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LL&E turns 40  
Clerking for Judge Dorothy Nelson  
Grads across the globe

FALL  
2005

# USC | LAW Magazine



## A Curricular Revolution



# USC|LAW Magazine

FALL 2005

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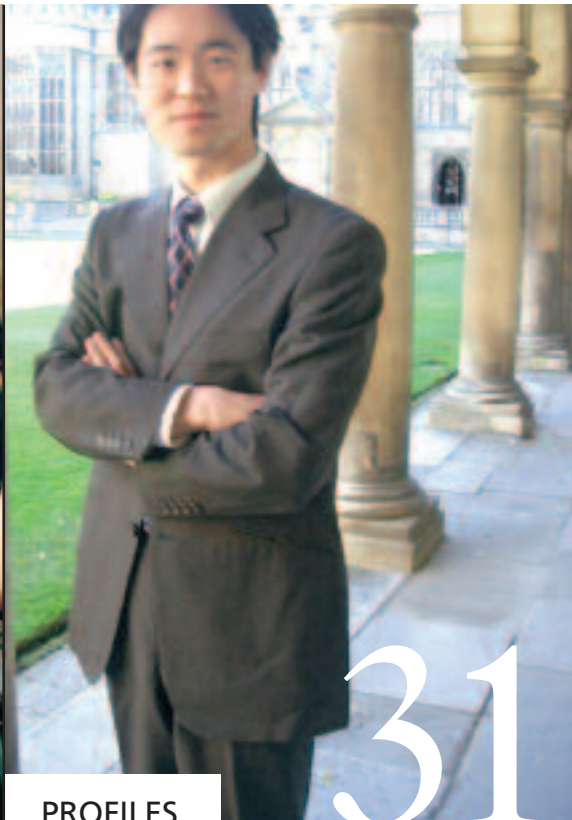
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# Torrent of generosity



Dean Matthew L. Spitzer

Sometimes it takes unfathomable tragedy to reveal our best qualities, and Americans seem particularly skilled in responding to dire situations with charity and selflessness. Hurricane Katrina devastated an entire swath of the Gulf Coast and unveiled incredible ineptitude at all levels of government — but the storm also elicited one of the most overwhelming displays of generosity this country has ever seen.

At USC Law, we've been lucky to welcome four law students from Tulane University, one of many universities affected by Katrina's wrath. In the days immediately following Katrina, we received more than 70 calls from students looking for a law school that would allow them to continue their studies. We, along with almost every other law school in the country, offered to take in dozens of students. Many we spoke with ultimately decided against resuming their studies immediately or found opportunities more suitable to their personal situations; in the end, four Tulane students settled in at USC Law (and more than 100 other Gulf Coast students joined programs around USC's campus).

When word spread that a handful of Tulane students would be spending fall semester at USC Law, calls came flooding in. People offered money, computers, spare bedrooms and rides to school. USC students shared outlines and books, gave tours, and provided guidance and friendship. More than \$9,000 in gifts to support the students' needs — ranging from clothing, books and computer accessories to insurance, transportation and housing — came from our alumni, friends and people in the legal community. The Tulane students have been overwhelmed by this generosity. I can't say I'm surprised, though. The USC Law family has a tradition of incredible generosity. That our graduates care about each other and the world around them is just common knowledge around here. I am grateful and proud to be part of such a kind and generous community.

I know many of us are looking for other ways to help those affected by the hurricanes. The need for legal aid is enormous; victims will require assistance with a wide range of legal issues for years to come, and lawyers in the devastated areas are scrambling to provide services while also picking up the pieces of their own lives. The American Bar Association web site, [abanet.org](http://abanet.org), offers myriad opportunities to assist, ranging from pro bono services to providing office space for displaced attorneys. Let's hope that we don't forget the continuing need for aid as the images of the storm's wrath fade from our television screens.

*Matthew L. Spitzer '77  
Dean and Carl M. Franklin Professor of Law  
and Professor of Political Science*

## New hires strengthen school's leadership in interdisciplinary studies

# Scholars in voting rights, corporate law join USC Law faculty



Kareem Crayton and James Spindler

Two rising scholars have joined the USC Gould School of Law faculty: Kareem Crayton, an authority on election law, voting rights and politics; and James Spindler, an expert on securities laws, disclosure and corporations. USC Law Dean Matthew L. Spitzer said Crayton and Spindler will enhance scholarly life at the law school and further elevate its national stature and reputation for academic excellence.

"We couldn't be more pleased that Kareem and James have accepted our offers, especially because they each had very attractive opportunities at other top law schools," said Spitzer. "Kareem's expertise in race and politics will certainly enhance the work of our Center for the Study of Law and Politics, and James' expertise in securities and corporations will further amplify our strength in corporate law. We are confident both Kareem and James will emerge as leading scholars in their fields."

Crayton, who earned his bachelor's degree in government from Harvard and his law degree and Ph.D. in political science from Stanford University, said he chose USC Law because of its high-quality faculty, its tradition of interdisciplinary work, and its location.

"There are precious few schools that take interdisciplinary work as seriously and fewer still that actually have the personnel who can really bridge the law with other fields," said Crayton, who was a fellow and instructor of law at Vanderbilt University Law School before joining USC. "I also found that this law school and Los Angeles as a whole are culturally and socially rich places to conduct research on the intersection between race and politics."

Crayton has studied congressional elections, legislative decision-making and political representation. His dissertation — "What's New about the 'New South'?" — examines problems with various empirical assumptions about the effect of the 1965 Voting Rights Act on congressional redistricting. His current research considers some of the political and constitutional questions related to possible amendments to reauthorization of the Voting Rights Act.

Spindler comes from the University of Chicago Law School, where he was a visiting assistant professor. He earned his law degree from Harvard and his bachelor's degree from Princeton University. "I chose USC because of its outstanding faculty and its reputation for producing quality interdisciplinary work," Spindler said. "It's also a very supportive environment for research, which is especially important for junior faculty like me."

Specializing in regulation of securities and capital markets, Spindler is particularly interested in how legal rules affect the ability of parties to communicate information to one another, and how those rules affect the way parties strategically structure their transactions.

Spindler has taught courses on federal securities regulation, commercial law, and corporate and securities law. He also has studied how corporate perks play a role in employee misbehavior and trends in underperformance in the IPO market.

— Gilien Silsby





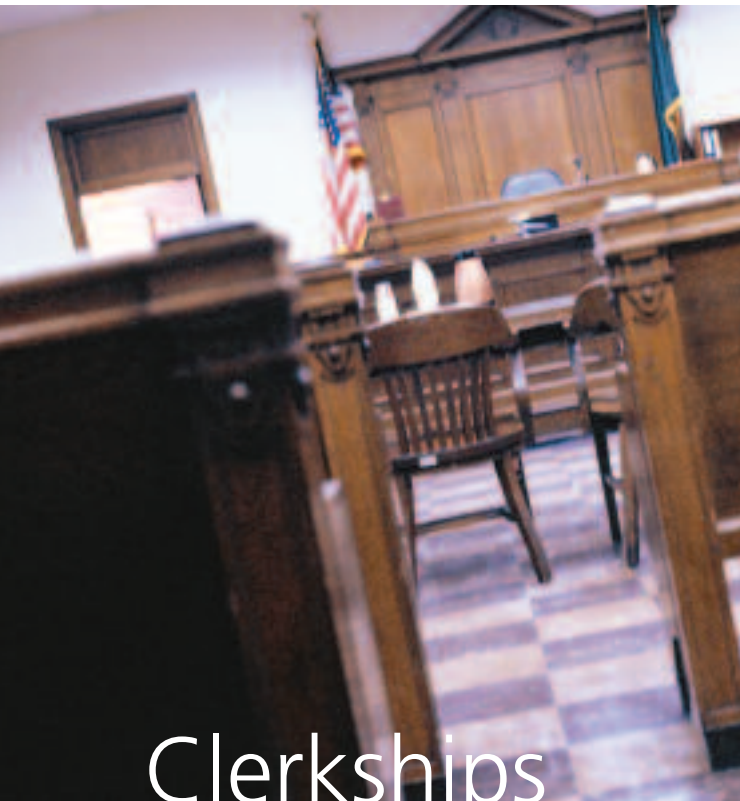
# Open • for business

USC Law renovates library and café





USC Law students returned to campus this fall to find their familiar old law library and dark downstairs café had been renovated — and vastly improved. The new café features terrazzo floors, a lounge alcove, a 61-inch flat-screen television, and a tasty selection of made-to-order sandwiches and salads. The library feels entirely new — the entrance was moved to the western-most edge of the building, and new carpeting, lighting, wood and glass paneling, and furniture have made the space both beautiful and functional. A new multimedia room and a new computer lab provide access to the latest and best in computer technology. The students' favorite part? Cozy new chairs and roomy new study tables, which feature individual lighting and ports for laptop plug-ins.



# Clerkships awarded to 18 grads

A record number of USC Law graduates — 17 members of the Class of 2005 and one from 2004 — received judicial clerkships this year, serving in positions in the 6<sup>th</sup> and 9<sup>th</sup> U.S. Circuit Courts of Appeals, as well as other federal and state courts in California, Arizona and New York. Considered the most prestigious and competitive employment opportunities available to recent graduates, clerkships offer unique exposure to a wide range of legal issues and unparalleled access to the judicial process, as well as the opportunity to gain a lifelong mentor. (See Page 32 for a firsthand perspective on the clerkship experience.)

The USC Law Career Services Office offers assistance to students interested in pursuing clerkships, including skill development workshops as well as guides on compiling a successful application and on interviewing. USC Law also coordinates and mails the applications. Priya Sridharan, assistant director of career services, works with each student on the judge selection and application process. “This additional assistance has prompted a significant increase in the number of students receiving clerkships,” says Sridharan.

