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GOULD SCHOOL OF LAW | spring 2005



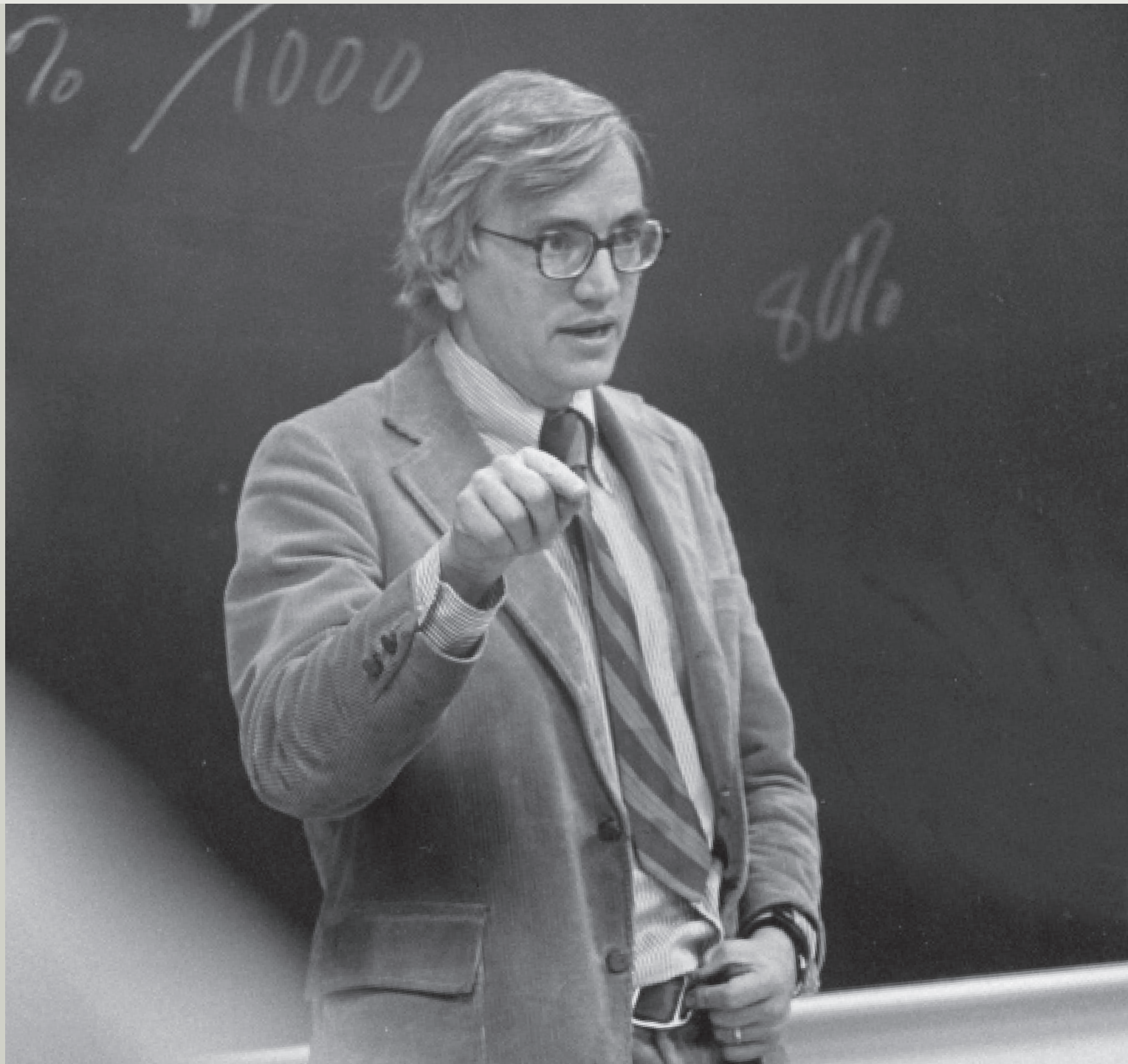
USC **LAW**

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75 years of clinical legal education
Professor joins White House tax panel



Fond Farewell: Professor David Slawson in the classroom during the '70s. He retired in December 2004 after 37 years at USC Law School (see story on Page 26).



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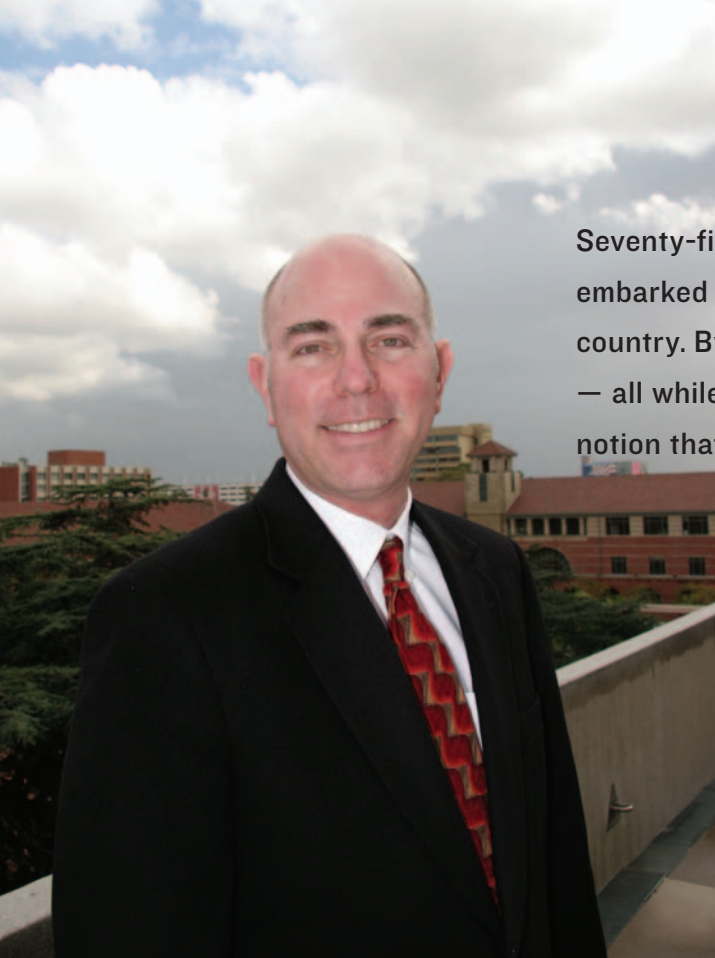
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Dean Matthew L. Spitzer

Seventy-five years ago, USC Law School created its first legal clinic and embarked on an experiment that has helped define legal education in this country. By combining classroom training with practical application of skills — all while providing legal aid to the community — USC helped pioneer the notion that the best way to learn to be a lawyer is, well, to *practice*.

CLINICAL LEGAL ED AT USC — 75 YEARS AND THRIVING

The birth of clinical legal education in this country can be attributed in large part to one man, John Bradway, who helped establish legal aid clinics at several of the country's top law schools during the late 1920s and early 1930s. Already the first law school dean to offer academic credit to students who worked in legal aid, USC Law Dean Justin Miller brought Bradway to USC to establish an in-house clinic that would provide legal services to clients with "meritorious legal claims but not much money in their pockets." USC's Southern California Legal Aid Clinic Association opened its doors in fall 1929. In that first year, more than 1,400 people applied for legal services. The entire third-year class of students worked in the clinic under the supervision of two staff attorneys and several volunteer attorneys.

Eventually, the Legal Aid Clinic outgrew USC and became the Legal Aid Foundation of Los Angeles (LAFLA), now California's largest legal services organization. Decades later, USC established another major clinical program, the Western Center for Law and Poverty, designed to pursue legal reform litigation and advocacy on behalf of the poor and underrepresented. Marty Levine, now USC's vice provost of faculty affairs and UPS Foundation Professor of Law and Gerontology, was the clinic's founder and first executive director. Elizabeth Horowitz '54 was instrumental in finding fund-

ing. Derrick Bell (who later taught at Harvard and is now at NYU) served as Marty's successor, and others — including Gary Bellow and Earl Johnson — were important figures in WCLP's success. It was so successful, in fact, that WCLP, too, outgrew its USC home and became an independent legal services agency that continues to serve the most vulnerable members of our society.

Today, 75 years after USC Law led the charge, clinical programs are a standard part of every good law school's curriculum. USC's strategic plan calls it "service learning." The learning opportunities come through the practical application of skills as well as the questions, ideas and problems that students bring back to the classroom. USC was named *Time* magazine's College of the Year 2000 in recognition of such innovative learning programs; of course, USC Law has been doing it for decades. Today, we're home to six thriving clinics — the Post-Conviction Justice Project, the Domestic Violence Clinic, the Children's Project, the Employer Legal Advice Clinic, the Immigration Clinic, and the brand-new Intellectual Property Clinic — all of which you can read about on Pages 14-21 of this magazine.

While I'm on the topic of history, I'll address another subject with roots in years gone by. Many of you have noticed that we are more prominently displaying our full name, the USC Gould School of Law. The Gould name is part of a long American legal tradition; Judge James Gould was on the founding faculty of the nation's first law school, in Litchfield, Conn. His grandson, Charles Winthrop Gould, was a distinguished New York lawyer who bequeathed his fortune to Col. John W. Barnes, who earned his LL.B. and LL.M. at USC Law in 1927 and 1929, respectively. When Barnes died in the mid-1940s, he left the Gould estate to USC (subject to trust). The Law School took on the Gould name in the 1960s to honor the gift. The Law School has changed a lot through the years — many of you know us best as the USC Law Center, from the days when we housed paralegal and night programs — and the Gould name has been used with varying degrees of prominence. The university now is in the process of standardizing the use of school names, and the Gould School of Law is conforming our use of "Gould" to university guidelines. So, you can expect to hear more of — and from — the USC Gould School of Law.

Matthew L. Spitzer
Dean and Carl M. Franklin Professor of Law

PRESIDENT BUSH NAMES USC LAW PROFESSOR TO BIPARTISAN FEDERAL TAX REFORM PANEL

President George W. Bush in January appointed USC's Elizabeth Garrett, the Sydney M. Irmas Professor of Public Interest Law, Legal Ethics and Political Science, to the nine-member bipartisan Advisory Panel on Federal Tax Reform.

Garrett, an expert in budget and tax policy and director of the USC-Caltech Center for the Study of Law and Politics, is helping to develop recommendations for revising the U.S. tax code. She serves with eight others, including former Sens. Connie Mack (R-Fla.) and John B. Breaux (D-La.), leaders of the advisory commission.

Tax experts lauded the president's selection of Garrett.

"Beth was a natural for the Advisory Panel because she has a terrific range of experience and is an independent and creative thinker," said Fred Goldberg Jr., a tax partner in the Washington, D.C., office of Skadden, Arps who previously served as the IRS commissioner and assistant secretary of the Treasury for Tax Policy. "She also has a great sense of humor, and it's a pleasure working with her."

President Bush announced that reforming and simplifying the federal tax code is a top initiative on his domestic policy agenda for the new Congress. The Tax Reform Panel will provide options for restructuring the tax code to Secretary of Treasury John Snow.

"Beth Garrett combines experience in the legislative process and political world with the careful analysis of an academic concerned with improving policy."

"Beth Garrett combines experience in the legislative process and political world with the careful analysis of an academic concerned with improving policy," said USC Law Dean Matthew L. Spitzer. "USC Law has a long tradition of producing interdisciplinary scholarship that provides thoughtful solutions to real-world problems. We are pleased that Beth has the opportunity to bring her expertise and experience to bear on this vital national issue."

