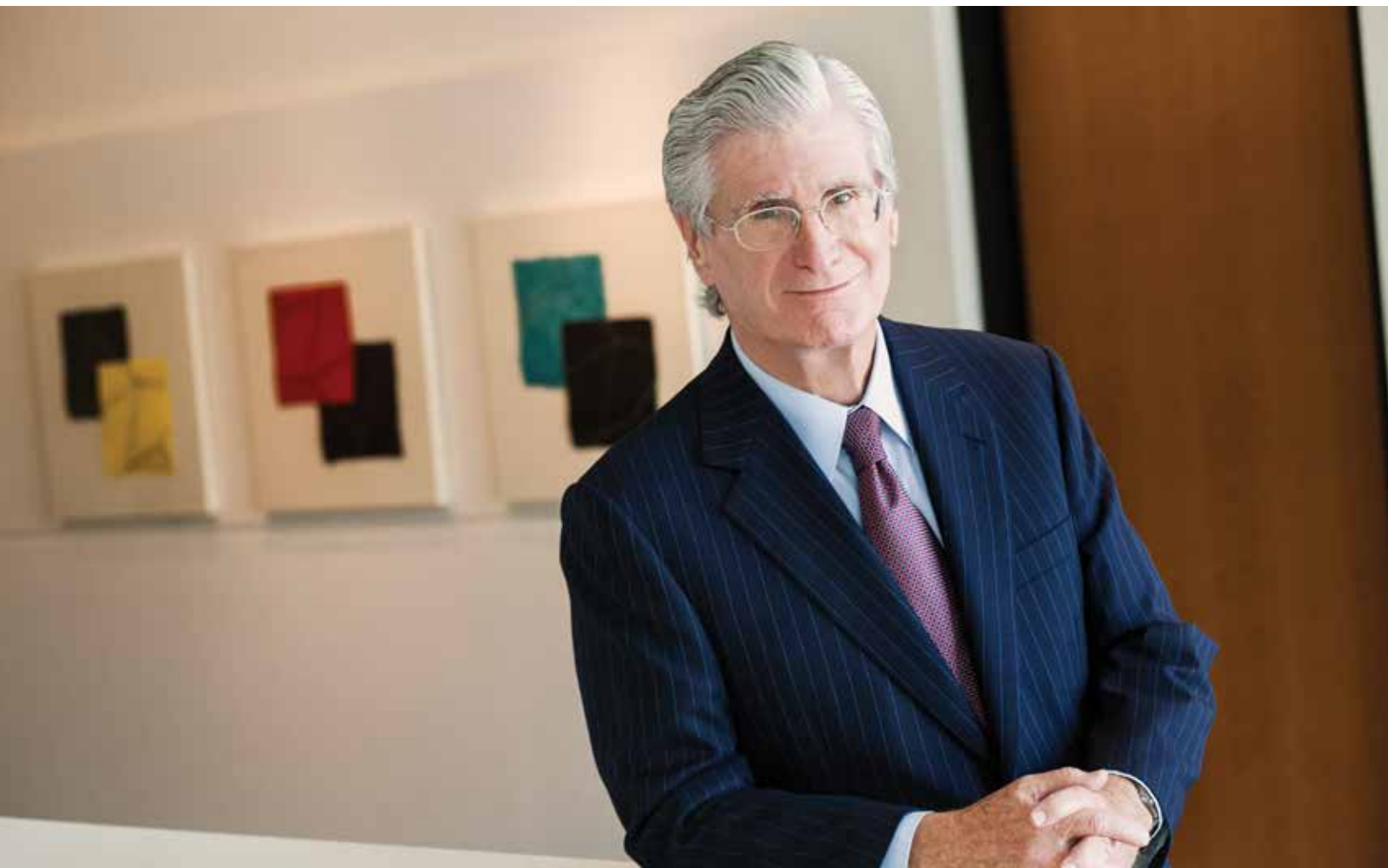
A specialist in high-stakes commercial litigation at his former firm of Alschuler Grossman and more recently at Bingham McCutchen LLP, Grossman relishes in his diversity of cases and clients. This diversity is reflected in the range of legal matters and the clients themselves. Just a partial list is remarkable: Apple; Suzuki Motor Corp.; Arthur Andersen; Beats by Dr. Dre; Blockbuster; Cirque du Soleil; Estee Lauder Companies Inc.; Los Angeles Memorial Coliseum Commission; Liberace; Mariah Carey; Steven Spielberg and Clint Eastwood.