## USC LAW CLERKS 2005

### U.S. Court of Appeals

#### 6<sup>TH</sup> CIRCUIT

**The Honorable Danny J. Boggs**

Ken Berland '05

#### 9<sup>TH</sup> CIRCUIT

**The Honorable Ferdinand F. Fernandez '62**

Benjamin Wang '04

**The Honorable Ronald M. Gould**

Matthew Wickersham '05

**The Honorable Johnnie Rawlinson**

Daniel Ahn '05

### U.S. District Court

#### CALIFORNIA

**The Honorable Percy Anderson (C.D. Cal.)**

Torrey Cope '05\*

**The Honorable Cormac J. Carney (C.D. Cal.)**

Bryan Smith '05

**The Honorable Gary Allen Feess (C.D. Cal.)**

Paul Rosen '05

**The Honorable Dale S. Fischer (C.D. Cal.)**

Temre Davies '05

**The Honorable George King '74 (C.D. Cal.)**

James Finsten '05

**The Honorable Virginia A. Phillips (C.D. Cal.)**

Daniel Weiss '05

**The Honorable Edward Rafeedie '59 (C.D. Cal.) (Senior)**

Bethany Woodard '05

**The Honorable Manuel L. Real (C.D. Cal.)**

Mani Dabiri '05

**The Honorable Christina Snyder (C.D. Cal.)**

Marcus Spiegel '05

**The Honorable Alicemarie H. Stotler '67 (C.D. Cal.)**

Kimberly Encinas '05

### U.S. Bankruptcy Courts

#### CALIFORNIA

**The Honorable Meredith Jury**

Sheri Kanesaka '05

### U.S. Court of International Trade (New York)

**The Honorable Jane A. Restani**

Anna Chu '05\*

### State Courts

#### ARIZONA

**The Honorable Ruth V. McGregor (Supreme Ct.)**

Ivy Tseng '05

**The Honorable Daniel A. Barker (Appellate Ct.)**

Eleanor Mercado '05

\* Two-year term



## Former Irmias Fellows honor benefactor at USC Law event



From left to right: Matthew Strugar, Maria Hall, Laura Fry, Audrey Irmias, Veronica Hahni, Jennifer Summerville and Connie Huang

# Far-reaching. generosity

**A**lumni, faculty and friends gathered this spring to salute longtime USC Law supporter Audrey M. Irmias for her role in advancing the school's public interest programs. In 1990, Mrs. Irmias and her late husband Sydney M. Irmias '55 established the USC Law Public Interest Endowment; the school's prestigious year-long post-graduate fellowship is named in honor of the couple's dedication to serving the community and USC Law.

In recognition of the Irmias family's generosity, letters of appreciation from past fellows were presented to Mrs. Irmias during the spring event. Following are excerpts from some of the letters:

"The Irmias Fellowship I received in 1993 was the highlight of my law school years. With that generous grant, I went to the Navajo Indian Reservation, where I worked for almost five years on behalf of Navajo families who were asserting their historic water rights in various stream adjudications. I no longer practice Indian law, but the Irmias Fellowship launched me in a career dedicated to public interest."

— John T. Carlson '93

"The Irmias Fellowship gave me my start as a lawyer at the Legal Aid Foundation of Los Angeles in 1992. Several years and several jobs later, I again work for LAFLA. Almost all of my clients have been abused by their significant others. I have helped many of them to get restraining orders, as well as to get and to keep custody of their children. Thank you for opening the path that led to help for these women."

— Laura Fry '92

"USC students are extremely lucky to have the Irmias Fellowship. When I explain to students how I was able to work in human rights law directly out of law school, most are astonished that

USC has a fully funded post-graduate fellowship open only to USC Law graduates. Fellowships are often the only way for young lawyers dedicated to public interest law to get their foot in the door of cash-strapped organizations that cannot afford to hire young attorneys with little practical experience. Thank you so much for giving me the chance to enter the world of human rights impact litigation right out of law school!"

— Matthew Strugar '04

### USC LAW IRMIAS FELLOWS

Year	Name	Sponsoring Agency
1991	Terri Villa-McDowell	Legal Aid Foundation of Long Beach
1992	Laura Fry	Legal Aid Foundation of Los Angeles
1993	John T. Carlson	Navajo Nation Department of Justice
1994	Veronica Hahni	AIDS Service Center of Pasadena
1995	Jennifer Summerville	Legal Corp. of Los Angeles
1996	Darcy Griffin Bondurant	United Farm Workers of America
1997	Derek Haskew	DNA-People's Legal Services Inc.
1998	Karala Jenkins-Turner	Protection & Advocacy Inc.
1999	Hyanne Park	Public Law Center
2001	Bernardo Merino	Immigrant Legal Resource Center
2002	Nausheen Hassan	California Women's Law Center
2002	Connie Huang	Public Counsel Law Center
2003	Maria Hall	Communities for a Better Environment
2004	Matthew Strugar	Center for Constitutional Rights
2005	Shannon Seibert	Equal Justice Society



## LIGHTING THE WAY

USC Law has launched a new mentor program designed to provide students with more direct interaction with alumni mentors in specific fields of law. The Law Alumni Mentor Program (LAMP) provides students with access to a database of alumni who have agreed to serve as mentors to students interested in learning about their fields of practice and in networking with legal professionals.

"The USC Law alumni network is an amazing resource that we want to make easily accessible to students and graduates," says Melissa Balaban '91, assistant dean of career services. "This program will give students access to a whole slate of alumni who have actively agreed to serve as mentors. It also gives our graduates a great opportunity to interact with — and be impressed by — our students."

To become a mentor, contact the Development and Graduate Relations Office at 213.740.6143.

## BUMPER CROP

More than 275 new students — including first-years, visiting and transfer students, and LL.M.s — arrived at USC Law this fall,

marking the largest incoming group of students in the school's history.

The J.D. Class of 2008 consists of 213 students — culled from more than 7,200 applications — hailing from nearly 100 colleges and universities from around the country and the world.



They are a diverse class with a wide range of experience. Many have been educators, entrepreneurs or business owners, while others have worked in the entertainment industry. One was a GED teacher in Compton, Calif., working with adults in a drug rehabilitation program; another developed a television show for The Animal Planet. Others have worked in politics, public policy and government, including one who joined the CIA as an intelligence analyst in the Office of Iraqi Analysis.

In addition, more than 65 international students from 17 countries enrolled in the LL.M. (Master of Laws), VIP (Visiting International Program for Lawyers) and M.C.L. (Master of Comparative Law) programs. They, too, bring an impressive diversity of experiences, having practiced law at some of the world's most prestigious law firms, or having worked in legal and business positions in a broad spectrum of industries and specializations.

"It is my hope," Associate Dean Bill Hoyer told students during Orientation Day activities, "that over the next three years, those of us whom you will meet — the faculty and deans, the staff, your classmates and your second-year advisors — can help you finish law school just like you started today: with optimism, with a sense of humor and a sense of duty, and with a passion for justice."



Pictured: (clockwise from left) Tulane students Ana Gallegos, Joseph Bourassa, Aaron Tesfai and Mary Craver surround Dean Spitzer.

## FOUR LAW STUDENTS WHO

fled the hurricane-ravaged Gulf Coast are resuming some semblance of normality — and partaking of some genuine Trojan hospitality — at USC Law this fall.

The second- and third-year students from Tulane University Law School are visiting at USC on a temporary basis until Tulane reopens. Under USC's arrangement, students are participating in courses comparable to those they were taking at Tulane. They will continue to pay tuition to their home school for as long as they are at USC; the students and the credits they earn for USC courses will transfer back to Tulane once the school is operational.

USC Law welcomed the Tulane students with open arms; students immediately provided study notes, books and even spare beds. USC Law alumni, faculty and staff also pitched in, offering funds, clothes, housing, transportation and tutoring to the displaced students.

"I think everyone has been so moved by this tragedy that they want to do anything they can to help, even if in a very small way," said Dean Matthew L. Spitzer. "Helping these students get back on their feet and resume their classes seemed to be the least we could do. We're glad to have them here."

RELIANT EFFORT



## VERBATIM

"There is immediate suffering in Katrina's wake, but the hurricane has swept over a structure of American inequality, exposing it for a moment. The question for us all is whether we shall take the opportunity to see it."

— Mary L. Dudziak, Judge Edward J. and Ruey L. Guirado Professor of Law and History at USC, in an op-ed published in *The Boston Globe* on Sept. 2, 2005

## CELEBRATING 125



### The University of Southern California celebrated its 125<sup>th</sup> anniversary this fall

with a massive campuswide celebration that included lectures, performances and concerts hosted by individual schools. USC Law contributed to the festivities by offering lectures by several prominent faculty members — Elizabeth Garrett spoke about hybrid democracy, Edward McCaffery discussed interdisciplinary scholarship, and Susan Estrich discussed and signed copies of her recent book, *How to Get Into Law School* — as well as a family picnic for alumni and students, and tours of the law school.

In addition, New York Gov. George Pataki presented the law school's annual Roth Lecture. Addressing a crowd of several hundred people, the governor spoke on the role of the judiciary in a democratic society. "There is a fundamental distinction between interpreting the law and making it," he said.



## Taking flight

USC Law graduated 202 J.D. students and 40 LL.M. students in May, releasing into the world a flock of exceptionally prepared and remarkably diverse legal eagles. The J.D. Class of 2005 featured 90 minority students and 40 international students representing 14 countries.

The Hon. Candace D. Cooper '73, presiding justice of the California Court of Appeal, offered words of congratulations and advice: "Hard work, persistence and initiative are still the certain paths to success for most of us," she told the festive crowd. "Your success will be commensurate with your efforts, and, given a little luck thrown in with good timing, you will be more successful than you could imagine today."




## PAINTING PROGRESS

More than 80 incoming students helped spruce up a local elementary school this fall as part of the Class of 2008 Orientation Community Service Project.

Students painted all the hallways, stairwells, doors and bungalows at Ann Street Elementary School, near USC's campus. They also painted two murals, including one that features the school's mascot, a bulldog. Painting materials were provided by L.A. Works, a nonprofit organization that supports hands-on community service in Los Angeles. Students who organized the event plan to sponsor similar projects throughout the year.