Garrett served as the tax and budget counsel for former Sen. David L. Boren (D-OK) from 1991 to 1993 and was his



Elizabeth Garrett

legislative director from 1993 to 1994. She is the author of several articles on the congressional budget process and tax policy and the co-author of the nation's leading casebook on legislation.

"Comprehensive tax reform is one of the top domestic challenges facing our country," Garrett said. "Since the last major tax reform in 1986, the tax code has been continually amended so that it is more complex and less likely to achieve the goal of raising sufficient revenue fairly and in a way that ensures strong economic growth. I look forward to the opportunity to consider various options for tax reform — including reform of the income tax system, consumption tax proposals and mixed systems.

"I am sure that the work of this bipartisan commission can help to guide the deliberation and decision making of the president and of Congress, and I am honored to have been asked to participate."

Garrett is one of three professors who have been appointed to the panel. Bush also appointed Edward Lazear, an economics professor at Stanford University, and James Poterba, a professor at MIT.

Also serving on the panel are Rep. Bill Frenzel, a Minnesota Republican and visiting scholar to the Brookings Institution; Charles Rossotti, a former IRS commissioner; Liz Ann Sonders, chief investment strategist at Charles Schwab & Co. Inc.; and Timothy Muris, former Federal Trade Commission chairman.

— G.S.



Brian Washington

THE ART OF JUSTICE

USC Law student gains national attention for civil-rights themed artwork

Artists often are eager to champion causes through their work. The same perhaps can be said of some attorneys, especially those attuned to issues of social justice.

In Brian Washington, a second-year law student at USC, you find both. A self-taught artist, Washington makes large-scale illustrations that depict “all the pain, sacrifice and emotion of those who have fought for freedom” during the civil rights movement. Employing a distinctive style that restricts color and exaggerates light and dark tones, the work offers stark glimpses of those tumultuous times: determined marchers, sharecroppers toiling on their own 40 acres, protestors filing onto buses.

“The overarching theme of my work has been the struggle for equality and racial reconciliation in American society,” says Washington, a graduate of Duke University. “I wanted to create a strong, powerful and uplifting portrayal of this struggle.”

In 2002, Washington’s 11-piece first edition print series, called “The Continual Struggle,” was acquired in its entirety by the Smithsonian-affiliated National Underground Railroad Freedom Center in Cincinnati. The \$100 million museum opened in 2004 with six interactive galleries that address slavery, the

Civil War, the Underground Railroad, and contemporary issues in civil and human rights.

On the museum’s board of directors is Nathaniel Jones, former judge of the 6th U.S. Circuit Court of Appeals and a legendary figure in the civil rights movement. In 2002, Washington was working at a Cincinnati law firm where Jones had just become a partner. The artist introduced Jones to his illustrations, a lucky move that resulted in a one-man show at the law firm and, later, the Freedom Center’s interest in his work.

“(Jones) saw my art,” Washington recalls, “and he got real emotional about it. In front of him, basically, was a depiction of his life’s work.”

Art has been Washington’s passion for more than 15 years, and though law school is keeping him busy, it hasn’t tempered his artistic ambitions. Since coming to USC, Washington has created his own art-distribution company, Washington Studios, which manufactures and sells limited-edition lithographs of his artwork. Celebrities and art collectors have taken a keen interest in his work after being exposed to it at the Freedom Center. And, he is in the midst of developing the second edition of “The Continual Struggle,” which will take a symbolic look at the upward mobility of African Americans from the days of slavery to contemporary times.



“Get on the Bus” from Washington’s series, “The Continual Struggle.”

For Washington, the parallels between his art and his legal studies are many.

“They are really two different means of getting to the same end,” says Washington, who spent the past summer working at Sidley, Austin, Brown & Wood. “I want to raise awareness of certain issues and fight for what I believe is right. I want to be a voice for those who don’t — or can’t — raise theirs.”

To see more images from Washington’s collection, visit www.brianwashington.com.

— P.C.

AND HEALTH CARE FOR ALL

Skadden Fellow to combat affordability crisis in health care for the poor

Years before she became the fourth USC Law student to receive a prestigious Skadden Fellowship, Jen Flory expected to stay in academia.

After earning her bachelor’s degree in Spanish and English from Chapman University, Flory pursued a master’s in comparative literature at Penn State. At the time, it seemed like a good idea to devote her career to scholarly writing and research.

While teaching community college classes in Southern California, however, Flory discovered a new calling.

“Many of my students struggled economically and had to care for multiple generations of family members, while others had full-time jobs that allowed absolutely no time off, not even to take a final exam,” Flory says. “Seeing them wrestle through these obstacles made me realize that I wanted to do something to help. I saw public interest law as an opportunity to combine my interest in social causes, research and advocacy.”

Flory’s newfound passion for public service also was fueled by her own professional and personal struggles. At one point she was working three part-time jobs without health insurance when she found out she needed high-cost medical treatment.

“Even though I had a post-graduate education, I realized that navigating the public health system was nearly impossible,” Flory says. “When I finally found reduced-rate health care, I still could not afford all of the recommended treatment and went without.”

Today, Flory is committed to undertaking the issue of health care affordability for the poor. After graduating from USC Law in May, she will take her Skadden Fellowship to the Western Center for Law and Poverty (WCLP), where she has worked part-time for the past two years — thanks in part to a Public Interest Law Foundation grant from USC Law School. Her project at the center will include advocating and litigating for systematic reform of affordability policies in public health coverage programs.

“I’m very excited about this fellowship because I came to law school specifically to work on issues involving poverty,” says Flory, winner of the 2005 Miller-Johnson Equal Justice Prize for her commitment to social justice. “That’s why I chose USC. There is so much support for students interested in public interest, from summer grants to the Loan Repayment Assistance Program.”

Flory is one of 28 recipients of the 2005 Skadden Fellowship, which is sponsored by a foundation originated by partners at



Pegine Grayson (above left) and Jen Flory

New York’s Skadden, Arps, Slate, Meagher & Flom. Considered the most distinguished among public interest fellowships, it provides law students with a two-year stipend to work in non-profit organizations.

By the time she graduates from USC Law, Flory’s public interest advocacy experience will include posts at WCLP, where she already has developed and spearheaded a project to improve health care access for asylum seekers; the USC Immigration Clinic, representing clients in asylum and other immigration cases; the Los Angeles Center for Law & Justice, where she worked on unlawful detainer proceedings and affirmative slum litigation; the ACLU of Southern California, where she conducted research and developed strategy for litigation on behalf of the homeless; the Employment Rights Self-Help Clinic, part of El Monte’s Neighborhood Legal Services; and Public Counsel, assisting with the Homelessness Prevention Project.

“Rarely do we find a law student who can take an issue and run with it so easily or who has become so well known and respected in the legal advocacy community so quickly,” said WCLP executive director Pegine Grayson ’87. “I know of no other example at WCLP or elsewhere where a young advocate held so much responsibility and performed so well while still in law school. We’re delighted that the Skadden Fellowship will enable us to hang onto Jen.”

— R.B.



Sharon Lloyd (center) with students

WHERE LAW AND PHILOSOPHY MEET

New center probes legal, moral issues

Leading USC scholars in law and philosophy recently launched a center to research and study today's most pressing legal and moral issues.

The USC Center for Law and Philosophy, an interdisciplinary collaboration between the Law School and the College of Letters, Arts & Sciences, will tackle issues ranging from legal restrictions on biomedical research, to environmental preservation legislation, to the morals of invading foreign countries.

A top goal of the center is to enhance the interdisciplinary exchange among philosophers, political theorists, legal theorists and practitioners who are interested in the intersection of law and philosophy.

"The Law School is a national leader in interdisciplinary legal education, and the Center for Law and Philosophy further extends USC's ability to examine how the law intersects with and affects other disciplines," says USC Law Dean Matthew L. Spitzer. "Philosophical and moral questions are at the heart of nearly every legal issue. By critically examining how the law is informed by philosophical traditions — and vice versa — I'm certain this center will make vital contributions to both fields."

The Center for Law and Philosophy was initiated by Andrei Marmor, who was recruited to USC in 2003 as a philosophy

and law professor in the College and Law School. Marmor co-directs the center with Sharon A. Lloyd, a philosophy professor in the College.

"The interdisciplinary center is devoted to scholarship in legal, moral and political philosophy. It really plays to our strengths here at USC," says Marmor, whose writings include discussions about the nature of law and legal reasoning, the relations between law and morality, and the objectivity of values.

Lloyd is a political philosopher interested in questions of social justice, such as how to organize a pluralistic society in a way that is both functional and fair to all of its members.

More than a dozen professors in the College and Law School are affiliated with the center. Affiliated Law School faculty include Scott Altman, an expert in family law; Marshall Cohen, professor emeritus of philosophy and law; Ronald Garet, an expert in the role of interpretation in the law and theology, law and literature; Gregory Keating, an expert in torts, professional responsibility and legal reasoning; Edward McCaffery, an expert in tax and property law; Michael Shapiro, who specializes in bioethics and constitutional law; Christopher Stone, who studies environmental law and law, language and ethics; and Gideon Yaffe, associate professor of philosophy and law.

"It is no longer feasible to have a strict division of labor between philosophers thinking about foundational questions of ethics and values, and legal theorists thinking within the confines of law," Lloyd says. "We have to become better educated — philosophers about law and legal theorists in the foundations of philosophy — and learn from one another. This center is the way to do that."

One of the center's primary goals is to create a joint J.D./Ph.D. in philosophy program. The center also is sponsoring a new online peer-reviewed journal in ethics, law and politics — one of the first of its kind, according to Marmor. The *Journal of Ethics and Social Philosophy* launches this spring at www.jesp.org. Also planned are "coffeehouse discussions," where students, faculty and staff from throughout the USC community will talk about issues of contemporary interest, such as just war theory and international law; distributive justice and the tax code; and environmental ethics and environmental law.

— G.S.



"the nation's leading think tank on direct democracy has moved to the University of Southern California"



ELECTION EXPERTS DRAW MEDIA BLITZ

USC Law entered the global spotlight last fall, thanks to experts at the Initiative and Referendum Institute at USC (IRI) who were tapped by hundreds of national political reporters covering the presidential election.

"The election provided the opportunity to further publicize the important work of the IRI and to make sure that reporters and policymakers know that the nation's leading think tank on direct democracy has moved to the University of Southern California," said Elizabeth Garrett, USC Law professor and board member of the IRI. "I think we took full advantage of that opportunity; on some days I spoke with 10 reporters — from Chinese publications, to local newspapers, to *The New York Times*."

Garrett and John Matsusaka, USC professor of business and law and president of the IRI, discussed the national political scene on a variety of news shows. They appeared on CNN's "Newsnight with Aaron Brown" and "Lou Dobbs Tonight," CNBC's "Closing Bell," Fox News' "The Big Story," and the CBS Evening News.

The pair also were quoted in dozens of newspaper and wire reports, including *The Wall Street Journal*, *The New York Times*, *Washington Post*, *USA Today*, *Los Angeles Times*, *Christian Science Monitor*, *Roll Call*, *National Journal*, *Sacramento Bee*, *San Francisco Chronicle*, *Associated Press*, *Reuters* and *AFP*.

National Public Radio called on their expertise for "Talk of the Nation," "Morning Edition," "The Tavis Smiley Show," and KPCC's "Air Talk" and "Talk of the City."

Locally, they were interviewed by KNBC, KABC and KCBS, and newspapers ranging from the *Pasadena Star-News* and *Long Beach Press-Telegram* to the *Ventura County Star* and *Orange County Register*.

The IRI — which is part of USC Law School and housed in the USC-Caltech Center for the Study of Law and Politics — moved from the Washington, D.C.-area to USC in 2004.