“If it is intellectually stimulating, and I relate well to the expectations of the client then I welcome the representation,” Grossman says. “Even though there is pressure on lawyers to specialize, I have resisted that. I prefer the excitement and uncertainty of not knowing who is going to call at any given time. That keeps the juices flowing.”

Grossman’s stellar achievements are recognized by his alma mater, which has called upon him for representation.

“For the past forty years, Marshall Grossman has been one of the most successful and influential lawyers in the nation,” says USC President C. L. Max Nikias. “All of us at USC are very proud that such a shining star in the legal profession is also proud to call himself a Trojan.”

Grossman is also committed to giving back to his profession and community. He enjoys mentoring younger lawyers and is quick to share time and credit when working with other lawyers.



Grossman says that giving back should be a commitment of all who are privileged to practice law. Stellar among his many civic, charitable and bar-related roles is his service on two of the most powerful state commissions. In the 1980s he served as a member on the State Coastal Commission where he was

“A true professional gives back to his or her calling much more than has been received.”

recognized as a staunch defender of coastal protection. More recently in 2010 he completed 10 years' service on the California Commission on Judicial Performance, with two terms as chair.

“A true professional gives back to his or her calling much more than has been received,” Grossman says. “In my opinion, as lawyers we have been entrusted with the responsibility to serve as an example to the community at large and to those who follow us in our careers. If we don't share our knowledge and abilities, then we fail to repay our debts to those who extended help to us along the way.”

Grossman is a frequent lecturer at USC Gould, sharing his expertise on securities litigation and legal ethics with future lawyers.

“The education I received at USC is a gift I can never fully repay,” Grossman says. “I had few prospects when I graduated law school. Today, I am privileged to represent USC. If anyone had told me that the dots would someday connect like this I would have given it no credit. Every day I give thanks for the opportunities in life including my admission to USC law school. It's nothing I would have imagined when I was pleading for admission to the law school.” 📌

RALLY to JUSTICE

Trojan network helps propel Sheryl Gordon McCloud '84 to Washington Supreme Court

By Andrew Clark

With her background in criminal defense, newly elected Justice Sheryl Gordon McCloud '84 feels like she adds a diverse perspective to the Washington Supreme Court.

"My career as a criminal defense attorney has been indispensable," Gordon McCloud says. "There are nine members on the Washington Supreme Court, and we each come from varied backgrounds. My background helps fill the court out nicely."



Gordon McCloud took her post on the court at the beginning of this year. In her new role, she has been exposed to a wide spectrum of cases, which has been a change of pace for the New York City native.

"There are so many different types of cases," she says. "And unlike my work as an attorney, since the cases I deal with are not clients, I have to be neutral and do research and see where that research takes me."

McCloud says campaigning was an exhaustive process requiring her to traverse the state and participate in a number of public speaking engagements, including televised debates.

"When I was campaigning, I received all sorts of questions from people, many who were not lawyers," McCloud says. "It was a pleasure to take and answer all their questions, though. It is the nature of open government."

To aid in her run, Gordon McCloud reached out to former USC

Gould classmates and says the response she received was overwhelming. Not only did she receive invaluable help, but also she had the chance to reconnect with her law school friends.

"It was a fabulous experience," she says. "Some of the people I went to school with I have stayed in touch with, but I got to reconnect with people that I've lost touch with over the last thirty years. I got a lot of support through e-mail and received tips on running."

Debra Stegura '84, one of Gordon McCloud's former classmates, was elated to hear of her run.

"I was honored to contact our fellow classmates to raise support for Sheryl's run for the court," Stegura says. "So many of our classmates felt the way I do, that Sheryl would be an asset to the court. I am sure we were a factor in Sheryl's success in gaining her seat on the bench."

For Gordon McCloud, there was a keen importance in tapping into her USC roots. She credits her days in Los Angeles for where she is today.