"I believe we are all attracted to law school with a cause, a vision or a dream to overcome injustices around us," says second-year law student Mandana Dayani, who helped coordinate the event. "I hope this program helps reinforce the prevalence of these injustices, so we never forget our place in the justice system and our hopes in fostering progress."



USC Law's international programs  
grow by leaps and bounds

# cosmopolitan

By Rizza Barnes

**JUSNEET CHOWDHARY** WAS DETERMINED TO EARN AN ADVANCED LAW DEGREE — IN LONDON. BUT HER BROTHER WAS EQUALLY DETERMINED TO REDIRECT HER PATH. SINCE GRADUATING FROM USC LAW AS PART OF THE INAUGURAL LL.M. CLASS OF 2003, MANBIR CHOWDHARY HAD URGED HIS SISTER TO FOLLOW IN HIS FOOTSTEPS.





Professor Edwin Smith teaches Introduction to the U.S. Legal System.

“He kept telling me that being part of the master of laws program at USC was the best academic experience of his life,” says Jusneet, who was born and raised in Europe and received her LL.B. from the University of Buckingham. “He talked about the quality of education, his amazing relationships with his professors, and the helpfulness of the staff.”

His tactics worked. Jusneet began her studies at the USC Gould School of Law this fall and plans to pursue international law after graduation.

“I’m glad I listened to him. I’m very lucky to be here,” she says of the law school. “To have a USC LL.M. degree under my belt would be a great thing anywhere in the world.”

According to Debbie Call, assistant dean of graduate and international programs, Jusneet’s case perfectly illustrates the power of USC’s primary marketing tool: alumni endorsements.

“The growth of our international offerings is directly linked to the experience our graduates have had,” Call says. “Word of mouth is critically important for us.”

Consider that the LL.M. program launched in fall 2002 with Manbir and just 11 other foreign lawyers. The following year, enrollment more than doubled to 29. In 2004, the number climbed to 40. This year’s crop boasts 61 students from 17 countries, ranging from Taiwan to Panama, Uzbekistan to Nigeria.

Many grads urge their colleagues to apply to USC Law upon

returning to their home country. Others, like Manbir, advise their relatives.

“I wanted my sister to gain the value of a dual legal education,” says Manbir, who previously worked at Latham & Watkins and currently is developing more than 1,500 acres in Southern California’s San Bernardino County. “With the expanding globalization of markets, there is increased interaction between American and foreign economies and their legal systems. For foreign law graduates, an LL.M. from USC Law will only enhance their careers, no matter where they choose to practice. Furthermore, the networking at USC is phenomenal. I’m very much in touch with all of my classmates as well as my professors, who remain extremely accessible whenever I need their advice.”

### LOGICAL GROWTH

The expansion of USC Law’s international offerings extends well beyond the LL.M. program. In 2004, the law school began a four-week Summer Law and English Program — in conjunction with the nationally recognized USC Rossier School of Education Language Academy — to help prepare international students for LL.M. programs in American law. The first summer saw 22 students; this year enrollment grew to 42.

And in response to demand from former students, USC Law this fall launched another advanced degree program for foreign

lawyers who already have earned an LL.M. The one-year Master of Comparative Law program explores the differences, similarities and interrelationships of various systems of law around the world.

USC Law also has introduced an exchange program that allows J.D. students to study at the University of Hong Kong (HKU) while law students from HKU attend USC. In addition, the Visiting International Program for Lawyers provides legal and business professionals the chance to study American law at USC on a non-credit, non-degree basis. It also offers current LL.M. students the ability to continue their legal studies for another year and prepare for a bar exam.

Soon, a dual-degree program for USC Law J.D. students will join the mix. Beginning in fall 2006, a J.D. candidate will spend his or her third year in the London School of Economics (LSE), taking LL.M. classes. After the third year, the student earns a J.D. from USC and an LL.M. degree from LSE. Meanwhile, LSE bachelor of law candidates spend their third and fourth years at USC, eventually earning an LL.B./J.D. degree.

"The size of our international programs has increased at a much faster pace than I expected, but it's a pleasant surprise and, really, a very rational growth," says Edwin "Rip" Smith, the Leon Benwell Professor of Law, International Relations and Political Science, and academic director of USC Law's graduate and international programs. "One idea is consistent with the next. They're all on the same track."



Clockwise from top left: Pimnapa Naigowit and Olga Zalomi; siblings Manbir and Jusneet Chowdhary; and Ibitayo Okusanya.

## MELTING POT

More international programs means an even more diverse student population at USC Law. That's good news for Smith, who says the influx of foreign students — many of them civil lawyers and seasoned corporate attorneys — has given his own classroom a new voice.

"Not only are these students learning from specialists and scholars about the new economy and a new community, but they've also given us a different perception," Smith says. "By interacting with them in and out of the classroom, our J.D. students can better understand that we're only a very small part of the legal structure in the world. There's much more out there. Some of these systems do a better job than we do, and our students are in a very good position to take advantage of that learning."

Although many courses — corporate law and intellectual property law, in particular — have a healthy blend of J.D. and international students, some are designed specifically for LL.M. candidates. Smith, for example, teaches Introduction to the U.S. Legal System, and this year three sections of LL.M. Legal Writing are being offered.

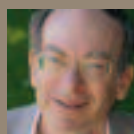
"These students already have a solid legal background, so they're used to doing things in specific ways," says Jean Rosenbluth, director of legal writing and advocacy and adjunct professor of law. "With legal writing, especially, they almost have to erase what they've learned in the past. The good thing is, they're eager, mature and ready to learn. They are a very receptive audience."

And they have very impressive resumes. Many come from prestigious law firms or have business backgrounds at leading international companies. Some are prosecutors or bankers. One is a law professor, while others serve as government officials. One graduate was the general manager of Korean Air's legal department. Another was director of legal affairs for the second-largest producer of Spanish-language programming in the world. Others have served on the bench, including a judge in China's Guang Xi High Court.

For Jusneet Chowdhary, the diversity in backgrounds, culture and geography make for an extraordinary experience.

"I'm surrounded by intelligent people from all over the world," she says. "We're all different, but we've come together for the same purpose. We're a family."

## USC LAW INTRODUCES NEW GLOBALIZATION COURSE



The idea stemmed from a faculty retreat a few years ago: a new course devoted to examining the impact of globalization in such areas as constitutional law, trade law, military law and the environment.

That brainchild, under the direction of Christopher Stone, the J. Thomas McCarthy Trust Professor of Law (pictured at left), came to fruition at USC Law last fall. Called "Globalization and the Law," the course tackles the following questions: Should U.S. courts take foreign legal judgments and materials into account? Should the U.S. submit to international law in fixing limits on the interrogation of prisoners? Is the North American Free Trade Agreement exporting jobs and widening wage gaps? Should we be opening our borders to more immigrants?

"Interaction among people across the world is increasing at an accelerating pace as barriers to the exchange of labor, products, capital, diseases, pollutants and services are lowered," Stone states in a course outline. "Globalization offers new opportunities and intensifies old problems. All in all, it is making strong demands on governance and legal institutions with pronounced implications on the law that today's students will find themselves practicing."

Additionally, USC Law's traditional course offerings have taken a decidedly international turn in recent years. Today's curriculum includes International Business Transactions, International Intellectual Property and International Human Rights, among other classes that furnish a global perspective.

"There's definitely a growing interest in many different areas of international law," says Clinical Professor Niels Frenzen, who directs the law school's Immigration Clinic and serves on USC Law's International Programs Committee. "People are looking outward."



"I'm surrounded by intelligent people  
from all over the world."



Celebrating 40 years of Law,  
Language and Ethics at USC

# A CURRICULAR revolution

By Associate Dean John G. "Tom" Tomlinson

**1965** was a pivotal year for USC Law, for a number of reasons. That year, the *Southern California Law Review* announced the retirements of Professors William Burby, Pendleton Howard and Stanley Howell, each of whom had been on the faculty for nearly 40 years. It also was the year that USC Law began a plan to replace its outdated building, which had been home to the school since 1925.

And 1965 was the year that Christopher Stone arrived at USC, hired to teach a new course that would be the foundation for the future of the law school's curriculum: Law, Language and Ethics.



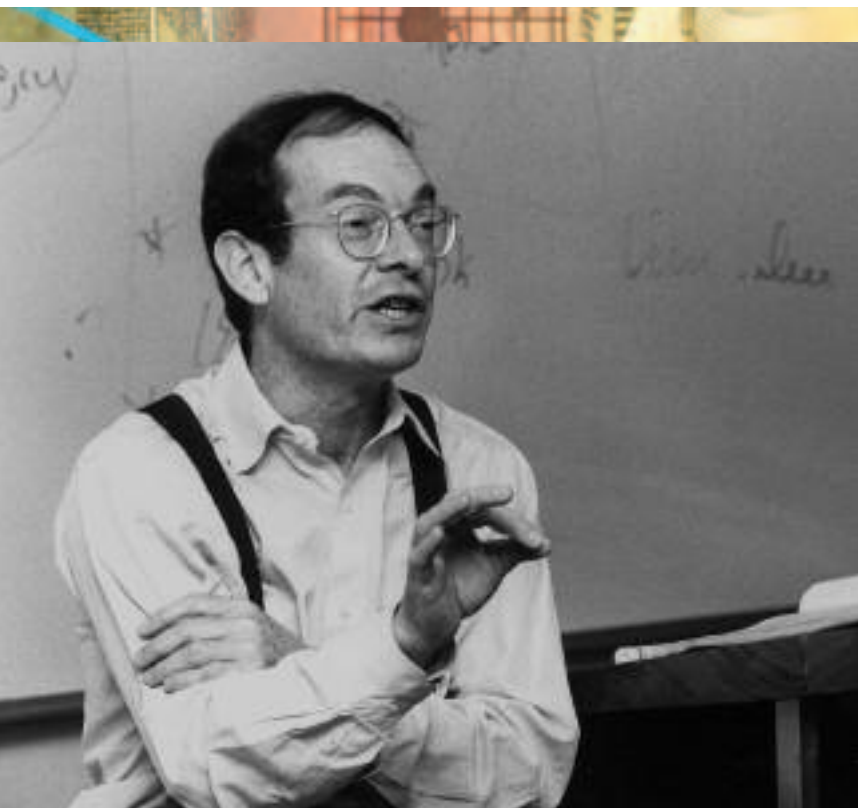




LL&E, as it's now fondly known, represented a profound shift in the way the law was understood and taught. The course was intended to be the heart of a curriculum that held the study of law to be an interdisciplinary affair, one that challenged students to incorporate the concerns of related fields — linguistics, ethics, sociology, philosophy and economics, among others — into their thinking. The course also was conceived as the bone structure on which all subsequent courses — torts, contracts and criminal law, for example — would hang. As such, LL&E would not only be an introduction to a USC legal education, it also would become the adhesive that would bind the school's curriculum together.