The IRI's Ballotwatch service tracks ballot propositions nationwide and generates periodic reports on key issues and trends. Over the past election cycle, the IRI published 10 pre-election reports and two post-election reports, with more to come. These reports — widely used as background by reporters, policymakers, activists and interested citizens — are posted on IRI's Web site, www.iandrinstute.org.

Months after the election, reporters and the public continue to turn to Garrett, Matsusaka and the IRI for political expertise.

"We're just getting started," Matsusaka said. "Our success this past year highlights the extraordinary potential of combining a leading think tank focused on issues critical to the nation with the rigorous scholarship of a great research university."

— G.S.



Top: Dean Matthew L. Spitzer hands Best Respondent Brief awards to Charlene Oh and Amar Hatti; finalists listen to introductory remarks by the judges. Middle, back row: Finalists Erin Ayala, Kristen Minger, Alexandra Campbell and Minal Patel with Dean Spitzer. Middle, front row: Justice Donald W. Lemons, Judge Diane P. Wood, Chief Justice Myron T. Steele. Bottom: Judges chat with members of the Hale Moot Court executive board.

New master's program

USC Law this fall will launch the Master of Comparative Law (MCL) program for foreign law graduates who already have earned an LL.M. degree. Only a handful of institutions currently offer an MCL program, which studies the differences, similarities and interrelationships of different systems of law around the world.

"The MCL really grew out of our current LL.M. students coming to us and letting us know that they want to stay at USC for a second year," says Assistant Dean Debbie Call. "That drove our interest in creating a course of advanced study that is interesting, stimulating and of value to them."

The MCL program also is attracting candidates from Japan, Taiwan and Thailand.

According to Professor Edwin M. Smith, academic director of USC Law's international programs, the MCL students will represent "the best of the best. We are retaining our most sophisticated foreign students, whose perspectives are so valuable to this school. Their presence here allows our J.D. students to see how the law works in other parts of the world."

Bussaracum "Bee" Kaewfanapadol, who received a two-year scholarship to study in the United States, was one of the first USC Law international students to apply for the MCL. Once she returns to Bangkok, she will work as a legal consultant for the customs department. In the meantime, she is thrilled with the opportunity to stay at USC for one more year.

"Since I was a kid, my uncle told me that USC is the best university in California, so this is like my dream," Kaewfanapadol says. "Once I got here, everyone was so friendly and helpful. It's like I have a family here in the Law School."

Debating God and DNA

Is it a Fourth Amendment violation to require convicted misdemeanor sex offenders to submit to a DNA database? Is it a violation of the First Amendment Establishment Clause to display a monument that depicts the Ten Commandments on the front lawn of a probation office?

Second-year students Erin Ayala, Alexandra Campbell, Kristen Minger and Minal Patel tackled these issues as they competed in the final round of the USC Law School 2005 Hale Moot Court Honors Competition in February. Campbell was named champion of the annual oral advocacy contest; Minger was runner-up.

Chief Justice Myron T. Steele of the Delaware Supreme Court, Justice Donald W. Lemons of the Virginia Supreme Court, and Judge Diane P. Wood of the 7th U.S. Circuit Court of Appeals commended the finalists for their well-prepared, sophisticated arguments. "All three of us would happily take the four of you in our courtrooms on any occasion, any day," said Wood.

Student note deemed nation's best

Third-year law student Jeremiah Kelman received the 2005 Scribes Award for best law review note in the nation. The award, sponsored by the American Society of Writers on Legal Subjects, recognizes the most outstanding law review note published by a student in a student-edited law review. Kelman is the first USC student to win since the award was established in 1987.

Kelman's note, "E-Nuisance: Unsolicited Bulk E-Mail at the Boundaries of Common Law Property Rights," was published in the November 2004 edition of the *Southern California Law Review*. The article examines whether common law nuisance can be used to help stem the onslaught of spam.

"When I was trying to come up with an idea for my note, I thought about spam because, well, like everyone, I get a lot of it," said Kelman, who has a professional background in Web design. "An analogy popped into my head: Spam is a lot like someone throwing a huge barrage of annoying flyers through an open window in someone's house. Opening your window, of course, does not give others the right to throw things through it. Like an open window, I thought that the inbox could be viewed as a conduit for intangible invasions to property."

Kelman's note argues that nuisance law's flexibility in covering intangibles like odors, sounds, sights and fears could offer a legal remedy for spam, depending on the gravity of the harm inflicted by unsolicited e-mail and the legitimacy of the e-mail's purpose. But, ultimately, Kelman concludes that responsibility for stopping spam lies with lawmakers and software designers. "The most successful solution," he writes, "will come from rewriting the protocols behind the Web and e-mail system."

Checkmate

During their inaugural meeting last fall, members of the new USC Law School Chess Club identified their secret weapon: 3L Ashley Schneider.

Playing a simultaneous match pitting four students and three professors against International Master Jack Peters, Schneider outlasted her fellow Law School competitors in what Peters called "an equal game" to the final minutes. Schneider's eventual concession prompted cheers from the audience and this question from Peters: "Are you a tournament player?"

"Well," Schneider replied, "I played in elementary school."

Professor Dan Simon — a chess fan since his young children began playing in tournaments — organized the Chess Club last fall. Its inaugural meeting gave students and faculty a chance to bond over mutual enjoyment of the game and, perhaps, mutual fear of champions like Peters. "Strategy's way overrated in chess," says Peters, who teaches Chess and Critical Thinking, a 2-unit course offered by USC's Slavic Language and Literature department. "It's what you do when there's nothing to do. Tactics or blunders — they decide the game."

Supporting Latino students

In partnership with the USC Mexican American Alumni Association (MAAA), students in USC's La Raza Law Students Association have established a scholarship for Latino law students.

Once La Raza has raised \$25,000, the MAAA will provide matching funds to create an endowed scholarship program that will provide annual scholarships for Latino law students at USC. According to 2L Oscar Medellin, students have been enthusiastic about supporting the scholarship — a clear

indication of the school's commitment to encouraging the academic and professional success of Latinos studying at USC Law.

"As tuition increases, we must do everything possible to keep the doors to higher education open for Latino students," Medellin said. "This is an ambitious effort, but the support we have already received is indicative of the support we expect to carry us to our goal."

Faculty — uncensored

A new faculty panel series is giving students a chance to grill professors about how they picked their professional paths and to glean insight on navigating the legal profession. Professors' advice, it seems, is as varied as their expertise.

"Here's the big secret: Life is better on the transactional side," said Professor Edward McCaffery during a lunchtime discussion about jobs in the business world. "In litigation, you're putting in hours — lots of hours. Your main skill is how many hours you can put in. What do transactional lawyers do? They plan, they advise on negotiations, they help keep their clients out of litigation."

Clinical Professor Carrie Hempel offered another perspective during a session on criminal and civil litigation. "In my six years in corporate law, I did three trials, which is probably a lot more than average," she said. The advantages of working for a large firm, she added, included the opportunity to learn from experienced senior lawyers and to explore different practice areas. On the other hand, she said, a firm can be "impersonal and political. And unless you're a trial lawyer, you're unlikely to go to trial. For me, personally, I didn't want the rest of my career to focus on moving money around."

Bottom line? "If you want to make a lot of money, go into private practice and stay there — don't ever leave," said Clinical Professor Michael Brennan — half-jokingly.



Fertilizing democracy: Florida Sen. Bob Graham (middle row) spoke at USC Law School last fall at a conference on "The 2004 Election: What Does It Mean for Campaigns and Governance?" sponsored by the USC-Caltech Center for the Study of Law and Politics and the Initiative and Referendum Institute at USC. The conference brought together scholars, politicians and reporters to discuss major trends of the 2004 presidential campaign — including the rise of initiatives — and their impact on politics. "I sense today you are providing fertilizer for reinvigorating democracy," Graham told a sold-out lunch gathering of more than 300 people. Other speakers included John Fund, editorial board member of *The Wall Street Journal*; David Brock, president of Media Matters of America; and Larry Norton, general counsel of the Federal Election Commission. (Middle right: Sen. Graham with Glenn Sonnenberg '80. Bottom: Janelle Wong, USC professor of political science)



Illustration by Jack Unruh

giving it all AWAY

With a \$10 million gift, Jim Rogers '63 becomes USC Law School's largest donor and solidifies his standing as the most generous man in American legal education

Talking about Kat brings tears to Jim Rogers' eyes.

Kat's was just one of many applications for a \$4,000 college scholarship Rogers' wife, Beverly, gives each year to a promising Las Vegas high school student. But it stood out like a beacon. When Beverly read the application late one evening, she immediately showed it to Jim.

Kat's application noted a 1580 score on the SAT — 1600 is perfect — and two pages' worth of activities, community service and honors classes. Academically, she was a standout. And it wasn't just what she wrote, but the way she wrote it. Kat's writing — articulate, professional, mature far beyond her 17 years — blew the couple away.

"I called Katrina's mother right then and there," says Rogers, owner and chairman of Sunbelt Communications Corp., which owns 16 television stations throughout the West. "I told her, 'I know this is strange. I'm not some crazy person. My wife and I just read your daughter's application for Beverly's scholarship. We want to go one step further. We'd like to put her through college, anywhere she wants to go. We'll pay tuition and expenses, give her a monthly stipend, and airfare for her to come home and visit a few times a year.' "

Kat is now a freshman at Stanford, thanks to the Rogers' generosity.

One call, and the deal was done. That's how Rogers operates in business and in philanthropy. He is firm and decisive — and sure that the very best thing he can do with his wealth

"It takes a lot of conditions most of which you have no control over, to make you wealthy. Everything I have I owe to my education, Las Vegas, my great friends and partners. And when you look at it that way, you realize the money isn't really yours."
JIM • ROGERS

is help young people get a quality education and go on to become productive contributors to society.

Indeed, education has become a focal point of Rogers' career and philanthropy. In addition to significant support of scholarships and other programs at colleges and universities around the West, Rogers is the largest donor in the history of American legal education. He has contributed more than \$180 million to law schools at the University of Arizona and the University of Nevada-Las Vegas. He's also serving as the full-time interim chancellor of the University of Nevada system.

“Jim has an uncommonly deep understanding of the need for private support of education,” says USC Law School Dean Matthew L. Spitzer. “He is motivated by a genuine appreciation for higher education and its myriad benefits — not just for individuals, but for society.”

And, now, he is the largest donor in the history of USC Law School. With a \$10 million commitment, subject to trust, Rogers will provide crucial resources for scholarships and other top-priority programs at USC Law.

“Jim has an uncommonly deep understanding of the need for private support of education,” says USC Law School Dean Matthew L. Spitzer. “He is motivated by a genuine appreciation for higher education and its myriad benefits — not just for individuals, but for society. His generosity of spirit is unparalleled, and we are privileged to count him among USC Law's greatest supporters.”

'LIGHTNING IN A BOTTLE'

That Rogers is the most generous man in legal education today might strike some as strange. Rogers left his life in the law back in 1988, when he jumped full time into the communications business. Ever since, Rogers has staked his fortunes to the success of his company, Sunbelt Communications Corp.

Born in Louisville, Ky., Rogers grew up in Los Alamos, New Mexico, and Las Vegas, Nevada, and has spent most of his life in New Mexico, Arizona and Nevada. His mother was a schoolteacher. His father, Frank Rogers, worked in nuclear labs throughout the West; a job at the Nevada Test Site brought Frank and his family to Las Vegas in 1951. Jim himself worked

at the Test Site during summers. He honored that history in 2003 with a \$3 million gift to the Desert Research Institute to construct the Frank Rogers Las Vegas Science and Technology Building, which will house the institute's new Atomic Testing Museum.

From an early age, Rogers knew he wanted to be successful — extremely successful. After graduating from Las Vegas High School, Rogers headed to Tucson and the University of Arizona, where he earned both his bachelor's degree in accounting and his law degree. He came to USC in 1963 for a master's degree in law, selecting the school because of its excellent reputation and first-class faculty.