"It got me to be a lawyer," says Gordon McCloud, who served as editor of the *Southern California Law Review*. "I enjoyed having the opportunity to engage in clinical work and I loved the intellectual stimulation. I loved the students there and the back-and-forths that I had with them. There was a really unique experience that USC offered me, which gave me an advantage in my career." 🍷

Thousands Served

Brett Rawitz '88 a force behind the Golden Arches

By Andrew Clark

After nearly four years at Meckler Bulger & Tilson, Brett Rawitz '88 decided that he needed a change. There was something missing from his practice that prompted him to look at an in-house position and leave firm life behind.

"As a labor and employment lawyer, you're often called upon to answer questions critical to the client's business," says Rawitz of his decade-long career as a firm lawyer. "But once you give the advice, in many instances they don't let you know how your input is used, or why a particular decision was made."

"I felt I was missing out on an important part of the process, since I wasn't always there for the discussion and to participate in the final business decision. Realizing this, I liked the idea of working for one client."

For Rawitz, the perfect opportunity came around in 1999. He joined McDonald's Corporation in Oak Brook, Illinois, as a labor and employment lawyer dedicated to one of the company's U.S. divisions. He has since become a managing counsel in the restaurant chain's global labor & employment group managing employment law for its U.S. business, which includes the restaurants the company owns and operates.

Rawitz's duties run the gamut. One day he may be counseling business units or human resources on individual employment matters and investigations, and on another day he's drafting policies. Given the number of employees the company has, there's never a dull day for Rawitz.

"There are thousands of employees, and there is both a business staff element and an operations element to deal with," he says. "We deal with people-related issues in our company-owned restaurants across the U.S., as well as the staff in our many offices. The company has a culture that wants to ensure that employees are being treated properly and demands responding promptly to problems, especially if they involve employee issues."



A native of Paramus, New Jersey, Rawitz earned his bachelor's degree from the University of Pennsylvania. He applied to USC Gould because of its relatively small size, its Los Angeles locale and "because one of my friends wanted to go there."

Looking back on his decision, Rawitz has been more than pleased to leave the northeast behind, saying he feels the skills he acquired at USC have had an invaluable impact on his career.

“One of the great things I learned is how to think like a lawyer.”

"I would say that one of the great things I learned is how to think like a lawyer," Rawitz says. "My classes forced me to think about issues in different ways. For example, many of my early classes taught me about the importance of issue spotting. What I do now involves listening to situations and discerning what is important. There was a lot to take away from USC." 📖

Robert Castle '48 died July 1, 2013. He was 90. He worked as a pro-bono attorney for San Bernardino County, the California State Court of Appeals and the FBI, and in private practice. Castle served in the Navy in the South Pacific and in the Marines during World War II. He was a supporter of many causes including the Sierra Club, National Audubon Society, ACLU and Southern Poverty Law Center. He is survived by his wife, Mary; children Will, Claudia, Valerie and John; and grandchildren Toen, Kao, Nico, Theodore, Cloe, Robin and Ehren.

William P. Crawford '49 died March 20, 2013 at the age of 91. Crawford served as a merchant seaman in the Atlantic, Pacific and Mediterranean-Middle East war zones during World War II and was an unlimited shipmaster by the age of 22. After the war, he attended USC Gould and practiced admiralty law until joining Crawford Nautical School, the family training school for shipmasters and officers. He taught for the school for almost six decades. He was a noted author of maritime trade books, including *Mariner's Celestial Navigation* and *Mariner's Weather*. He is survived by his wife, Dorothy; their children Patricia, Thomas, John, Christine, Andrew, Daniel, Joseph, Robert, Timothy, James, Margaret, Catherine and William; 19 grandchildren; and four great-grandchildren.

Vernon Foster '51 died May 23, 2013. He was 88. In 1944 he joined the Army Air Corps, where he served as a radar mechanic and artillery sergeant, receiving several medals. In 1970 he was appointed to the Los Angeles Superior Court by then-governor Ronald Reagan. During his 20 years on the bench he ruled on several significant cases involving complex constitutional issues. He also taught law for more than 20 years and served for seven years as dean of the South Bay University College of Law. He retired in 1990 and served for 12 years as an arbitrator, mediator and discovery referee. He is predeceased by his first wife, Roberta, and his son, Ryan; he is survived by his wife of 36 years, Ines; children Brad, Holly, Robin and Sergio; brother, Walter; grandchildren Koeby, Colae, Caelin, Torrey, Shaeny, Matt, Chris, Rachel and Sarah; and nine great-grandchildren.