## "LL&E is, perhaps, the perfect balance of tradition and evolution..."

That adhesive has held for 40 years, and it shows no signs of weakening. More than 6,800 students (well over two-thirds of the law school's living alumni) have taken LL&E, and at least a dozen USC Law professors have taught the course. No one has taught it more frequently or more authoritatively than Professor Stone, who continues to teach LL&E to ambitious and uncertain first-year law students at USC.



Christopher Stone teaches LL&E in spring 1994.

### THE BIRTH OF A COURSE

In September 1965, USC Law Professors George Lefcoe, Bill Bishin and Chris Stone, undergraduate philosophy majors all, helped coach more than 150 first-year law students (including Scott Bice '68, who would later become USC Law dean and an LL&E professor himself) as they encountered the brand-new Law, Language and Ethics curriculum for the first time.

While Bishin and Stone taught the course, discussions within the law school regarding curricular change had been in progress since at least 1963, when George Lefcoe arrived at the law school. Lefcoe, a 1962 Yale Law School graduate, found those conversations

about curriculum reminiscent of some he had experienced at Yale. At USC, he championed a course that would be a "philosophically oriented introduction to legal thought." Lefcoe's legal thinking stemmed from that of the venerable Yale Law School Professor Myres S. McDougal. His was the kind of policy-oriented, interdisciplinary approach that imagined law as a process, a method of decision-making rather than a body of rules.

Lefcoe shared the views of USC Law's new dean, Orrin Evans, who also spoke fluent McDougal. Evans himself was a Yale Law graduate, and McDougal had served as his dissertation adviser. When Evans was appointed dean of USC Law in 1963, he soon thereafter made Lefcoe his first faculty appointment. A year later, Evans brought Harvard Law School graduate William B. Bishin to the USC Law faculty.

Buttressed by the visionary intellectual muscle of Lefcoe and Bishin, Evans spent the fall of 1964 and the spring of 1965 informing various law school constituents that a revamped curriculum was imminent. By late spring 1965, Bishin had drafted a syllabus for LL&E. With an incoming class of 150, Evans began the search for another LL&E professor and succeeded in hiring Stone, a 1962 Yale Law School graduate, to teach a section of LL&E that fall. With Stone's arrival, the preparation phase of the curricular revolution was finished.

### AN ENTIRELY NEW APPROACH

Prior to Stone's arrival, Bishin had crafted a tidy explanation of the course; the essay "Law, Language and Ethics" appeared as the lead article in the summer 1965 issue of the *Southern California Law Review*. A student editor's note explained to readers that Bishin's article "deserves prominence, for we believe it not only describes a new course but also an entirely new approach to our legal education."



For Bishin, LL&E evinced “this law school’s determination to offer a course dramatizing the relevance and utility of significant philosophical thought in the solution of problems faced every day by lawyers, judges, legislators.” Bishin understood that in all legal contests, “disputants are really arguing about the nature of reality, the problem of knowledge, the functions of language, the requisites of morality, the meaning of the good life, the ends of society.”

Central to Bishin’s understanding of law and language was the notion that all disciplines of thought are “sub-categories of epistemology.” Hence, LL&E argued that what one knows is composed of organizations of experience rather than “facts” of the natural experience. It was Bishin’s hope that students would exit LL&E with a more sophisticated “philosophical” skepticism beyond that developed through the case method or Socratic questioning.

In his essay, Bishin wrote that Law, Language and Ethics offered an invaluable opportunity for students to learn to integrate and coordinate the thoughts of different disciplines into their lives in the legal profession. These “sub-categories of epistemology” — the fields of sociology, anthropology, economics, science and mathematics — had something to offer the well-burnished legal mind, Bishin argued.

He anticipated what is today a seamless part of the USC legal education: interdisciplinarity. That more than a third of the present law school’s faculty hold graduate degrees in fields other than law affirms the enduring importance of Bishin’s vision.

In the “practice” of teaching LL&E, Bishin and Stone engaged many faculty colleagues in the conversation about how the assumptions of LL&E might serve to unify the entire law school curriculum around some common and enduring questions. In addition to Lefcoe, Martin Levine, Francis J. Jones, Leonard Ratner and Harold Solomon weighed in to voice support for the new course. Other faculty then teaching at the law school helped further shape the early life of LL&E. Gary Bellow, Scott Bice, Richard Epstein and Joel Shor are still acknowledged in a grateful introduction to the 1972 case book published by Stone and Bishin, titled *Law, Language and Ethics: An Introduction of Law and Legal Method*.

### A SUPPLE INHERITANCE

Forty years of LL&E at USC have made what once was revolutionary a tradition — but a flexible one. As Professor Nomi Stolzenberg, who has taught the course several times, expresses it: “The course is an inheritance that one keeps faith with — it is a touchstone with the written aspirations of Bishin and Stone, yet it is supple enough to allow for each professor to teach the course in ways that are important to them.” For Stolzenberg, LL&E must include considerations of legal reasoning and interpretation, the language, morality and politics of law — issues that reflect her own special interest in the culture of law.

Professor Ronald Garet shapes LL&E to help students be mindful of its complementarity to the full legal curriculum at USC. While law school courses in torts or contracts or procedure

may have their special languages and rules, the ways in which a student can ask questions within each course or reason out answers is the commonwealth of LL&E. Professor Andrei Marmor, meanwhile, brings an analytical philosophical bent to his course, one applied to the problems of moral issues and legal decisions, theories about the nature of law, legal reasoning and adjudication, law and interpretation, and constitutional democracy.

Each professor offers his or her own perspectives to the teaching of LL&E, and that perhaps is the core of its value. Professors



keep faith with the ideas set forth by Bishin and Stone, but are able to express their own intellectual voices and interests within that framework. LL&E is, perhaps, the perfect balance of tradition and evolution — and its enduring place at the heart of the USC curriculum is testament to the legacy of the work done 40 years ago by academic visionaries at USC Law.

CPK co-founder Larry Flax '67 is using his legal education to redefine the American pizzeria

# From courtroom to

By Gilien Silsby

Giving up the title of CEO did not suit Larry Flax well.

There were only so many holes of golf to play and Caribbean cruises to sail. And every time he went out to dinner, he felt hungry for his day job.

Flax, who gave up his title of CEO yet remained co-chairman of the high-flying California Pizza Kitchen in 2000, was growing tired of relaxation and boredom. His long-time business partner, Rick Rosenfield, was experiencing the same longing for pizza.

So after three years, the pair — who had been a team since their lawyer days at the U.S. District Attorney's office — went back to running CPK full time.





# kitchen



“We tried to leave and have a hands-off approach, but it didn’t work out well for us or the company,” said Flax, 63. “I think we appreciate the business much more since we were away for a time. We realized we needed the company and the company needed us.”

Flax, an avid supporter of USC Law and a member of the school’s board of councilors, said he sees no need to stop working.

“Look at Warren Buffet: He’s 75 years old and still runs Berkshire Hathaway Inc.,” Flax said. “I can see myself working for another 25 years because it’s really more of a lifestyle than work.”

Today, Los Angeles-based California Pizza Kitchen boasts 185 restaurants, posting \$419 million in sales in 2004. That’s nearly double the \$211 million in revenue in 2000.

Known for its eclectic, gourmet mix of ingredients, CPK was named Editor’s Choice among family restaurants in 2005, according to *L.A. Parent Magazine*.

And after 20 years in business, Flax and Rosenfield are not resting on their chicken barbecue pizzas.

During their stint away from running the day-to-day operations of California Pizza Kitchen, the pair launched L.A. Food Show in Manhattan Beach, Calif., in June 2003 to the rave reviews of critics and customers. They plan to add more across the country in the next several years. And to target the busy working customer hungering for take-out food, CPK recently began serving its signature dishes at 100 curbside takeout locations.



field study of his or her own design. The study Larry designed required him to interview a cross section of USC people. Along with questions on the subject of the study, there were usual demographic questions. I still remember the bewildered phone call I got from a USC vice president, asking me why one of my students wanted to know his religion.”

## “My law degree really gave me the ability to start a restaurant business.”

The key to success, Flax said, is to constantly grow, change and mix up the concept whether it involves items on the menu or the culture of their restaurants.

“We know that we can’t be stagnant to be successful,” he said.

### ‘A LIFE-CHANGING EVENT’

Since his days in law school at USC — where he was Student Bar Association president — Flax has been anything but traditional. According to USC Law Professor George Lefcoe, Flax had a reputation as an easy-going guy who was considerate, congenial and “always ready with a warm smile.”

But he also was known for his unconventional approach to class assignments.

Martin Levine, vice provost for faculty affairs and a law professor at USC, remembers Flax as a lively and active participant in lecture classes and at off-campus retreats.

“Larry signed up to participate when I offered a seminar in social science research and the law,” Levine said. “Every student did a

Law school was a pivotal time in Flax’s life and, ultimately, his career.