When it came time to launch his legal career, Rogers headed home to Las Vegas and set up a private practice. He was a successful lawyer. Before long, he was the founding partner of Rogers, Monsey, Woodbury and Berggreen. He loved practicing law — he calls it one of the noblest professions — but also wanted to try his hand in other fields.

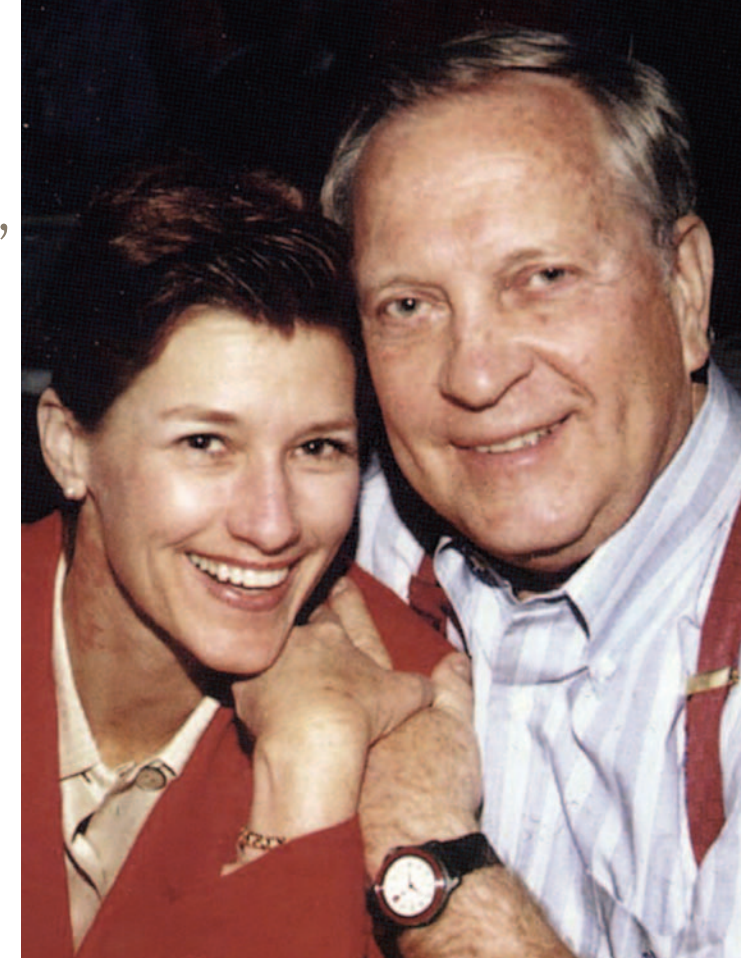
In September 1971, at age 33, he decided “on a lark” to challenge renewal of the broadcasting license of NBC's Las Vegas affiliate. Eight years and a favorable Supreme Court ruling later, Rogers had the license and a new career. Timing couldn't have been better. Rogers took ownership of KVBC just as Las Vegas began to explode. “We caught lightning in a bottle,” Rogers told *The New York Times* in an interview in 1998. Since then, Sunbelt Communications has replicated the KVBC model throughout the West, purchasing other stations in towns poised for growth.

It is fitting that Rogers' success has been tied to that of the Western towns in which his stations operate. He is, by his own account, a man of the West. He collects Western art and sculpture, lines his office building's hallways with memorabilia from Western movies, and owns a ranch near Helena, Mont., where he and Beverly spend much of their summers. He's also something of a cowboy, having gained a reputation for being tough and decisive. “My father used to tell me there are only two decisions possible: yes or no,” he says. “He told me never to be afraid of making mistakes. If you're right 80 percent of the time, the other 20 percent can be straightened out.”

'THE MONEY ISN'T REALLY YOURS'

Certainly Rogers' business acumen and willingness to take risks have played significant roles in his success. But to Rogers, that's just part of the story. “It takes a lot of conditions, most of which you have no control over, to make you wealthy,” Rogers says. “Everything I have I owe to my education, Las Vegas, my great friends and partners. When people ask me, ‘Why are you

“When people ask me, ‘Why are you so rich?’ I say, ‘Because my father moved to Las Vegas in 1951.’”



Beverly and Jim Rogers

so rich?’ I say, ‘Because my father moved to Las Vegas in 1951.’

“And when you look at it that way, you realize the money isn't really yours.”

Rogers' family doesn't claim ownership of his wealth either. Beverly says she and Rogers' three grown children are wholly supportive of his philanthropic endeavors. “At a recent party for Jim at the University of Arizona, his son Perry stood up and spoke of Jim's support of the school,” Beverly says. “He joked about Jim's gifts being ‘the money formerly known as our inheritance,’ and everyone laughed. I think that expresses everybody's feeling. We all agree: What better thing could be done with that money than to support education?”

Neither Jim's nor Beverly's support of education stops with the checkbook. Beverly has served as a liaison between Sunbelt's stations and nonprofit community organizations, particularly schools, helping to raise funds for a variety of programs. Jim has served in advisory positions for most of the schools he supports — he is a member of USC Law School's board of councilors and its executive committee — and is now serving as interim chancellor of the University of Nevada system. He offered to accept that position last year — taking just the minimum salary required by law and donating it back to the system — when the previous chancellor stepped down for health reasons.

Supporting USC is the next step for Jim Rogers. He was thrilled to attend USC Law in 1963, and he says the school's

programs have only gotten better and better since he was a student here. “My degree from USC Law has always been a real source of pride for me,” Rogers says. “USC is certainly one of the leading universities in this country.”

Ultimately, his support of USC Law School is a part of a much bigger vision. Rogers has said he hopes to give at least 80 percent of his fortune to education by the time of his death, a goal motivated in part by a lesson taught by his mentor and late business partner Louis Weiner. A tireless fund-raiser for charity, Weiner used to ask friends who'd attended funerals whether they'd seen a Brinks truck riding behind the hearse. The message became a mantra for Rogers: You can't take it with you.

“I can afford to buy most anything I want, but the buzz doesn't last very long,” Rogers says. “When you support education, you affect the future. With Kat, for example, who knows what long-term value will come from the money we invest in her education? The work she does, the people she affects — the lasting impact is incalculable.”



Members of the Legal Aid Clinic at USC circa 1931

75 Years of clinical legal ed at USC

When Justin Miller joined USC Law School as dean in 1927, the criminal law expert envisioned a mandatory one-year course in the delivery of legal services to the poor. On Sept. 16, 1929, what began as a six-week summer class in legal aid became the Southern California Legal Aid Clinic Association at USC.

Directed by John Bradway, a pioneering champion of clinical legal education in American law schools, USC's clinic operated just like a law firm, where students opened cases and received training to resolve them professionally and efficiently. By the time the clinic officially became the Legal Aid Foundation of Los Angeles in 1937, USC Law students and attorneys had assisted more than 19,000 clients.

Ever since, USC Law has been a national leader in clinical legal education, providing hands-on legal training to thousands of students and crucial legal aid to underserved communities throughout Southern California. Today, USC Law offers six clinical programs that provide pro bono representation concerning specific legal issues, ranging from immigration to intellectual property. The following pages offer a snapshot of each clinic, with perspectives from faculty, students and the clients they've helped.

By the time the **clinic** officially became the Legal Aid Foundation of Los Angeles in 1937, USC Law students and attorneys had assisted more than **19,000** clients.

A new start

Post-Conviction Justice Project gives hope to battered women

While Gray Davis was governor of California, the state's Board of Prison Terms recommended parole for 368 of more than 27,000 inmates serving life sentences. Davis approved parole for just six of them; two were clients of USC's Post-Conviction Justice Project (PCJP).

Today, students in PCJP — under the direction of Clinical Professors Michael Brennan and Carrie Hempel — continue to successfully represent state prisoners in parole hearings, with a particular focus on battered women. Since Gov. Arnold Schwarzenegger took office, five more battered women represented by PCJP have been granted parole. And in the last five years, another has had her sentence set aside because of a habeas petition drafted by students.

All of these clients are part of a rapidly growing but severely underrepresented group: women in prison.

Lives of abuse

Genevieve "Toby" Yniguez spent most of her childhood in an abusive home. To escape her father's maltreatment, she jumped into another unhealthy relationship. She became a battered wife at age 16 and endured her husband's physical and emotional abuse for more than two decades. Three years after her divorce, Yniguez met her final abuser. He had a criminal past; drugs made him paranoid and violent. He came in and out of her life as he pleased, sometimes promising to marry her, all the while spending time with other women. Toby equated his behavior with love.

At age 15, Cheryl Sellers was forced to leave her home — one in which her stepfather repeatedly beat her, her mother and her siblings. She was a single mom with more than \$76,000 in medical bills when, at age 19, she met her would-be husband. He was 46 and promised to take away all of her burdens. During their five-year marriage, he completely dominated Sellers, isolating her from her family and monitoring her expenses and phone calls. Once he shot her in the leg because she moved when he told her to stay still.

Experts call it "battered woman's syndrome." The abuse, no matter how severe, alternates with good times so that the batterer's intermittent reinforcement of control intensifies the bond between the couple. This cycle of abuse eventually destroys the victim's self-determination, making her feel helpless and immobilized, even when there are opportunities to escape.

Sellers tried to leave her husband twice but returned after he vowed to harm her family. Finally, during a heated argument in 1983, she shot him after he threatened to kill her child and make her watch. She was sentenced to first-degree murder and received a 25-years-to-life sentence.

Yniguez, driven by the abuse she endured, began to entertain thoughts of suicide. During an impassioned confrontation, however, she responded to her batterer's final dose of emotional injury by firing one fatal shot — at him. She was convicted of second-degree murder, 15 years to life, in August 1984.

Both women were tried and convicted before the use of expert evidence on battering was officially sanctioned by law. When PCJP began working with them, each had served more years in prison than most women convicted of similar crimes do today.

A chance at justice

Founded in 1981 by former USC Law Professor Dennis E. Curtis, PCJP began by representing clients at the Federal Correctional Institution at Terminal Island, a medium-security prison for men. In 1993, faculty directors applied for and received federal funding to begin a new program representing inmates at the California Institution for Women (CIW).

"Women in prison are at the very bottom of the social ladder," says Hempel, who adds that California has the largest female prison population in the United States. "We decided to apply for a Title IX grant to start a program at CIW because women prisoners are most in need of legal representation but receive the least amount of services."

Since 1993, more than 200 USC students have worked with

over 700 CIW inmates in matters ranging from consultation to representation in parole hearings, as well as lawsuits involving civil and parental rights, custody and visitation.

Students also are investigating, researching and drafting habeas petitions on behalf of battered women who were convicted of murder for killing their abusers. Before 1992, most attorneys did not present evidence of a battering relationship and its effects on a defendant as a legal defense to a murder charge. PCJP students work on petitions arguing that had such evidence been used in the client's trial, she likely would not have been convicted of murder, and, for this reason, the conviction should be overturned. If the client is recharged, she at least would have the option of using expert testimony to help mitigate her culpability, so that she may be convicted of a less serious offense.

"We realize that prisoners are not politically popular, but the women we've been able to help should have been released before — way before — we ever represented them," Hempel says. "And because they had valid legal claims, their cases provided excellent teaching vehicles for our students. We do a lot of parole work because it gives our students the opportunity to prepare clients for a hearing, draft a written advocacy piece, question witnesses, and make oral arguments. These are not cases that get settled. They move forward."

Brennan, once a federal public defender, adds that many of the women they represent have been in custody for at least 20 years.

"Of the total inmate population who are parole-eligible in California," he says, "our clients have the most sympathetic facts related to their conviction."