Robert D. Bannon '52 died July 15, 2013. He was 87. Bannon received his B.A. from the University of California-Berkeley. Upon receiving his J.D. from USC Gould, he joined the Army JAG Corps. Bannon practiced estate planning and tax law for 57 years. A certified specialist in tax law and in estate planning trust and probate law, he was elected to the American College of Trust and Estate Counsel, which comprises the top two percent of estate planning attorneys. He was also active for many years as an officer in the Los Angeles County Bar Association, the State Bar of California and the Pasadena Bar Association. He is survived by his wife, Alexandra; children Mel, Mary Ellen and Anne; nine grandchildren and six great-grandchildren.

Warren H. Deering '52 died Feb. 21, 2013. He was 88. A former top official in the California Department of Justice, he was an authority on administrative law and procedure and authored CEB books for the University of California. He wrote legislation improving Administrative Agency procedures, including California's first Administrative Discovery Act. He served in the Army Air Corps for four years. Deering received his J.D. from Northwestern University and was admitted to the California Bar in 1951. He earned his LL.M. degree from USC Gould. In 1980, he was elected to the Los Angeles Superior Court, where he served as supervising judge and presided over major civil trials. Known as a firm-handed, hard-working jurist, he insisted trials be held promptly and efficiently. He is survived by his life partner, Joan.

Irwin S. Osher '53 died May 7, 2013. He received his B.A. from USC and his J.D. from USC Gould. After serving in the U.S. Army during the Korean War, he became a law professor at USC. Osher entered private practice in 1959 and continued to work until he passed away. In the 1970s he was the director of USC's Entertainment Law Institute. Among his many career accomplishments in the fields of entertainment and copyright law, Irwin advocated the theory of celebrities' descendible right of publicity and achieved its judicial recognition in *Lugosi v. Universal Pictures* as the lead trial lawyer for the plaintiffs.

Bruce D. MacLachlan '56 died May 17, 2013 at the age of 85. He received his B.A. from UCLA, where he was captain of the football team. After graduation he enlisted in the United States Marine Corps and was promoted to captain. When his service ended, he received his J.D. from USC Gould and became a trial attorney in San Bernardino County. He is survived by his wife, Maryann; his brother, Doug; children Scott, Lynn, Michelle and Lacey; stepchildren Denis, Linda, Marla and Laura; and 24 grandchildren and great-grandchildren.

Frederic Steinberg '61 died June 24, 2013. He was 76. He was a litigator for over 40 years. During retirement he became an avid traveler. He is remembered for his curiosity, storytelling ability and tendency to show kindness to those he encountered in life. He is survived by sons Oliver and Giles; his younger brothers Herbert and Arnold; and a host of nieces, nephews and cousins.

Fred W. Soldwedel '63 died May 14, 2012. He was 81. Born in Illinois, Soldwedel received his B.A. from Northwestern University, where he met his wife Donna. He joined the U.S. Navy and served during the Korean War; following his active duty service he remained in the Navy Reserve for 30 years and retained the rank of captain. He received his LL.B degree from Stanford University and his LL.M. from USC Gould. Soldwedel served as managing partner of Parker, Berg and Lord before leaving to practice "of counsel" with his son. He retired soon after. He was preceded in death by his son, John Melvin, and is survived by his wife of 56 years, Donna; children Fred, Kent and Karen; and grandchildren Katherine and Elizabeth.

Howard Waco '64 died in November 2011. After graduating from USC Gould, he practiced law as a public defender in Van Nuys. He was characterized as a memorable attorney by his colleagues and other members of the legal community.

Robert Charles Weiss '66 died Oct. 2, 2012. He was 72. A California native, Weiss attended 54th St. Elementary School and Dorsey High School. He received his B.A. in engineering from the University of California-Berkeley and his J.D. from USC Gould. Weiss was a litigator and partner at the Lyon & Lyon law firm for 34 years, and he eventually retired from Jones Day in Los Angeles. Weiss represented Mag Instrument, where he helped protect the MAGLITE flashlight brand for over 30 years. Recently, he had started his own private practice in Manhattan Beach. He is survived by his wife of 42 years, Patricia; children Jennifer, Maureen and Bill; and grandchildren Will, Talula and Hana.