“My law degree really gave me the ability to start a restaurant business,” he said. “Becoming a law student was a life-changing event because it was really the first time I thought I could have an original idea. I never thought that as an undergraduate. Law school at USC inspired me to come up with creative ideas.”

When Flax attended USC in the mid-1960s, USC Law was going through a revolution of sorts. It was shifting from Blackletter law — the study of basic law and tools to pass the bar exam — to a more Socratic approach.

“At the time we were attracting more world-class law professors who challenged students to think through things,” Flax recalled. “It’s how most law schools are today, but it was pretty controversial at the time. As I look back, I realize that the discipline of law is about a logical progression of ideas, looking forward and thinking outside the box. Those skills are exactly what it takes to be a successful entrepreneur.”



After graduating from the USC Gould School of Law, Flax and his soon-to-be business partner, Rosenfield, practiced criminal law in Beverly Hills. But they were entrepreneurs at heart.

While they tried cases during the day, they spent their evenings mapping out the perfect restaurant.

"We always dallied with the idea of a restaurant business," Flax said. "As attorneys, we were traveling all over the country, and we were burnt out. We realized criminal law is not the best way to attain happiness."

### 'CONTINUOUSLY EXPERIMENT'

Flax and Rosenfield were silent partners in an upscale Italian restaurant in 1975 while still practicing law. The restaurant failed, but that didn't stop them from trying again.

They came up with another restaurant idea after admiring the menu at Spago but realizing few families could afford even an appetizer. When a storefront became available next to their law offices in Beverly Hills, they launched a family-oriented gourmet pizza restaurant with an exhibition-style kitchen centered around an open-flame oven. With crayons and a kids' menu, they created a casual, family-friendly restaurant.

They called it California Pizza Kitchen.

Although chicken barbecue pizza was at the heart of their menu, they also introduced unconventional toppings like smoked Gouda cheese, fire-roasted chilies and chipotle sauce. And while porcini mushrooms and gorgonzola cheese are standard restaurant fare today, they were nearly unheard of in family-style restaurants in 1985.

Today, the ingredients continue to surprise — Kung Pao Spaghetti, Thai Chicken and Jamaican Jerk Pizza are among the unique offerings. To appeal to the customer with traditional tastes, the menu also offers more standard fare, including a variety of Neapolitan pizzas, a classic Caesar salad and fettuccine with garlic cream sauce.

"We have a menu committee at CPK that Rick and I lead," Flax said. "We continuously experiment with menu items and flavor combinations to create innovative, distinctive tastes. That's really our goal."

In addition to trying new ingredients, Flax realizes the look and feel of restaurants also must change. The company is slowly replacing its trademark yellow, white and black décor with more modern earth tones, booths and granite marble counters.

Even the company culture is evolving. After participating in the 2004 reality television show "Now, Who's Boss?" on TLC, Flax and Rosenfield eliminated some longtime employee regulations.

The TLC program showed corporate leaders struggling to perform non-executive jobs within their companies. For four straight days, Flax and Rosenfield did everything from washing dishes to waiting tables.

In the process, they realized how uncomfortable some of the CPK rules were.

"I didn't feel good about pushing certain items or suggesting dessert," Flax said. "That's not to say some waiters don't love doing this. But what I realized is, it isn't something we should insist on."

Flax also came across several inefficiencies in the restaurant. For example, the way the dishwasher was loaded didn't make sense, and the large plated glass front door was constantly smudged by fingerprints.

Both ultimately were changed.

"It was a real eye opener," he said. "I think it's one of the best exercises an executive can participate in."

### 'DON'T OVERCOOK IT'

For years, CPK has enforced a culture it calls R.O.C.K. — respect, opportunity, communication and kindness. It's especially important,



Flax said, when a company is publicly traded and stockholders are watching.

"We started realizing that the company's goal shouldn't merely be focused on reaching Wall Street's expectations but more on what is best for the company in the long run," he said. "Wall Street might want you to do one thing — like grow quickly — but we have always gone with our gut. We realize that it's best to grow in a controlled fashion. We also like to tell our people, 'Don't watch our stock, watch our customers.' If you get fixed on stock price, you can go in all sorts of wrong directions."

Knowing the law and having experience as a lawyer have been invaluable for Flax. "We know how to protect ourselves," he said. "We know all about contracts and how the law fits in when it comes to the daily running of the business. Law is a very logical discipline. It's about how to get from point A to point B. That's just like the restaurant business."

And that is something he points out to law and business students during his regular seminars at USC. "I tell the students if you have a great idea, don't overcook it. Just go for it," Flax said. "If I thought about all of the risks opening California Pizza Kitchen, I would have never had the guts to try."

# Faculty

## \*Footnotes (a selection of recent faculty activities)



**David B. Cruz**, professor of law, delivered the annual Social Justice Diversity Lecture, "Marriage Rights, Privileges and Immunities," at Santa Clara University School of Law, where he also received one of the Dukeminier Awards

for his article "Disestablishing Sex and Gender." He was widely quoted by the media on issues related to same-sex marriage legislation and court battles around the country, as well as a range of other constitutional law matters.



**Mary L. Dudziak**, Judge Edward J. and Ruey L. Guirado Professor of Law, History and Political Science, received a James H. Zumberge Research Grant from USC to support research on her new book project, *Exporting American Dreams: Thurgood*

*Marshall and the Constitution of Kenya*. She served as editor for a special edition of *American Quarterly*, "Legal Borderlands: Law and the Construction of American Borders," published in September 2005, and co-organized a symposium on the same subject. Professor Dudziak is serving as the William Nelson Cromwell Visiting Professor of Law at Harvard University for the 2005-06 academic year.



**Ronald R. Garet**, Carolyn Craig Franklin Professor of Law and Religion, served as president of the faculty at USC in academic year 2004-05 and on the committee that advised USC President Steven B. Sample on the selection of USC's new

provost, C. L. Max Nikias. He presented "The Last Full Measure of Devotion: Sacrifice and Textual Authority" at a conference on "Text, Tradition and Reason in Comparative Perspective" at Cardozo Law School, and he presented a discussion of the United States Constitution during USC's observance of Constitution Day in September. This spring, he received a teaching award from the USC Latter-Day Saints Student Association.



**Elizabeth Garrett**, Sydney M. Irmas Professor of Public Interest Law, Legal Ethics, Political Science, and Policy, Planning, and Development, was named vice provost for academic affairs (see story on Page 25). As a member of President

Bush's bipartisan Tax Advisory Panel, she traveled to several locations to participate in meetings and discuss proposed reforms. She

joined the national governing board of Common Cause, a nonprofit organization that works to make government more accountable to citizens. Professor Garrett continues to serve as director of the USC-Caltech Center for the Study of Law and Politics, through which she and John Matsusaka, president of the Initiative and Referendum Institute at USC, recently received an \$80,000 grant from the John Randolph Haynes and Dora Haynes Foundation to support research on initiatives and referendums at the local level in Southern California.



**Gillian Hadfield**, professor of law, was appointed to the editorial board of the *Law and Social Inquiry* journal. She was the keynote speaker at the Center for Legal Dynamics in Advanced Societies' third international symposium at

Kobe University in Japan, where she spoke on the role of law, lawyers and legal education in a market society. The presentation was based on her chapter in the *Handbook of New Institutional Economics*, "The Many Legal Institutions that Support Contractual Commitments." She presented research on the "vanishing trial" and the availability of data about the work of the judicial system at the fourth annual "Science for Judges" judicial conference hosted by Brooklyn Law School, and she presented "The Civil Trial: Adaptation and Alternatives" at a *Stanford Law Review* symposium.



**Thomas D. Lyon**, professor of law, received the 2005 Award for Excellence in Mentoring from the USC Mellon Academic Mentoring Support Program. Funded by a grant from the Andrew W. Mellon Foundation, the award honors excellence

in mentoring by guiding and nurturing collegial and professional development. Professor Lyon co-authored "The Problem of Child Sexual Abuse: Response," which was published in *Science*, and he co-wrote two research papers presented at the annual conference of the American Psychological Society — one on the recantation of child sexual abuse and one on reducing maltreated children's lies. He also received a \$7,500 grant from the USC Undergraduate Research Program for his project "Improving Child Witnesses' Performance: Integrating Legal Practice and Developmental Psychology."





**Jean Rosenbluth**, director of legal writing and advocacy and adjunct professor of law, was appointed to the state appellate judicial evaluation committee, which reviews the governor's nominees to the California Court of Appeal. She also served on the survey committee of the Association of Legal Writing Directors. Rosenbluth, along with USC Law professors **Michael J. Brennan**, **Jody D. Armour** and **Thomas D. Lyon**, was widely quoted by media during the trial of pop singer Michael Jackson, who was acquitted of child molestation charges. The four professors appeared in *The New York Times*, *Los Angeles Times*, *Newsweek*, *People*, Associated Press, Copley News Service, CNN, MSNBC, CBS News, ABC News, Canadian Broadcasting Co., the BBC, Reuters TV, German Public Radio, France's Agence Presse and Associated Press TV, as well as numerous local television and radio broadcasts.



**Elyn R. Saks**, Orrin B. Evans Professor of Law, Psychology, and Psychiatry and the Behavioral Sciences, was appointed associate dean for research at USC Law. She received a two-year grant from the Greenwall Foundation for a project called "Competency to Refuse Treatment: An Empirical Study of Judges' Understanding of this Concept in California, Massachusetts, and New York." She presented "Determining Capacity" at the Southern California Bioethics Committee Consortium and "Competency to Consent to Research" at the PRIM&R (Public Responsibility in Medicine & Research) annual conference in San Diego. She is serving as a board member of the Association of American Law Schools' Section on Mental Disability Law.



**Robert M. Saltzman**, associate dean and adjunct professor of law, was appointed to the Los Angeles City Ethics Commission by Mayor Antonio Villaraigosa. As one of five commissioners, Dean Saltzman is charged with administering and enforcing the laws on governmental ethics, campaign finance and lobbyist activities. He also was elected to a two-year term on the board of directors of the Gay and Lesbian Leadership Institute, a national nonprofit organization that supports the full participation of gays and lesbians in the government.