Indeed, many PCJP clients are model prisoners who have taken classes for high school or college credit, participated in therapy groups, and maintained clean discipline records while in prison. They also express remorse for their actions.

"I deeply regret what I've done, and I fully accept responsibility," Yniguez told a group of USC Law students last fall, just 28 days after she was released from prison. "But I know all the apologies and remorse in the world can't give back the life I took. Now that I have another chance, I want to share my story. Maybe it will convince others to look for help before they make the same mistakes I did."

Ray of hope

For third-year USC Law student Jill Rubin, who represented Yniguez during her fourth and final parole hearing last summer, participating in PCJP — USC Law's longest-running clinic and one of the first programs nationwide to let law students repre-



Professors Carrie Hempel (top left) and Michael Brennan (bottom left) work with students in the Post-Conviction Justice Project office at USC Law.

sent clients in court — means moving beyond the paradigm.

"I wanted law school to be an opportunity to do things I'd probably never do again," says Rubin, who successfully represented another CIW client, Sharelle Holt, in a parole hearing in January. "The training we receive is unbeatable. My second hearing was so much easier than the first simply because I knew what to expect.

"I also really believe in what the clinic is doing, particularly our work with battered women. In both of my hearings, when the commissioner announced that the board found the client suitable for parole, it was an extremely emotional moment — you get a real perspective of what your work means to these women."

With help from PCJP, Cheryl Sellers was one of the first people paroled during Gov. Davis' tenure. After leaving prison in 2003, she became an advocate for women's rights. For her and others like her, the clinic was, quite simply, a ray of hope.

"This program shows that people care about women in prison — that you care about the people next door," Sellers told USC Law students last fall. "I was blessed by the people who walked into my life. I had Carrie [Hempel] and two awesome students working on my behalf, and my public defender was a pretty good guy, too. I couldn't have asked for a better team."

SECURING SAFETY AND FREEDOM

Immigration Clinic represents asylum seekers from around the globe

Steven and Susan Kwizera had built a good life in Uganda. He was a flight attendant with a bachelor's degree in social administration and political science. She ran their modest shop in the city, selling clothing and shoes. They were surrounded by family and enjoyed the company of many good friends.

In 2003, however, their peaceful routine crumbled. Because of Steven's active support of Uganda's opposition party, he and his wife became victims of political torture. Fearing for their lives, the young couple fled their native country and sought safety in the United States.

At first, their efforts seemed hopeless. Their initial application for asylum was denied, and their visas soon expired. Removal proceedings against them were initiated, and they needed legal assistance to assert the asylum request as a defense to removal. Finding the help of skilled attorneys seemed well beyond their financial means — until they received a call from USC Law's Immigration Clinic.

Directed by Professor Niels Frenzen since its inception in spring 2001, the clinic provides pro bono representation to clients in a variety of immigration cases including asylum, applications for relief under the Violence Against Women Act, and applications for relief from removal. Many of the clients are victims of torture, including rape and other forms of severe violence. In some cases — such as the Kwizeras' — the client's life or freedom is at stake.

The clinic found the couple through its client-referral relationship with the Program for Torture Victims (PTV) in Los Angeles. Third-year student Jean Lantz, winner of the 2005 Mason C. Brown Award for her commitment to justice and trial advocacy skill, was assigned to the case. It was her first.

"The hardest part was asking them to go over their stories in detail," says Lantz, who has worked on about 10 cases over two years with the Immigration Clinic and plans to pursue public interest law after graduating from USC Law School. "They were in counseling through PTV, and recalling the torture was so painful for both of them."

On Feb. 17, after 18 months of navigating through the U.S. immigration system, the Kwizeras were granted asylum. Steven still vividly recalls their day in court.

"It felt so good, I can't even describe it," says Kwizera, whose future plans include pursuing a master's degree in public health. "It's not easy to talk about things you'd rather forget, but we are safe, and I am very, very happy. I don't know



Nearly 100 USC Law students participate in clinical programs each year, providing direct legal services to clients under the supervision of clinical faculty. Above left: Professor Niels Frenzen counsels Immigration Clinic client Steven Kwizera.

what to give Jean and Niels — nothing but prayers. The help they provided is simply a gift from God."

Asylum cases comprise most of the Immigration Clinic's docket, which normally lists 50-70 open cases. Currently the clinic is representing clients from 25 different countries. Most come from Africa; others hail from Southeast Asia, the Middle East, Europe and South America. Student representation is provided under the supervision of Frenzen, who has practiced immigration law since 1985. Eight students are selected to join the clinic for one academic year, although some stay longer to complete their work. Sometimes the students get to oversee cases from start to finish. More often than not, they have to pass the torch.

Third-year student Melvin Yee, for example, inherited a case from Alexandra Webber '04. His client, a father of eight from Uganda, recently was granted asylum, and three of his children have been permitted to join him in the U.S. Yee currently is working on reuniting them with the rest of their family.

"There are too many people out there who can't afford lawyers," says Yee, who received this year's Public Interest Law Foundation Outstanding Student Award. "Our clients... they're so grateful. They come from a bad situation, and all of a sudden there's someone to help. I think we're just giving them what they deserve — a fair shot."

LAUGHTER IN THE COURT

Children's Project helps families with adoptions, civil legal issues

It's an amazing sight: a normally serene courthouse bedecked in balloons and streamers, littered with toys and children's drawings, buzzing with laughter and playful shrieks.

For hundreds of families, Adoption Day in Los Angeles is a

joyous, life-changing experience. And for the USC Law students who help those families solidify adoptions, the day is a heart-warming affirmation of their decisions to become lawyers.

Through USC's Children's Project, law students assist clients with a range of civil cases involving children. Throughout the year, the clinic represents children and their interests in such legal and administrative proceedings as guardianships for abused and neglected children and special-education entitlements for children with physical or emotional disabilities.

Adoption Day is a highlight of the clinic, says Clinical Professor Lee Campbell, supervising attorney for the Children's Project. Twice a year, dozens of Children's Court judges spend a Saturday in court, presiding over the formal adoptions of hundreds of children. Through the clinic, USC students work with Public Counsel, a Los Angeles public interest agency, to provide free legal assistance to families wishing to adopt a child who previously was a ward of the dependency court. Clinical students also train first-year students to assist in the proceedings, as the demand for legal assistance on Adoption Day often exceeds the availability of trained legal professionals.

"Adoption Day offers myriad opportunities for students to test their lawyering skills," says Campbell. "Many of the children involved have special physical, emotional and educational needs, which require students to not only perform the necessary legal work associated with an adoption, but also analyze each child's situation and future needs. Students spend several weeks working with clients and their families, ensuring proper paperwork is completed and negotiating the appropriate packages of benefits and services for each child.

"It can be challenging work," Campbell adds, "but the payoff — the joy of Adoption Day — is hugely rewarding."

SERVING SERVICE AGENCIES

Employer Legal Advice Clinic helps nonprofits pass muster with the law

When Susan Burton started a transitional housing program for women coming out of prison, she thought good intentions and integrity would be enough to ensure her agency's success.

"I didn't understand anything about human resources, personnel policies or contracts," she says. "I just thought you hire a person and pay them."

Then she connected with USC's Employer Legal Advice Clinic. Five years later, Burton's agency, A New Way of Life, has three employees, three houses, four consultants — and personnel policies that meet every legal standard and then some.

The Employer Legal Advice Clinic has helped more than 80 Los Angeles-area nonprofits navigate the complexities of employment law. Eight students participate in the clinic each year, managing two clients each. Their work ranges from updating employee handbook policies to identifying special exemptions for religious non-profits, evaluating the legality of employee random drug testing, and designing supervisor training programs on sexual harassment.

"Hiring an attorney to write an employee handbook can cost \$15,000 to \$20,000," says Clinical Professor Noel Ragsdale, directing attorney for the Employer Legal Advice Clinic and a USC Law veteran of more than 20 years. "These organizations don't have that kind of money. Their funds are needed for the services they're providing to the community."

Susan Burton's needs were fairly basic — she needed policies to manage her growing staff and agreements to help manage her relationships with the consultants — but they also were crucial to her ability to successfully operate her agency.

"The students were so nice and so knowledgeable," Burton says. "I know they went over things with me that an attorney wouldn't have. It's a wonderful service — and it's been a lifeline for me and my agency."



Representing clients requires hard work and collaboration. Above right: Professor Martha Matthews works with a student in the Domestic Violence Clinic.

TECH SAVVY

Intellectual Property Clinic offers diverse projects, explores complex issues

The much-anticipated January 2005 launch of USC Law's newest clinical program ended the wait for third-year student Christine Kawasaki.

This spring, the former IBM computer programmer secured a coveted spot on USC Law Professor Jennifer Urban's roster — as one of the first four students in the USC Intellectual Property Clinic.

"This is why I came to law school. I want to focus my career on IP law," says Kawasaki. "I'd been following its progress for the past several years, especially the issues that deal with peer-to-peer file sharing. Since I have a tech background, I thought being involved in IP law was a good way to combine my interests and experience."

The IP clinic is a joint project of USC Law School, the USC Annenberg Center for Communication and USC Information Services Division. Second-year and third-year students who have taken an introductory IP law course may sign up for the clinic, which focuses on cutting-edge public interest issues in intellectual property and technology law.

The clinic emphasizes teamwork, with pairs of students assigned to such projects as developing patent licenses and filing friend-of-the-court briefs. Eventually, students also will work individually with "starving artists" to address copyright issues.

"The projects are so diverse, and you learn to think about the case from the client's point of view," says second-year student Anne DePree. "There may be five different ways to argue his case, but only two or three of those options truly support your client's intent."

The importance of thinking through the complexities of intellectual property law is exactly what Urban hopes to instill in her students.

"It's imperative that we're thoughtful about the policies surrounding IP law, which is being affected by rapid technological and social changes," Urban says. "In turn, IP affects social interactions — at its most fundamental level, it regulates very basic interactions related to communication, creativity and scientific innovation. Learning about IP law in a clinical setting allows students to think deeply about these kinds of issues and to use their analysis in real-world scenarios."

"The projects are so diverse, and you learn to think about the case from the client's point of view," says second-year student Anne DePree. "There may be five different ways to argue his case, but only two or three of those options truly support your client's intent."

BEYOND BOOKS

Domestic Violence Clinic addresses critical need, provides valuable experience

One of the most important lessons Deborah Ghodsian has learned from working in the USC Domestic Violence Clinic is that there are some things you just can't master by studying hard or taking good notes.

"I was working with one particular client, preparing her for cross-exam," Ghodsian says. "I had to ask her to describe how she was raped. She really had a hard time — she was shaking and crying. How do you keep yourself together while you watch someone relive something like that?"

The eight students working in the Domestic Violence Clinic have learned a number of hard lessons through their work. They've also learned that they can make a difference. Since 2002, USC Law students have helped more than 60 women protect themselves, and their children, from abusive relationships.

Domestic violence continues to be one of the country's greatest threats to women's health. More than 60,000 calls reporting incidents of domestic violence were logged by Los Angeles-area law enforcement in 2000, and some studies estimate that more than 30 percent of women who seek medical care in an emergency room have been abused by a partner. While resources exist to help women obtain restraining orders on their own, cases can be extremely complicated — especially when children are involved, says Martha Matthews, assistant clinical professor of law and director of USC's Domestic Violence Clinic.

For this reason, the clinic specializes in domestic violence cases that involve issues of child welfare. It serves clients who not only need protection from domestic violence, but also need to resolve child custody and visitation issues with their abusers or need help to ensure that their children are not placed

in foster care due to abuse or neglect in the home. Clinic cases often involve coordinating between the family court and juvenile court systems, reconciling the goals of safety and empowerment for battered women, and protecting children from abuse, neglect and the harmful effects of exposure to domestic violence.