Homer L. Burrell '68 died July 28, 2011. He was 86. Burrell married Lynne Maiden in 1979. He received his B.A. from the University of California, a B.S. from Georgetown University, an M.A. from the Fletcher School of Law and Diplomacy at Tufts and Harvard universities and his J.D. from USC Gould. He served in the U.S. Navy for 20 years. After completing military service, Homer worked for Union Oil Company as a senior landsman for 14 years. He was the first director of the Alaska Division of Oil and Gas, where he practiced law. He also taught aviation law at Elmendorf Air Force Base. He was preceded in death by his wife, Lynne. He is survived by his siblings Jan and David.

Toni Rae Bruno Taix '69 died May 1, 2013. She was 69. Taix was an attorney for over 40 years, working as a partner in the Los Angeles firm Dwyer, Daly, Brotzen & Bruno. Prior to that she worked for Chase, Rotchford, Drukker & Bogust and the state attorney general's office in Los Angeles. In 1972 she presented a brief before the U.S. Supreme Court; subsequently the case was successful. Taix was predeceased by her husband, Raymond M. Taix. She is survived by her brother, the Rt. Rev. J. Jon Bruno; her niece, Jonelle; nephews Philip and Brent; seven great-nephews and one great-niece; six grandchildren; and her late husband's son, Michael Taix.

Alan Holmberg '75 died July 17, 2013 at the age of 64. Holmberg received his B.A. in English from Oberlin College and his J.D. from USC Gould. He practiced law in Los Angeles until he moved to Oxnard, Calif., where he served as assistant city attorney for seven years and city attorney for five years. He is survived by his wife, Nannette; twin sons Samuel and David; parents Gladys and Harold Holmberg; brothers Michael, James and David Holmberg; and six nieces and nephews.

Dennis A. Winston '75 died July 17, 2013. He was 62. Winston was a Los Angeles-based trial lawyer and a long-time partner with the firm of Moskowitz, Brestoff, Winston, Blinderman LLP prior to its dissolution several years ago. He continued in solo practice specializing in business litigation including wrongful termination, insurance coverage and general business disputes. Winston was an advocate of litigation involving open meetings, public records and First Amendment issues and served as the president of CalAware, a center for public forum rights.



ELVON & MABEL MUSICK LAW BUILDING, SPRING 2013

Oil painting by Amanda Kim '16, who is majoring in Fine Arts at the USC Dornsife College of Letters, Arts and Sciences

We have over 2,000 reasons to be thankful this fall... that's the number of people who made a gift to USC Gould last year.

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calendar

SATURDAY, OCT. 5

2013 Institute on Entertainment Law and Business
USC Gould
(Continuing Legal Education program)

THURSDAY, OCT. 24–SUNDAY, OCT. 27

Trojan Family Weekend
USC Gould

FRIDAY, NOV. 22

39th Annual Trust and Estate Conference
The Westin Bonaventure
(Continuing Legal Education program)

TUESDAY, DEC. 3

2013 Institute for Corporate Counsel
The California Club
(Continuing Legal Education program)

TUESDAY, DEC. 3

Bar Admission Ceremony
USC Town and Gown

SATURDAY, DEC. 14

USC Gould Alumni Association
Holiday Party
Mr. C of Beverly Hills

MONDAY, JAN. 27–WEDNESDAY, JAN. 29

2014 Tax Institute
Millennium Biltmore Hotel
(Continuing Legal Education program)

TUESDAY, MARCH 18

2014 Intellectual Property Institute
The Beverly Hills Hotel
(Continuing Legal Education program)

FRIDAY, APRIL 18

Law Day 2014
USC Gould

FRIDAY, MAY 16

USC Gould School of Law Commencement
USC McCarthy Quad

ON THE COVER: Prof. Tom Lyon with “Julian,” a Virtual Child Witness Lyon helped create. Photo and composite image by Mikel Healey.