**Dan Simon**, professor of law, received a renewal on his \$176,000 grant from the National Science Foundation to support research on "Coherence-based Decision Making: A Theoretical Framework and Practical Applications," a joint project with Stephen J. Read (USC Department of Psychology) and Keith J. Holyoak (UCLA Department of Psychology). He presented research at the Law and Society Association annual meeting; the American Psychological Society annual convention; the American Law-Psychology Society annual conference; and the Society for Judgment and Decision Making annual meeting.

## PROFESSOR NAMED TO TOP 10 LIST FOR CORPORATE & SECURITIES ARTICLE



An article by USC Law Professor Eric Talley was named one of the 10 "Best Corporate and Securities Articles of 2004" by the *Corporate Practice Commentator*, a quarterly newsletter.

Talley co-authored "Unregulable Defenses and the Perils of Shareholder Choice" with Jennifer Arlen, a New York University School of Law professor and former USC Law professor (1994-2002).

The article examined the costs and benefits of granting shareholders more governance power particularly in the context of takeovers. It was selected by professors in corporate and securities law.

"Because the *Corporate Practice Commentator* award is the product of a vote by one's colleagues in the profession, it's a very nice form of recognition," Talley said.

Talley and Arlen argue that in some cases, granting shareholders enhanced rights to oversee takeover defenses might actually hurt shareholder interests over the long run.

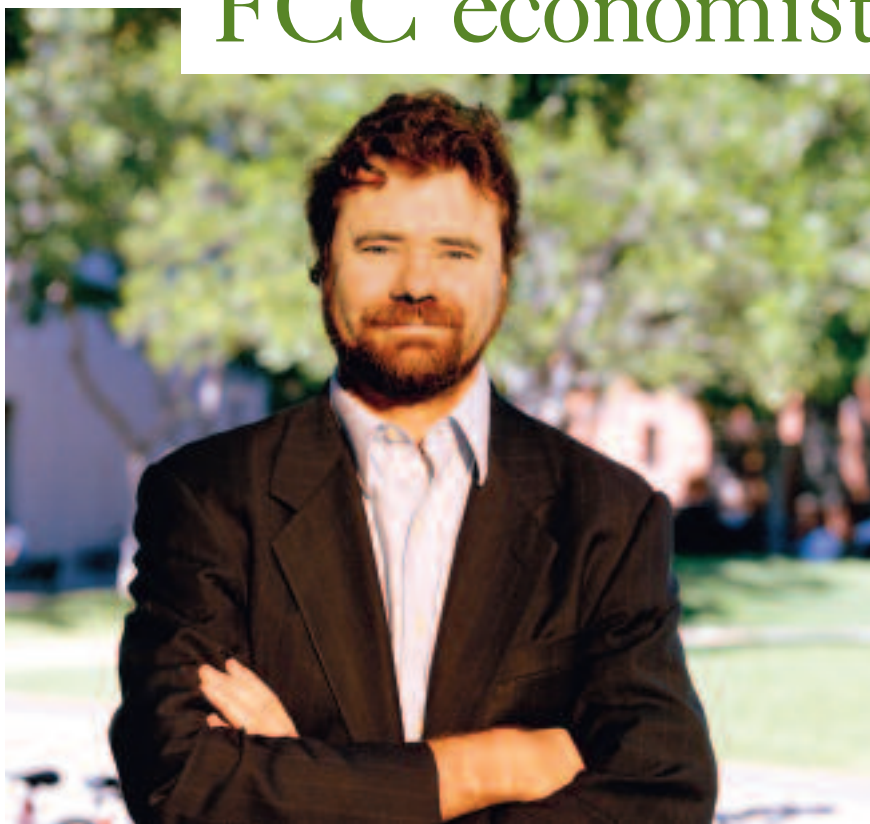
"A number of corporate law scholars have recently proposed various types of shareholder empowerment schemes," Talley said. "Most commentators agree that shareholder oversight is justified only insofar as shareholders enjoy a bona fide advantage over managers in evaluating and responding to hostile bids, and thus the debate has generally circulated around whether shareholders hold such an advantage."

Talley and Arlen challenge that basic premise, arguing that even if shareholders did enjoy an advantage over management in reacting to hostile bids, it does not follow that a shareholder choice regime is desirable. The core reason, according to Talley, is that takeover bids happen only infrequently — and at the end of a process that is inescapably dominated by day-to-day managerial decisions.

"And therein lies the rub," Talley concludes. "A shareholder choice regime could give managers an incentive to search early on for ways to manipulate governance, contracting practices or corporate culture in ways that make the firm an unattractive takeover target to begin with. If management's reaction ensures that no takeover bid ever occurs, then the additional leverage that shareholders have in evaluating such bids would be a hollow victory."

— Gillien Silsby

# FCC economist joins USC Law to head communication research center



Simon Wilkie

**S**imon Wilkie, an internationally recognized scholar from Caltech with extensive experience in the communications industry, has joined USC as director of the Center for Communication, Law and Policy.

Wilkie was previously a senior research associate in economics at Caltech and an economist with the Federal Communications Commission. At the FCC, he worked on policy issues under former chair Michael Powell.

"We are honored to have brought someone of Simon Wilkie's caliber to USC Law," said Dean Matthew L. Spitzer. "He is a highly regarded economist who is respected in both academic and government circles. He certainly will enhance the law school's reputation as one of the nation's leaders in the study of law and communications policy."

Each year, Wilkie plans to focus the center's research on a single pressing communications industry issue. The center — known for its rigorous academic work on the crucial questions of communications law and policy facing the United States and the international community — also will host symposia on important issues facing the industry.

Initially, Wilkie will lead a study on policy issues, including media bundling, which he says is a widely used strategy among cable and other communications companies to sell consumers an entire package of goods rather than offer them a la carte. With findings in hand, the center will offer white papers or recommendations to Congress.

"Very academic research often isn't helpful in the real world," Wilkie said. "We plan to offer achievable recommendations, understanding that the law is complex, technology is complex, and communications is complex."

With Dean Spitzer, Wilkie spearheaded a USC Law conference on broadband communication in Washington, D.C., held in late October. The cutting-edge conference examined the impact of current FCC policies and federal legislation on research and technology in the telecommunications industry. "Broadband Wireless: Is the U.S. Lagging?" assembled some of the nation's leading academics, telecommunications industry stars, and policymakers to discuss issues ranging from proposed legislation for municipal wi-fi to the state of broadband technology around the globe.

Before joining Caltech in 1995, Wilkie was a member of the technical staff and a post-doctoral fellow at Bell Communications Research (BellCore). He also has served as an industry consultant on auction strategy to various companies in the United States, the United Kingdom and Australia.

Wilkie is on the editorial board of the *Journal of Public Economic Theory* and has published widely on subjects including spectrum auctions, game theory and telecommunications regulation. He received his bachelor's degree in economics at the University of South Wales, and his M.A. and Ph.D. in economics at the University of Rochester. He was formerly a faculty member of Columbia University and Rochester.

— Gilien Silsby



Elizabeth Garrett

# Law professor named vice provost

Elizabeth Garrett, the Sydney M. Irmas Professor of Public Interest Law, Legal Ethics, Political Science, and Policy, Planning, and Development at the USC Gould School of Law, has been named vice provost for academic affairs at the University of Southern California.

“Beth is one of the country’s leading scholars in the interdisciplinary field of law and politics,” said C. L. Max Nikias, USC provost and senior vice president for academic affairs. “She has a clear and creative vision that will help us take USC to the highest levels of achievement.”

Howard Gillman, a professor of political science who holds a joint appointment with USC Law, was named associate vice provost for research advancement, social sciences.

In her new role, Garrett will be responsible for all university academic programs, including cross-disciplinary and interdisciplinary programs, centers and initiatives. She will assist schools in recruiting top scholars and will work on curricular improvement and flexibility at the undergraduate and graduate levels consistent with the objectives set out in USC’s Plan for Increasing Academic Excellence.

Garrett also will oversee programs to improve the educational experience of undergraduate and graduate students, including those focused on learner-centered programs. She will direct the Graduate School and work with schools to ensure that USC recruits top-notch Ph.D. students, improves the quality of graduate programs at the university, and provides appropriate support in an academic environment.

Garrett will continue her own cross-disciplinary work at USC Law, where she is director of the USC-Caltech Center for the Study of Law and Politics and a member of the board of directors of the Initiative & Referendum Institute at USC. She also continues to serve on the bipartisan Advisory Panel on Federal Tax Reform, to which she was appointed earlier this year by President George Bush.

“As the nation’s top scholar on the law of the political process, Beth has raised the university’s profile as a national center for the study of law and politics,” said Dean Matthew L. Spitzer. “She has been able to bring together very diverse people and scholarship in ways that advance the law school’s research and teaching missions. In her new role as vice provost, she’ll take these efforts to a level that will benefit USC as a whole. We’re thrilled to have her representing the law school in this important university position.”

Garrett said she is ready for the challenge of taking USC to the next level of excellence. In particular, she said USC’s focus on interdisciplinary programs promises to stimulate research, scholarship and teaching that will allow the university to become among the most innovative and influential universities in the world.

“USC’s gains in academic quality over the past 10 years may well represent the fastest rise in the history of higher education,” Garrett said. “I am excited to be working with Provost Nikias to build on and even accelerate that substantial and impressive achievement.”

— Gilien Silsby



# Three faculty named to endowed professorships

Edward McCaffery, Elizabeth Garrett and Eric Talley were named to endowed professorships this spring in a ceremony that celebrated their accomplishments as well as the generosity of the donors who endowed the positions.

“Endowed professorships honor both the scholars who fill them and the generous people who support them,” said Dean Matthew L. Spitzer. “We simply could not sustain the incredible scholarship, teaching and study that we do without the help of our graduates and friends who share USC Law’s commitment to excellence.”