Domestic violence victims present a range of other needs — obtaining welfare benefits, food, safe shelter, counseling, transportation, and health and child care. To address these issues, graduate students from USC's School of Social Work also participate in the clinic.

"The interdisciplinary nature of the clinic teaches law students to work with professionals in other fields — something they'll do a lot of in their careers," says Sonia Yagura, clinical instructor. "The clinic gets students to think about what you do as a lawyer, what you contribute to your client and to society."

Ghodsian calls the clinical experience "a crash course in being an attorney."

"I've done everything a practicing lawyer does — interview clients, write declarations on their behalf, draft motions, complete forms, deal with surrounding issues," says Ghodsian, who is finishing her second year at USC Law and plans to pursue special education law when she graduates. "It is such a special and unique experience to go into court and represent a client as a student. Martha or Sonia would be there with me, but it was my responsibility — I was running the show. To do that as a student is just incredible."

FACULTY FOOTNOTES (a selection of recent faculty activities)

Pauline Aranas was named associate dean, chief operating officer and adjunct professor of law at USC Law School. A 1981 graduate of USC Law, she was a member of the USC Law Library staff from 1984 to 1994. She then served as assistant dean for library and information technology at Vanderbilt University Law School and as associate law librarian at the University of California, Los Angeles. Dean Aranas is vice president and president-elect of the Southern California Association of Law Libraries and a member of the American Association of Law Libraries and the State Bar of California.

David B. Cruz, professor of law, was elected 2005 Chair of the Sexual Orientation and Gender Identity Issues Section of the Association of American Law Schools (AALS). He presented "The Meaning and Marketing of the Federal Marriage Amendment" at a panel he organized at the National People of Color Legal Scholarship Conference at George Washington University Law School. His essay, "Mystification, Neutrality, and Same-Sex Couples in Marriage," was published in *Just Marriage* (Mary Lyndon Shanley, ed., Oxford University Press). He also presented "The Constitution of Sex and the Sex of the (U.S.) Constitution" at the International Congress on Sex and Gender Diversity at the Manchester Metropolitan University School of Law.

Mary L. Dudziak, Judge Edward J. and Ruey L. Guirado Professor of Law and History, was elected to the board of trustees of the Law and Society Association and was appointed to the nominating committee of the Association for American Law Schools. Along with Professors Ariela Gross and Dan Klerman, Professor Dudziak was named to the editorial board of the *Law and History Review*. She spoke at a panel sponsored by the Illinois Humanities Council on "Brown and the Civil Rights Movement on the International Stage." She presented "Exporting American Dreams: Thurgood Marshall and the Constitution of Kenya" at a number of conferences around

the country, including the American Political Development Workshop at the University of Chicago, and she presented "Federalism and Foreign Affairs in 1960s Civil Rights Reform" at the annual meeting of the American Political Science Association.

Alice Galstian was named assistant dean and chief financial officer at USC Law School. She brings extensive experience as a chief financial officer, management consultant and manager. She has worked with organizations ranging in size from multi-billion-dollar publicly traded companies to small closely held firms on a national and international basis. She received her M.B.A. from USC Marshall School of Business and became a certified public accountant upon completing her bachelor's degree from Pace University in New York. She serves on the national board of the USC Marshall Alumni Association and is president of the association's Los Angeles chapter.

Ariela J. Gross, professor of law and history, presented "Litigating Mexican American Whiteness in the 20th-Century United States" at the Annual Meeting of the American Studies Association and "Native Identity, Citizenship and Land Allotment in the Early 20th-Century United States" at the American Society for Legal History Annual Meeting. She presented the keynote address, "Racial Identity on Trial in the United States," at the University of Utah Symposium on the Social Construction of Race. Professor Gross also presented "Administering Citizenship, Identity and Land in Indian Territory, 1865-1907" at Cardozo Law School and "Mexican Americans and the Politics of Whiteness in the 20th-Century Southwest" at the University of Chicago Law School and the American Bar Foundation. Along with Professors Mary Dudziak and Dan Klerman, Professor Gross was named to the editorial board of the *Law and History Review*.

Daniel M. Klerman, professor of law and history, received the prestigious Sutherland Prize

from the American Society for Legal History for the best article in the area of English legal history. His article, "Was the Jury Ever Self-Informing?" 77 *Southern California Law Review* 123 (2003), was selected from among all articles and book chapters published in legal or history journals and books in that year. In addition, Professor Klerman presented "The Value of Judicial Independence: Evidence from 18th-Century England" with co-author Paul Mahoney at the annual meeting of the American Law & Economics Association.

Thomas D. Lyon, professor of law, received a joint appointment to USC's department of psychology. He presented "Maltreated Children's Reluctance to Disclose: Laboratory and Observational Research" at the University of Cincinnati's Department of Psychiatry and "Interviewing Children: Getting More with Less" to the Los Angeles Court-Appointed Special Advocates. He presented a training session on interviewing children at the American Professional Society on the Abuse of Children Colloquium. He presented research on current controversies in interviewing children about violence and abuse at the American Psychological Association annual conference and on co-occurrences of domestic violence and child maltreatment at the American Bar Association National Conference on Children and the Law.

Nomi M. Stolzenberg, Nathan and Lilly Shapell Professor of Law, presented "Liberals and Libertines: The Marriage Question in the Liberal Political Imagination" at the Conference on the Meaning of Marriage sponsored by the San Diego Institute for Law and Philosophy. She presented her work on "The Paradox of Tolerance" at the University of Minnesota Law School and at Cornell Law School. She presented a paper on the case of Kiryas Joel at a conference on "The Ethics of the Neighbor" sponsored by the UCLA Center for Jewish Studies, and she participated in the 2004 International Philosophy Conference at the Hartman Institute in Jerusalem,

which focused on the issues of "Repentance and Forgiveness in Jewish Tradition and Contemporary Philosophy."

Christopher D. Stone, J. Thomas McCarthy Trustee Professor of Law, delivered the annual Odum lecture on ethics and the global environment at the University of Georgia's Center for Humanities and Arts. He also delivered the Cornell-Gladstone-Hanlon-Kaufmann lecture, "Mending the Earth: the Ethical Dilemmas," at the State University of New York, Oneonta.

Eric L. Talley, Ivadelle and Theodore Johnson Professor of Law and Business, presented "Corporate Governance, Executive Compensation, and Securities Litigation" (co-written with Gudrun Johnsen) at the 2004 Public Economic Theory Conference, held at Peking University in Beijing. He was frequently interviewed by the media on issues ranging from securities regulations to corporate ethics.

Charles H. Whitebread, George T. and Harriet E. Pflieger Professor of Law, gave his ex-am-taking talk at schools throughout the country, including the University of Pennsylvania, Harvard, Rutgers-Camden, Villanova, Texas Wesleyan, George Washington, UCLA, USC and Berkeley. He presented "Recent Decisions of the U.S. Supreme Court" at the annual meeting of the American Judges Association as well as several other national conferences and meetings of judges. He also delivered the keynote address on "Integrity and Independence: Observations on the Role of Law Clerks as Fellow Guardians of the Rule of Law" at the 9th U.S. Circuit Court Clerks' Conference.

From left to right: Pauline Aranas, David B. Cruz, Mary L. Dudziak, Alice Galstian, Ariela J. Gross, Daniel M. Klerman, Thomas D. Lyon, Nomi M. Stolzenberg, Christopher D. Stone, Eric L. Talley, Charles H. Whitebread



National media taps USC real estate law scholar

When heavy rains and mudslides killed more than 10 people living in the La Conchita area of Southern California in January, national media turned to USC Law Professor George Lefcoe for a primer in real estate law.

The main question: Is it the government's responsibility to keep people from living in geologically dangerous areas?

Probably not, Lefcoe told CBS Evening News. "Legally, it is difficult for the government to step in and take property for the sake of protecting lives," said Lefcoe, the Florine and Ervin Yoder Professor of Real Estate Law. "All the government must do is make sure we know about these things. We tell the buyer and let them decide whether, on this next flip of the coin, it's going to be heads or tails."

That especially holds true in California, a state formed by earthquakes, wildfires and floods, according to Lefcoe.

"If you talk to geologists you would find that there's no safe place in California; the risks are enormous," Lefcoe said in an interview with the *Los Angeles Times*. "But we don't live in a paternalistic society. Our laws make it really very difficult to force people out."

A person's right to live in a precarious area also comes with a responsibility to accept the consequences, Lefcoe told the *Ventura County Star*. "You can take that risk," he said, "but you can't look for someone else to bail you out."

On ABC's "World News Tonight," Lefcoe noted, "The government has, in our tradition, no obligation to forecast risk and tell people that you can't live in a 100-year flood plain."

Lefcoe also was interviewed by National Public Radio, KNX-Radio and the *Sacramento Bee*. His unique expertise on the matter placed him in high demand and put USC in the national spotlight, said USC Law School Dean Matthew L. Spitzer.

"George's comments helped give the media and the public a better understanding of the legal issues involved," Spitzer said. "As an educator, I think it's important for us to help people understand the laws that directly affect them — especially in times of crisis and disaster."

— G.S.



INSIDE TRACK

New book by Professor Susan Estrich offers law school admission tips

For years, USC Law professor and political analyst Susan Estrich fielded hundreds of nervous calls from her friends' children who were applying to law school. When strangers started seeking her counsel, Estrich came up with an idea.

"I thought I really need to write a book on this, but not just any 'how-to' book," says Estrich, who has taught at USC Law School for 14 years and is the Robert Kingsley Professor of Law and Political Science. "I wanted it to be truly useful. I wanted to write this book in a very conversational, honest way — almost as though I'm talking to the student on the phone or over lunch."

Appropriately titled *How to Get into Law School* (Riverhead Books, 2004), Estrich's book comes in simple paperback, costing \$15. She covers how to choose the right law school, how to succeed once there, and how to find fulfillment in a law career.

After spending years interviewing admissions directors, professors, veteran attorneys and students — including many at USC Law School — Estrich looks at the life and career questions applicants face.

"Whether you're a college junior facing the LSATs, a senior sitting with disappointing test scores, or someone who has always dreamed of a career in the law, there is too much at stake not to ask the hard questions about what lies ahead," says Estrich, who taught at Harvard Law School for 10 years before joining USC.

She also offers an insider's perspective. For example, most schools will claim they don't interview prospective students, "but many do informally anyway," she says. "You must get that interview because it really personalizes you."

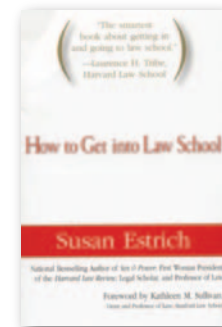
She includes advice on writing personal statements from Bill Hoye, dean of admissions at USC Law School. What doesn't work? Essays on a European summer vacation, typing single-spaced in 8-point type, and using the essay as a "sob story." What does work, according to Hoye, is excellent writing, showing you are a doer, and a statement that "rings true."

Estrich says the biggest challenge facing the average applicant is separating oneself from the pack. "How do you make yourself sound interesting? How do you make a case for yourself? You need to find that one thing that really makes you special and that shows you will bring something of value to the school. We all have it — you need to find it and describe it."

She also challenges prospective students to ask themselves



Susan Estrich



Estrich's book covers many topics, including how to find fulfillment in a law career.

why they want to attend law school. "There are many, many wrong reasons — like your father went to law school, you did well on the LSATs, you have nothing else to do, or it's a year shorter than medical school. You need to be passionate about it and know this is really what you want out of life."

Coming from the first female president of the *Harvard Law Review*, the youngest woman to receive tenure at Harvard Law School, and the first woman to run a presidential campaign (Gov. Michael Dukakis in 1988), the advice means something. But despite her success, Estrich also has weathered failures, which she details in her book.

"When I was rejected from Radcliff as an undergraduate, I thought my world would come to an end," she says. "I went to Wellesley and received a tremendous scholarship and education. I tried for Harvard for law school, and did it. But my world would not be over if that had not happened."

— G.S.

DEMOCRACY FORSAKEN?

Professor Gillian Hadfield looks for the rule of law in the Sept. 11 Victim Compensation Fund

Within days of the terrorist attacks of Sept. 11, 2001, Congress debated numerous measures to help victims and stabilize the nation's economy in the face of what many saw as an assault on the American way of life.

Legislation must be passed, argued Sen. John McCain, to help people avoid the "vast uncertainty of our litigation system" and the "tangle of lawsuits" that would surely follow. Something must be done, Sen. Orrin Hatch worried, to keep courts from offering large awards to some victims while leaving others "out in the cold."

To USC Law Professor Gillian Hadfield, the debate missed an important point.

"I found it odd that in the wake of what people saw as an attack on American democracy and the rule of law, we responded with such ambivalence toward our legal system," she says.

In an article published this spring by the Defense Research Institute — an international association of defense lawyers — Hadfield offers a startling perspective on the impact of the Victim Compensation Fund (VCF) established by Congress to provide financial assistance and an alternative to civil litigation for survivors of the attacks. Thousands of families were eligible to register with the VCF to receive compensation but, in return, they were required to forsake their right to pursue a claim in court.

Many considered the fund to be a success — 97 percent of families received payments — but Hadfield argues that the fund itself perpetuated a damaging misconception of the civil legal system.

"The fund ignored the most important function of the civil legal system: providing ordinary citizens an opportunity to participate in resolving disputes and adjudicating rights and wrongs," she says. "Our legal system is indispensable to democracy not simply because it provides cash to those who suffer wrongs, but because it allows a regular person to call upon the power of the state to investigate a wrong and hold someone accountable."

For Hadfield, the issue isn't about assigning blame, but rather who gets to decide whether blame should be assigned.

Clearly, some Sept. 11 families felt their rights were sacrificed. Through interviews with victims' families, Hadfield found that several were frustrated by the "choice" presented to them: either receive immediate assistance through the fund,



Gillian Hadfield

or pursue a lengthy, expensive claim in court. Even those who wanted to pursue a claim found that few lawyers would take their cases.

"Some were angry that they were being funneled into the fund," Hadfield says. "They didn't want to just sit back and see what elected officials would do."

In fact, the much-delayed congressional investigation of Sept. 11 focused solely on the government's failure to prevent the terrorist attacks. Poorly enforced fire codes, faulty equipment that hampered communication and rescue efforts, and airport security lapses were not part of the investigation.

"Money is not what the families were concerned about," Hadfield says. "If more people died than needed to because of poor fire proofing, shouldn't we want to know that and address it?"

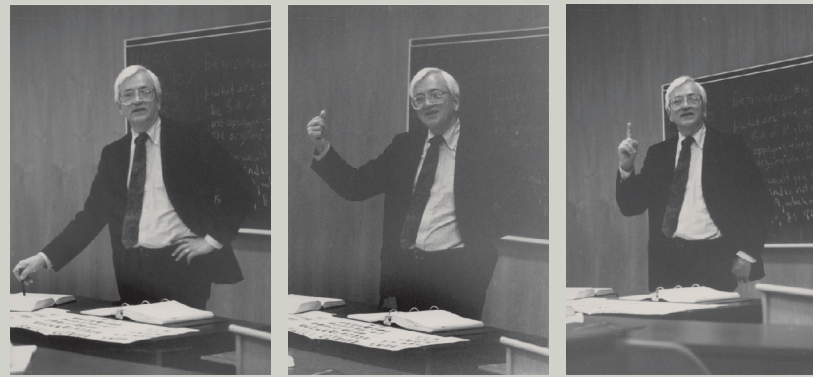
Now, as Congress reviews the Terrorism Risk Insurance Act of 2002 — which established the VCF and is set to expire next year — Hadfield is one of several scholars and attorneys associated with the Defense Research Institute who are examining the act's effectiveness as a model for future tragedies. Hadfield's recommendations include eliminating any requirement to forego litigation in exchange for compensation or establishing a forum to provide victims and families with a streamlined version of the essential powers of a civil lawsuit.

"Civil litigation is an extraordinary democratizing instrument," Hadfield says. "It is the only way that a housewife from New Jersey, for example, can make the president of American Airlines show up and answer questions about her husband's death. The system is obtuse, open to distortion and incredibly slow. But the answer isn't — and can't be — to throw out the system entirely."

— M.V.



David Slawson



“Student evaluations of his courses consistently have lauded his breadth of knowledge, his skills as a lecturer, and his accessibility to and concern for students.”

PROFESSOR DAVID SLAWSON RETIRES AFTER 37 YEARS AT USC LAW

David Slawson’s devotion to his law career is clear. His 37 years of teaching law were interrupted only once — when he served for one year as general counsel for the Price Commission economic stabilization program in 1971. Before stepping into the academic arena, he spent six years in private law practice, eight months on The President’s Commission on the Assassination of President Kennedy (Warren Commission), and two years as an attorney-adviser with the U.S. Department of Justice in Washington, D.C., where he helped draft the Civil Rights Acts. Soon after arriving at USC, he advised Cesar Chavez on the legality of his planned grape boycott under the antitrust laws. Slawson’s opinion said the plan was OK — they were covered under the labor exemption.

Even today, as professor emeritus, his scholarly pursuits have intensified. A highly respected scholar in the field of contract law, Slawson — who retired from USC Law School in December 2004 — is working on a new textbook and continues to write for law review publication.

But as a young man from Grand Rapids, Mich., he was committed to another field: physics.

After graduating from Amherst College as class valedictorian, Slawson studied theoretical physics at Princeton, where he earned a master’s degree and was a National Science

Foundation Fellow.

Then it hit him.

“Not until I got to grad school did I realize that in studying physics, my most likely fate was to work on very complicated mathematical problems, such as the make-up of distant stars,” Slawson says. “It seemed very isolating and not the kind of life I wanted. But I didn’t know what else to do.”

PLAN B

Slawson decided to volunteer for the draft “just to get it over with,” joining the U.S. Army from 1954 to 1956. During a leave, he visited a friend who was attending law school and sat in on some of the classes. Later, while stationed in Utah, he watched the Moot Court competition at a local university and spoke with the law librarian. By the time he left the Army, his mind was made up. Slawson went to Harvard Law School on the GI Bill and received his LL.B. in 1959.

He moved to Denver — where he became active in the Democratic Party and once ran (and lost) for state legislature — and was practicing with a private firm when he received a call inviting him to serve on the Warren Commission. A friend had recommended him.

“Being part of the commission was very exciting. It changed

the course of my life,” he says. “It broadened my horizons and made me realize that I wanted to be a teacher. I thought that being a law professor would give me the freedom to explore a variety of subjects.”

It did. According to Professor Scott Bice — who has had the honor of being Slawson’s pupil, colleague and then dean at USC Law — although Slawson specialized in contracts, he was willing to teach a broad range of courses the school needed covered, including antitrust, administrative law, agency and insurance.

“He is a true Renaissance man,” Bice says. “Few faculty have taught as wide a range of classes, and Dave’s willingness to do so was a testament to his dedication to our students’ needs. I took two courses from him when I was a third-year law student and I considered him then, at the beginning of his career, truly excellent in the classroom. As dean, I had many occasions to talk with students about his teaching and to review the formal student evaluations. He was uniformly admired and was ranked among the best.

“And he’s a really nice human being,” Bice adds. “He’s warm, and he’s cared about by his students.”

In December, when Slawson wrapped up his final semester at USC Law, one class brought him a retirement cake while the other gave him a gift certificate for his favorite restaurant on Washington’s Orcas Island, where he now resides with his wife of 36 years, Kaaren. (Incidentally, he met Kaaren during a New York City visit in 1968 to interview prospective faculty members for USC Law School.)

Looking back on his long history at USC, however, Slawson remembers some student gifts that weren’t as subdued. In the 1970s, a group arranged for a stripper to make an appearance on the last day of class.

“She popped out of a cake, I think, and gave me a great big hug and a kiss on the cheek,” Slawson recalls with a laugh. “That embarrassed me.”

NEXT STEPS

Now that teaching is no longer on his docket, Slawson can concentrate on research and writing. His scholarship has been extremely influential and often is cited as essential work by other contracts scholars. He was the co-founder — together with Harvard Law professor emeritus Robert F. Keaton — of the contracts doctrine of reasonable expectations. His book, *Binding Promises: The Late 20th Century Reformation of Contract Law*, received laudatory reviews as a modern classic in the field.

Retirement finally will give the former Torrey H. Webb Professor of Law the freedom to undertake more writing

projects. Still, Slawson says, after nearly four decades at USC Law School, it’s not easy saying goodbye to such a tight-knit community.

“I came to USC with Chris Stone, Marty Levine and George Lefcoe — young revolutionaries who had a big ambition to make the Law School a fine institution,” he says. “Along with Leonard Ratner, Frank Jones and former deans Dorothy Nelson and Orrin Evans, they turned USC Law from a good school into a great one. Scott Bice, the finest law teacher I have ever encountered, continued to lead the effort when he became dean. I hope I was able to help.”

— R.B.

A salute to David Slawson:

“In the classroom, Dave was an exceptionally gifted teacher and a respected mentor. Student evaluations of his courses consistently have lauded his breadth of knowledge, his skills as a lecturer, and his accessibility to and concern for students. I took antitrust law from him in 1976, and the class was so inspiring that I was induced to practice in that field after graduating from USC Law School.”

— Matthew L. Spitzer

Dean and Carl M. Franklin Professor of Law, USC

“Although his teaching was grounded in contracts and ad law, his mind ranges across everything — including economics, to which he brought a particularly critical eye. Through it all, David has been eminently just plain sensible. When the Warren Commission findings were under assault, those who knew David felt assured that if the investigation has satisfied David, it was OK with us. We are going to miss his curiosity, his collegial helpfulness and his keen questions at faculty workshops.”

— Christopher D. Stone

J. Thomas McCarthy Trustee Professor of Law, USC

“In the vast array of contracts scholarship, there are rare efforts that deserve special tribute. All of David Slawson’s scholarship is of the highest quality. In all of his scholarship, David unearths fundamental principles and creative applications that provide major contributions to the literature. David deserves to be recognized as one of the leading contract scholars in America.”

— Dr. John E. Murray Jr.

Chancellor and Professor of Law, Duquesne University



IN FOR THE LONG HAUL

When Jeffrey A. Goldstein '69 promises to see a case through to the end, he means it — even when that case winds through the legal system for nearly a quarter of a century and doesn't pay a dime.

Despite setbacks and an opponent with deep pockets, Goldstein has remained a steadfast advocate for about a thousand families of Mexican descent seeking to restore their right to access 77,000 pristine acres in southern Colorado's San Luis Valley.

For more than 100 years, their ancestors hunted, fished, grazed their herds and gathered firewood on the rugged land. Those rights were guaranteed in the original grant in 1944 that enticed them to relocate from Mexico to Colorado — and their descendants were assured the same rights in an 1863 document recorded in Costilla County. But in 1960, a new owner barred access after filing a title registration action in federal court.

Goldstein, of counsel at Brauer, Buescher, Goldhammer, Kelman & Dodge in Denver, filed a class-action suit in 1981 on the descendants' behalf. He's been litigating it ever since.