McCaffery was named the Robert C. Packard Trustee Chair in Law and Politics Science. He also is a visiting professor of law and economics at Caltech. An internationally recognized expert in tax law, he studies tax policies, tax structures, and law and economics.

McCaffery’s professorship is named for the late Robert C. Packard, a 1947 graduate of USC Law and a widely respected trial attorney and steadfast supporter of the University of Southern California. During his nearly 50-year career with the prestigious law firm of Kirtland & Packard, Packard became one of the nation’s leading airline defense attorneys.



Garrett was appointed the Sydney M. Irmas Professor of Public Interest Law, Legal Ethics, Political Science, and Policy, Planning, and Development. She also is vice provost for academic affairs at USC (see story on Page 25) and holds joint appointments in the USC School of Policy, Planning,

and Development and the USC College of Letters, Arts & Sciences. A widely respected expert on the legislative process, direct democracy, the law of the political process, the federal budget process and administrative law, she is director of the USC-Caltech Center for the Study of Law and Politics.

Garrett’s professorship is named for the late Sydney M. Irmas, a 1955 graduate of USC Law and a respected attorney and philanthropist. Irmas was an active supporter of USC Law throughout his life; he and his wife, Audrey, established the law school’s Public Interest Endowment in 1990, and Mrs. Irmas continues to support public interest programs at USC (see story on Page 7).



Talley was named the Ivadelle and Theodore Johnson Professor of Law and Business. He also is a senior economist at RAND Corporation. A widely respected expert on contracts, corporations, and law and strategic behavior, he studies stockholder rights, corporate litigation and securities.

Talley’s position is named for the late Ivadelle and Theodore Johnson. A successful businessman and banker, Theodore Johnson grew up in the area now occupied by USC’s Bovard Field. He and his wife were longtime supporters of the university.

— Melinda Vaughn

# New chair in healthcare law and ethics to lead cutting-edge research at USC



From left to right: Scott Bice, Terry Bonecutter and Joseph Brandlin

QueensCare, a leading provider of healthcare to uninsured and low-income families in Los Angeles County, has given the USC Gould School of Law \$1.5 million to establish the Scott H. Bice Chair in Healthcare Law, Policy and Ethics.

The endowed chair is named in honor of the law school's former dean, Scott Bice, who is currently a professor at USC Law.

The chair will significantly enhance USC Law's leadership in producing high-quality education and research on the policy, legal and ethical issues surrounding healthcare, said USC Law Dean Matthew L. Spitzer. After a rigorous national search, the position is expected to be filled by a scholar with a strong record of national leadership in healthcare law and ethics research and teaching.

Once installed, the Scott H. Bice Chair in Healthcare Law, Policy and Ethics will convene scholarly explorations of needs, resources and determinants for improving healthcare for underserved populations such as those served by QueensCare. This research also would impact national healthcare and policy analysis and could strengthen advocacy efforts on behalf of underserved communities.

The chair was established with the help of Joseph Brandlin, a 1938 graduate of the USC Gould School of Law; Terry Bonecutter, president of QueensCare; and the QueensCare board of directors. Brandlin's daughter, QueensCare Senior Vice President Barbara Brandlin Pulley, also was instrumental in the formation of the new chair.

QueensCare is a faith-based organization that strives to provide accessible and affordable healthcare for low-income

and uninsured families in Los Angeles County. The organization's charitable foundation provides grants to groups that work toward the same goals.

"Healthcare law, policy and ethics are things we deal with every day," said Bonecutter. "This endowment is a natural for us, and we're just happy we can honor Scott Bice for all he has done for healthcare law."

"Our connection with the law school is very important," added Joseph Brandlin, who founded QueensCare in 1975 and is a former member of the QueensCare board of directors. "USC has done impressive legal work in healthcare law."

For nearly a decade, QueensCare has supported the USC Pacific Center for Health Policy and Ethics, a multidisciplinary research center designed to study critical and complex problems in healthcare and research. In particular, the center focuses on scientific and clinical findings that define values and pose ethical questions in healthcare.

"This endowed chair is a superb tribute to Scott and the work he has done to bring QueensCare and the USC Pacific Center together to address society's complex healthcare issues in a rational and sound manner," Spitzer said. "Clearly, this chair will facilitate valuable research and activity that will have broad implications far beyond the scholarly realm."

— *Gillen Silsby*



To complement the feature story on USC Law's growing international programs (see Page 10), the following alumni profiles focus on a few of the many USC Law grads whose careers or activities are global in scope.



## For women everywhere

*Kathleen Peratis '66 honored for international women's rights advocacy*

At 18, R. Ahmed was forced by her Jordanian family to marry a cousin. When she fell in love with a Lebanese neighbor and planned to flee with him to Syria, suspicious uncles followed her and shot her multiple times, leaving her for dead.

During her five-month hospital recovery, Ahmed was persuaded not to press charges against the uncles. Her return home, however, was greeted with new threats from her uncles. The governor of her province declared that her only choice was to go to prison.

Nearly 10 years later, Ahmed met Kathleen Peratis '66, who came to her prison with colleagues from Human Rights Watch to interview incarcerated women. The scars of bullet wounds were still visible on the young woman's shoulders and chest.

Peratis traveled to Jordan in July 2003 to interview women incarcerated in Amman's Jweideh Women's Correctional and Rehabilitation Centre. In Jordan, as in many other countries in the Mediterranean and Muslim worlds, "honor" killings of girls and women by their male relatives remain among the most prevalent physical threats to women. The low profile of this extreme form of domestic violence is what motivated Peratis to go to Jordan to write a report on behalf of Human Rights Watch.

"No Western journalist had been permitted in to talk to the imprisoned women," Peratis says. "I felt a great sense of responsibility to tell their stories accurately and to do something about their plight."

But this is hardly the pinnacle of a career devoted to international human rights. Peratis has taken her expertise in women's rights — honed as the predecessor to Ruth Bader Ginsburg at the

ACLU's Women's Rights Project and during three decades of private practice specializing in plaintiffs' side employment discrimination and class actions — to brothels in Bosnia, a race conference in Durban, and a United Nations' drafting conference in Vienna on anti-trafficking rules.

Though most trips evoke horror stories like those from the Jordanian prison, she manages to find some humor as well. During the Bosnia trip to research trafficking, she and her team feared they were being followed. They assumed code names for everything, including each other. "At twice the age of the other HRW researchers, mine was 'mom,'" Peratis recalls ruefully.

Recently, Human Rights Watch honored Peratis for her 12 years of service as the first and only chair of the women's rights division. During her tenure, the division increased from one staff person to 10 and became one of the world's most important international women's rights groups.

Peratis' passion for women's legal issues was sparked by a book, Simone de Beauvoir's *The Second Sex*. "Before reading it in 1966, it never occurred to me that discrimination against women might have something to do with me," she says. "After that, it was second nature and the knowledge that animated my professional life."

She also cites another motive for her efforts to obtain justice for women: "The injustice of gender discrimination seems so obvious and so fixable," she says. "Failure seems impossible."

— Karen A. Lash '87

# Fostering

transatlantic relationships

*Prestigious fellowship enables Peter Kezirian '89 to examine pressing issues in Europe*

As one of the 2005 American Marshall Memorial Fellows, Peter Kezirian '89 this summer spent three weeks of intensive public policy work in Europe, examining institutions and exploring economic, political and social issues in Brussels, Amsterdam, Lisbon, Belgrade and Bratislava.

The prestigious fellowship, a project of the U.S. German Marshall Fund, is awarded annually to emerging leaders in politics, government, business, media and the nonprofit sector committed to strengthening transatlantic relationships. It enabled Kezirian, one of 55 fellows selected from 19 states and the District of Columbia, to meet with business, governmental and philanthropic leaders to discuss pressing issues affecting Europe, the European Union and the emerging democracies on that continent.

"There is no better way to create understanding about different cultures than through first-hand experience," says Marshall Fund president Craig Kennedy.

According to Kezirian — vice president for corporate strategy and business development at the Cooperative of American Physicians / Mutual Protection Trust (CAP-MPT), a leading writer of medical liability coverage in the United States — the experience was a true eye-opener.

"The tasks ahead of these countries, especially the newly democratized countries, are overwhelming," Kezirian says. "But their willingness to address them in an effective and comprehensive fashion is impressive and inspiring. In speaking with my European counterparts, I learned the limits of laws and the power of individual leadership."

"I also found that Americans are much more charitable with their time and treasure than Europeans," he adds. "The selflessness and giving spirit inherent to American culture is not necessarily understood in Europe."

For many years, Kezirian himself has been engaged in various forms of volunteerism. Throughout his legal and business career, he has participated in a wide variety of programs to help build international understanding and advance the effort for peaceful



change, the rule of law, and protection of individual rights. He is a member of the Pacific Counsel for International Policy, observed the 2003 elections in Cambodia, reviewed the NATO peacekeeping efforts in Bosnia and Kosovo in 2001, and participated in a judicial training effort sponsored by the U.S. Agency for International Development in the Republic of Armenia, among other volunteer activities.

"Be involved, get in the arena," he says. "Volunteering enriches one's life by putting you in touch with others on a variety of levels. When all is said and done, it is the people-to-people relationships that truly build the foundations for civil society. Sometimes people will say that it is easy to volunteer when you are awarded a trip to Europe, but there is a great deal more to these efforts. Our work continues every day when we return home. We have to bring back a message that prompts greater understanding between people and societies."

"Volunteerism and participation open new paths to explore, broaden your vision, and spark ideas to answer the needs of our communities and others. We must all continue this effort to improve our societies by publishing articles, participating in think tanks and working on task forces."

— Rizza Barnes



# Giving democracy a chance

*Karen Widess '85 supports democratic efforts throughout the world*

The poorest nation in the Western hemisphere, Haiti has a history marred by dictatorships, violent coups, de facto military rule and presidential resignations. Upcoming elections could very well be a turning point in the country's history.

Front row center will be Karen Widess '85, who has been in Haiti since late July on a long-term election observation mission. "Haiti is an old love of mine, and I'm really committed to doing anything I can to help the country," Widess says.