The case, *Lobato v. Taylor*, has bounced through Colorado state and federal courts and all the way to the U.S. Supreme Court. In the last two years, Goldstein has scored key victories restoring his clients' access to the area.

In 2003, the Colorado Supreme Court affirmed the descendants' rights of access to the land and sent the case back to the Costilla County District Court to determine which of the more than 41,000 property owners in the county have land use rights. In 2004, a district court judge rejected the ranch owner's motions to limit access. The judge also authorized a title search to settle access claims for an estimated 1,000 descendants and ordered the ranch owners to pay roughly \$100,000 in costs.

The Trial Lawyers for Public Justice (TLPJ) honored lead counsel Goldstein and eight colleagues with the 2004 Trial Lawyer of the Year Award for their work on the case. The *National Law Journal* also named Goldstein one of its top pro bono attorneys of 2004.

According to a statement issued by the TLPJ, the *Lobato* case "represents a major victory for a legally disenfranchised and disillusioned population... and has galvanized land grant heirs through the Southwest to fight for their rights."

Goldstein, an administrative lawyer who focuses primarily on workers' compensation and Social Security cases, credits his USC Law School professors and the political climate in the late 1960s with fostering his commitment to public justice and

civil rights. "A lot of us at that age were very politicized," he says, noting that he remembers riots near the Law School after Martin Luther King's 1968 assassination.

Goldstein was particularly moved by a poverty law course taught by former USC professor Derrick A. Bell Jr. At the time, Bell was head of the Western Center on Law and Poverty, where Goldstein interned during his third year of law school. Christopher Stone, his real property and constitutional law professor, also was influential.

Since graduating from USC Law, Goldstein's clients have included Native Americans involved in the 1973 occupation of Wounded Knee, as well as United Farm Workers.

One of the *Lobato* plaintiffs, Arnie Valdez, said Goldstein has been a tireless advocate, committing himself to the case and his clients' hopes. "He's very diligent and attentive to details," said Valdez, who has known Goldstein for more than 20 years. "He thinks seriously about the issues and dwells on them a lot. He loses sleep over them."

Despite his long affiliation with the litigation, Goldstein says he'll have no qualms about moving on when the remaining legal issues are resolved. "I'll be very, very happy when this case is over," he says.

— J.B.

ON BEHALF OF CHILDREN

Sarah Vesecky '99, a dependency trial attorney and education specialist with the Children's Law Center of Los Angeles, received the 2004 Child Advocacy Award from the American Bar Association Young Lawyers Division.

Vesecky has devoted her career to working as an advocate for abused and neglected children in the Los Angeles dependency court system. More recently, she expanded her efforts to advocate for the education needs of youth in foster care throughout California. The award recognizes her accomplishments on local education issues and on statewide reforms, including the passage of AB 490, which enhances school stability for all foster children.

While at USC Law, Vesecky was awarded the Miller-Johnson Equal Justice Prize for exceptional commitment to civil and social justice. Her many involvements as a student included working with USC's Post-Conviction Justice Project, the Children's Law Center (known then as Dependency Court Legal Services), Public Counsel's Homeless Youth Project, and General Relief Advocacy Project.

"Although Sarah is young and not that long out of law school, she has already established a reputation among her colleagues, adversaries and the bench as an authority on the law and a zealous, principled advocate," said Children's Law Center executive director Miriam Aroni Krinsky. "Sarah's work and passion reflects the critical difference an effective legal voice for abused and neglected youth can make in crafting a better future for these children."

— R.B.

"Sarah's work and passion reflects the critical difference an effective legal **voice** for abused and neglected youth can make in crafting a better future for these children."

JEFFREY A. GOLDSTEIN '69



The case, *Lobato v. Taylor*, has bounced through Colorado state and federal courts and all the way to the U.S. Supreme Court. In the last two years, Goldstein has scored key victories restoring his clients' access to the area.

SARAH VESECKY '99





BRUCE KARATZ '70

PHOTO COURTESY OF KB HOME

Bruce Karatz (back row, far right) and the design team from "Extreme Makeover: Home Edition" join the Broadbent family in front of their new home.

EXTREME GENEROSITY

Bruce Karatz '70 took part in an episode of ABC's "Extreme Makeover: Home Edition" last December when his company, KB Home, became the largest homebuilder to appear on the hit reality series.

More than 2,000 KB Home employees and trade partners worked around-the-clock for five days to build a 3,200 square-foot, two-story dream home in Las Vegas for the inspirational Broadbent family.

Patricia Broadbent, a single mother of seven children, six of whom were adopted, has spent her life giving to others. She gave up a career in social work to focus on caring for her three daughters — ages 15, 17 and 20 — who have battled HIV/AIDS since birth. Recently Broadbent was diagnosed with lung cancer and is undergoing chemotherapy treatments. Faced with this new challenge, she came to realize that her daughters will need a more suitable home should her own life end early.

"Our decision to participate in this particular episode was quite simple after learning about the Broadbent family," said Karatz. "We were determined to build them the perfect home with all of the luxuries that they so richly deserve."

The show culminated with a surprise from Karatz, who announced that his company had "torn up" the Broadbents' mortgage to ensure worry-free comfort for the family. Preston Sharp, a member of the show's design team, said: "Not to imply that CEOs of giant corporations don't have hearts ... but this man has a huge one."

As chairman and CEO of KB Home, Karatz leads one of the largest homebuilding companies in the United States and France, with revenues exceeding \$7 billion. An active volunteer at USC Law, Karatz chaired one of the most successful fundraising initiatives in school history and currently serves as vice chairman of the board of councilors.

— R.B.

"We were determined to build them the perfect home with all of the luxuries that they so richly deserve."

LIKE FATHER, LIKE SONS

In the 1970s, C. David Molina was a Long Beach, Calif., emergency room physician who noticed that too many poor patients were depending on the ER for their basic health care needs. Driven to act, he mortgaged his home in 1980 to establish Molina Healthcare, a network of three neighborhood clinics where disadvantaged people could seek low-cost medical treatment close to home. In 1989, Molina took over nine more area clinics. Soon thereafter, the lives of his sons — John Molina '89 and Mario Molina, who received his M.D. in 1986 from the Keck School of Medicine of USC — were changed forever.

Today, the Trojan brothers head up the expanded Molina Healthcare, the second-largest Hispanic business in California, according to *Hispanic Business Magazine*. With John (below, right) serving as CFO and Mario as CEO, Molina Healthcare has branched out into four other states — Washington, Utah, Michigan and New Mexico — and boasts some 21 primary care clinics in Northern and Southern California.

Theirs was a somewhat circuitous path to the family business. While in high school, Mario had often accompanied his father to the ER and was inspired to go into medicine. After completing his internship and residency at Johns Hopkins, he returned to California to join the USC faculty as a medical researcher, ready to settle into a life of academia. But in 1991, when Molina Healthcare's medical director passed away, Mario stepped into the role.

John also had childhood experiences in the ER with dad but came to loathe the sight of blood. Attracted to USC Law School by its "long tradition," he spent his Trojan years working full-time in his father's billing office while commuting to class. He was set to embark on a career in health care law when the sudden expansion of Molina Healthcare compelled his father to ask for help. Soon enough, both brothers were back in the family fold.

According to John, the primary mission of Molina Healthcare network continues to be "serving the underserved" by making healthcare accessible to patients on Medicaid (known as MediCal in California). Rather than seeking traditional fee-for-service care, a Medicaid patient can have Medicaid pay his or her monthly membership in Molina Healthcare — a licensed HMO — which becomes, explains Mario, the "intermediary between them and the government, making sure they get the preventive care they need, and that somebody helps them through the system, like the concierge at a hotel."

Making sure all of their patients get adequate health care can prove challenging. The HMO's providers must speak any number of tongues, from Spanish to Hmong; supply educational materials at appropriate literacy levels (the company has a program for distributing free books to needy kids); and, most importantly, understand the culture from which their patients hail. To achieve that last goal, Molina Healthcare employs a staff anthropologist who, according to Mario, "keeps the whole company informed of cultural issues affecting health care and its delivery."

David Molina, who had himself attended USC for a time after WWII, died in 1996, but his firm, under the tutelage of his children — another sibling, Mary Martha (Molina) Bernadett, M.D., is a company vice president — has continued to flourish. Molina Healthcare has "made a lot of lists," says John, not only as "one of the largest Hispanic-owned businesses in the U.S., but one of the fastest growing and one of the largest family-owned businesses in health care." The company also recently became a publicly traded corporation.

Working with family, the brothers agree, has been both an asset and an added responsibility. "Our name's on the front door," says John, "so we have to make sure we run a good business for our patients, the doctors and hospitals we contract with, our employees and our shareholders."

— R.L.

MARIO AND JOHN MOLINA '89



HOW CLINICAL ED MAKES A DIFFERENCE

In the first class of the fall semester in USC's Post-Conviction Justice Project, my colleague, Michael Brennan, and I inform the students that each of them will be representing a client in a parole hearing before the California Board of Prison Terms. We explain that their clients have been convicted of murder and sentenced to a potential life term in prison.

A student may initially react to this information with uncertainty — how will she relate to a client who has committed such a serious crime? She may also feel apprehension about advocating the release of a person convicted of murder.

Then the student visits the California Institution for Women to meet her client. The client most often is someone who was physically, sexually and emotionally abused for most of her life before prison. She also is likely a thoughtful, caring and appreciative person who has spent most of her adult life at CIW working hard to understand how she got there.

The premise of clinical work is learning by doing. Students handle real cases with real clients. As they conduct interviews and research, write briefs and memos, and present arguments to judges and parole boards, they gain valuable experience as lawyers. As they interact with clients, they begin to understand that not every person is who he or she appears to be on paper. As they study these cases, they see how the system works — and how it could work better.

Jeanette Crawford's case is a good example of the work we do. When Jeanette was tried for killing her husband, the jury was never told that he abused her for seven years, repeatedly raping her, forcing her into bizarre sexual acts, giving her bruises and black eyes, and isolating her from friends and family. The jury never heard expert testimony about the effects of battering, how a woman so abused can develop an intense traumatic bond to an abuser that both destroys her self-determination and keeps her from leaving him.

Jeanette was convicted several years before California law changed to explicitly recognize the value of using such testimony in presenting a defense to murder. Women convicted of killing their abusers after the passage of the law are much more likely to be convicted of lesser crimes and given reduced sentences because of the mitigating circumstances in which the killing occurred. But many women convicted of killing their abuser prior to the mid-'90s are still incarcerated for murder, serving potential life sentences.

In addition to a number of other clients, both men and women, the Post-Conviction Justice Project has worked with many battered women in recent years. Our students have helped seven battered women obtain parole. They also have



Carrie Hempel (with Michael Brennan)

helped another convince a court to overturn her conviction under a new state habeas statute that allows the reexamination of cases involving battered women convicted of murder who did not have the benefit of expert testimony. We are preparing several habeas petitions for other women who will likely benefit from this statute.

Through their work, our students learn that the criminal system is not always just — but a thorough, hard-working and caring lawyer can sometimes remedy those injustices. Students have made a difference; they certainly made one in Jeanette Crawford's life. More than 10 USC students worked on Jeanette's case. We all shared in her happiness when, in 2004, she finally was released from prison. It was the fourth time the Board of Prison Terms had approved her release on parole; then-Gov. Gray Davis reversed the first three decisions. By the time Gov. Arnold Schwarzenegger approved her parole, Jeanette had served more than 20 years for a crime that would likely carry a 10-year sentence today.

Many battered women like Jeanette are incarcerated in California, and thousands more inmates have exhausted their right to a court-appointed attorney. We can't help all of them, but we are helping some. We're also training the next generation of lawyers to recognize and pursue justice, to present solid cases, and to care about their clients. I can't think of anything I'd rather do more.

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