Prior to starting law school, Widess was a member of the Foreign Service posted at the U.S. Embassy in Haiti. She spent part of her term traveling around the island looking for and interviewing "boat people," Haitians interdicted at sea by the U.S. Coast Guard and returned to their native country. Many observers feared the refugees had fled human rights violations and that the U.S. was returning them only to face further persecution.

"This stimulated an early interest in human rights law, particularly as it concerns refugees and displaced persons, and

the relationship to democratic systems, which as a general matter, do not produce refugees," Widess says.

Although this work crystallized her reasons for going to law school, Widess also credits her family roots with her passion for international affairs and human rights. "My father's family escaped the Russian Revolution and came as refugees to the U.S.," Widess explains. "I've been to the Soviet Union and now former U.S.S.R. many times, beginning as early as 1972. It was clear that my family made the right choice, that life is much better in a democracy. And why should only the lucky ones — those who happen to be born in or immigrate to a democracy — get to enjoy that?"

After graduation, Widess worked in a small firm that specialized in international business law. Then she got a call from a friend from her Foreign Service days. It was just after the break-up of the Soviet Union, and a new organization needed Russian-speaking lawyers. Widess fit the bill.

"I left my firm for a one-year period as a volunteer with the American Bar Association's Central and Eastern European Law Initiative," Widess says, "and I've never gone back to U.S. domestic practice."

Since 1992, Widess has lived and worked in 15 countries — most of the former Soviet Union, the United Kingdom, Bosnia, and now Haiti again. From 2000 until this past June, she worked with the National Endowment for Democracy, a bipartisan, congressionally-created foundation that supports indigenous NGOs working to build democracy in their own countries.

She reminisces easily about the experiences that have shaped her thinking — the Turkmenistan law students who were shocked by her lecture on secured transactions when they realized failure to pay a mortgage meant you'd lose your home, or the journalist Widess helped in Bishkek, Kyrgyzstan, who endured imprisonment rather than shut down her opposition newspaper.

Yet Widess is humble about what she's learned.

"There is so much we don't know about the links between democracy, rule of law, freedom, market economies, development — there's not a lot of academic literature tying this all together, and lots of theories are still being tested in the field," she says. But one thing, she says, is clear: "A society has to decide for itself what's best. But, everyone has to be given an opportunity to participate in the decision. That's what democracy is."

— Karen A. Lash '87





# Worldwide scholar

*Kenji Hirooka LLM '04 seeks to contribute to society through job, life and global education*

Kenji Hirooka is committed to learning for the benefit of his future clients — all over the globe.

While practicing international law with Mori Hamada & Matsumoto, a top-ranking firm in Japan, Hirooka was accepted into USC Law's still-new Master of Laws program in 2003. After receiving his LL.M. degree the following year, he passed the New York bar and moved to Seattle to intern with the international practice group of Garvey Schubert Barer (GSB).

Now he is pursuing another degree. This time he is in England, as an MBA candidate at the Judge Business School at Cambridge University.

"My goal is to contribute to Japanese society and its relationships with other nations through my job and my life," says Hirooka, who received his LL.B. from the University of Tokyo and has served as a legal apprentice with the Legal Training and Research Institute of the Supreme Court of Japan. "I believe that a business attorney doing international practice is the best way for me to achieve that goal, since international competition of corporations is becoming more and more fierce in my country. I hope my work will eventually help enhance transactions between Japan and the rest of the world."

Scott Warner, GSB owner and chair of the firm's intellectual property group, says Hirooka is definitely "on the hunt for new ideas and experiences. And he brings to work not just what he has learned in school. He has both practical experience and an understanding of the applicable legal principles. He brings all of this to bear on problems clients face and, as a result, can zero in on what is really at the heart of the problem."

As an intern at GSB, Hirooka worked on a number of cross-border transactions, including the financial investment in U.S. real estate by Japanese investors, and participated in corporate and intellectual property law work. He also joined a panel on "Arbitration in Asia" for an American Bar Association Section of International Law seminar held in Washington, D.C., this spring.

"Not only does Kenji have an incredible command of our language and legal system, he also was willing to step forward and exercise initiative," says Sara Sandford, GSB owner and co-chair of the firm's international practice group. "His education clearly has given him tools needed to think like an American lawyer."

Hirooka also credits his time at USC Law with helping him to develop a sensitivity to differences and flexibility in thinking.

"These soft skills helped me at GSB," he says. "Now I'm very confident that I can work effectively with American lawyers and can build mutually trustworthy relationships with American lawyers and clients."

— Rizza Barnes





Dorothy Nelson and MaryBeth LippSmith

# The chambers family

By MaryBeth LippSmith '02

The day I received the letter confirming my clerkship marked one of the happiest days of my law school career. Think Happy with a great big capital “H.” Exuberant. Thrilled. Over the moon! I could not believe I stood at my mailbox reading such a letter, addressed to me, on the very regal 9<sup>th</sup> Circuit Court of Appeals stationery, from the Honorable Dorothy Wright Nelson.

I also felt overcome with the enormity of my clerkship. I would have the chance to help decide legal issues of great moment, some of which might later come before the Supreme Court. I would encounter questions of constitutional law that had not yet been decided and perhaps draft opinions not yet excerpted in a case book. I would play a role, even if tiny, in shaping the rule of law.

One thing struck me most of all. Judge Nelson closed her letter by welcoming me “to the chambers family.” While I did not know it then, that one sentence best encapsulates the most rewarding aspect of my clerkship: the opportunity to develop an intimate and lasting relationship with a federal judge, with each of my co-clerks, with each of the judicial assistants in chambers, and with many of the clerks at the 9<sup>th</sup> Circuit during my term.

Judge Nelson fostered these relationships. She encouraged us to socialize when we traveled, and she beamed approvingly when she once happened upon us at a clerk happy hour in Pasadena. She often invited us to lunch with her former clerks. She even celebrated each of our birthdays with great pomp and ceremony, complete with a singing cake stand, balloons and all the clerks in the courthouse.

I do not mean to suggest that my co-clerks and I did not spend the great majority of our time working hard. We wrote and re-wrote each bench memo and draft opinion. We edited one another’s work again and again. We debated the fine distinctions that we thought the law required and would allow, and we pushed one another to make each project better than the last. All the while,

Judge Nelson taught us that personal relationships foster a sense of community and that camaraderie facilitates the best work. We learned from her that cookies (preferably homemade or Girl Scout) break down barriers that once appeared insurmountable. She impressed upon us the importance of celebrating even our most minor achievements and embracing life’s gifts. She encouraged each of us to follow our own star, even if it seemed unreachable or unpopular, and she proudly recounted the professional choices that allowed her to achieve balance.

In imparting these lessons, Judge Nelson carved herself a place in each of our hearts. My clerkship gave me a consummate mentor, the officiant at my wedding ceremony and a touchstone for the kind of attorney — and the kind of person — I hope to be. I think of Judge Nelson almost daily at my job as a capital habeas staff attorney for the Central District. I remember her equanimity, her commitment to justice, her faithful adherence to the law, and her fearless approach to even the most difficult issues. I try my best to follow her example, knowing that becoming a member of Judge Nelson’s chambers family stands out as the luckiest happenstance of my legal career.

**Judge Dorothy W. Nelson LLM '56** became the first woman dean of a national law school when she was appointed dean of USC Law in 1969 and was the second woman appointed to the U.S. Court of Appeals for the 9<sup>th</sup> Circuit. In September, she received the inaugural Thurgood Marshall Career Achievement Award from the Chicago chapter of the Association of Corporate Counsel. **MaryBeth LippSmith '02** is a capital habeas staff attorney for the Central District of California, where she assists judges with post-conviction death penalty cases. Previously she was a fellow of the Center for Law, History and Culture and an adjunct professor at USC Law.



## CALENDAR

**Thursday through Sunday, Oct. 6-9**  
USC's 125<sup>th</sup> Anniversary Celebration,  
University Park Campus

**Friday, Oct. 7**  
24<sup>th</sup> USC Law Roth Lecture, New York  
Gov. George Pataki, USC Davidson  
Conference Center

**Tuesday, Oct. 25**  
"Wireless Broadband: Is the U.S. Lagging?"  
sponsored by the USC Center for  
Communication Law and Policy,  
Capitol Hill, Washington, D.C.

**Tuesday, Nov. 1**  
"Direct Democracy on the Brink: The  
California Special Election Conference"  
sponsored by the USC-Caltech Center for  
the Study of Law and Politics and the  
Initiative and Referendum Institute, USC  
Law Ackerman Courtroom

**Friday, Nov. 18**  
USC Law 2005 Probate and Trust  
Conference, Wilshire Grand Hotel  
(Continuing Legal Education program)

**Friday and Saturday, Nov. 18-19**  
Reunion 2005, USC Law and  
Millennium Biltmore Hotel

**Monday, Dec. 5**  
Bar Admission Ceremony, USC Bovard  
Auditorium

**Monday through Wednesday, Jan. 23-25**  
USC Law 2006 Tax Institute, Wilshire Grand  
Hotel (Continuing Legal Education program)

**Friday and Saturday, Feb. 10-11**  
"Fiscal Challenges: An Interdisciplinary  
Approach to Budget Policy" conference  
sponsored by the USC-Caltech Center  
for the Study of Law and Politics, the  
Irvine Foundation and Harvard Law School,  
USC Law

**Wednesday, March 1**  
USC Law Alumni and Student Mentor  
Lunch, USC Town and Gown

**Friday, March 3**  
Hale Moot Court final round of competition,  
USC Norris Theatre

**Wednesday, March 8**  
PILF Auction, USC Town and Gown

**Monday, April 24**  
25<sup>th</sup> Annual Sydney M. Irmas USC Law  
Golf Tournament, Wilshire Country Club

**Sunday, May 14**  
Commencement

**Friday and Saturday, June 9-10**  
Reunion 2006, USC Law and  
Millennium Biltmore Hotel

