

ALBANY LAW MAGAZINE



TRANSFORMING THE WAY WE PREPARE STUDENTS:

Teaching Gets Its Own Center *pg. 16*

ALSO INSIDE:

Six professors retiring • Capital Region firms beyond 75 years • Dementia, nursing homes, adultery
School hiring faculty, bucks trend • Widow honors grad who took on "Legs" Diamond

FALL 2009

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FEATURES

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Teaching Gets Its Own Center**
A new Center for Excellence in Law Teaching (CELT) will focus on better preparing students to leave law school with a strong sense of the profession as well as the skills and knowledge needed to succeed.
- 22 **Region's Founding Firms Share a Rich History**
The founding law firms of the Capital Region share a rich history, and a unique set of traits that make the firms distinct from any other region.
- 32 **Should Dementia Patients in Nursing Homes
Engage in Adultery?**
Should a nursing home allow a married resident with dementia to engage in an adulterous relationship in the nursing home? Professor Evelyn Tenenbaum argues that nursing homes need to address this reality culturally and legally.

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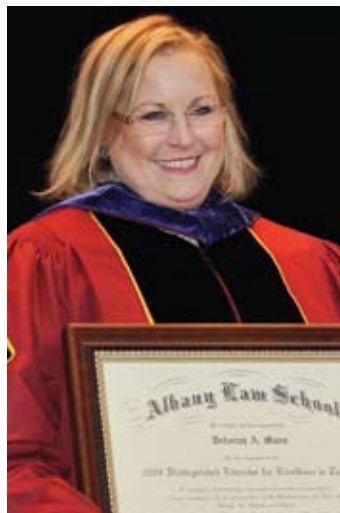
Three Professors Recognized for Exceptional Work



Prof. Lytton



Prof. Bloom



Prof. Mann accepting award at Commencement.

Albany Law School gives three separate awards each year at commencement to recognize outstanding faculty for their contribution in the areas of scholarship, service and teaching.

Timothy Lytton, the Albert and Angela Farone Distinguished Professor of Law, received the Faculty Award for Excellence in Scholarship for his consistent record of producing high-quality and timely law review articles and books. Last year, Harvard University Press published his book, *Holding Bishops Accountable: How Lawsuits Helped the Catholic Church Confront Clergy Sexual Abuse*, which subsequently earned a number of positive reviews. He also recently published an article in the *Texas Law Review* on using tort litigation to enhance policymaking. Previously he published *Suing the Gun Industry: A Battle at the Crossroads of Gun Control and Mass Torts* (University of Michigan Press, 2005).

Ira Bloom, the Justice David Josiah Brewer Distinguished Professor of Law, received the Albany Law School 2009 Award for Excellence in Service for his multifaceted service to the community. He has provided pro bono services for the past 10 years for the New York State Breast Cancer Support and Education Network, as well as for the Capital Region Action Against Breast Cancer, and he has handled more than 20 cases for the Legal Aid Society of Northeastern New York. Professor Bloom also helped the Community Foundation of the Capital Region plan its recent symposium on Emerging Issues in Planning & Philanthropy. He teaches in the areas of property, taxation, and wealth transmission.

Professor Deborah Mann '79 received the Albany Law School 2009 Distinguished Educator for Excellence in Teaching Award, in large part due to the quality and effectiveness of her teaching, as well as her ability to integrate the practical with the theoretical in the classroom. She has more than 20 years of legal experience, including: assistant district attorney, Kings County District Attorney's Office; assistant attorney general, New York State Attorney General's Office; senior counsel, New York State Energy Research and Development Authority; director, Governor's Task Force on Rape, Sexual Assault, and Child Sexual Abuse; and deputy director, Governor's Office, New York State Division for Women.

CENTER FOR LAW & INNOVATION

Center for Law & Innovation Receives Energy Incentive

The Center for Law & Innovation has been awarded a four-year \$250,000 incentive by the New York State Energy Research and Development Authority (NYSERDA) to help create sustainable networks in New York State to support early-stage companies focused on renewable and clean-energy product development.

As part of the grant, the Center has pledged to provide resources and education to help clean-tech entrepreneurs navigate through the complex legal issues facing start-up companies, ultimately conserving needed capital for technology development and company growth.

"The proposal also incorporates a plan for developing a clean-tech legal network and training the next generation of green-collar lawyers to address the needs of the state's future clean-energy industries," said the Center's director Annette Kahler.

For more information on the Center for Law & Innovation, visit www.albanylaw.edu/innovation

School to Hire Several New Professors, Bucking the Trend

While law schools across the country continue to trim programs and faculty size, Albany Law School is currently seeking to fill several faculty slots over the next 18 months and secure the new faculty-student ratio at 1:13.

"You see other law schools slimming faculty through attrition," said President and Dean Thomas F. Guernsey. "We are positioned well financially, a result of careful planning, and while we have made cuts to several administrative budgets this year, the faculty budget is the one place we look to protect."

The professors who retired

last year or will retire this year are: Norman Deutsch, Harold Dubroff, Peter Preiser, Sandra Stevenson, Katherine Katz and Robert Begg, Associate Dean and Director of the Schaffer Law Library.

"We are in a stronger spot than usual for hiring," Guernsey said. "The majority of law schools are facing deep budget cuts that affect faculty hiring. We are among the few still hiring. This is unusual and makes us very visible."

Specifically, the hiring committee will be looking for promising, or established, scholars who possess a passion to teach, Guernsey said.

ALBANY LAW CLINIC & JUSTICE CENTER



A Step Closer: Students Sworn in for Advocacy

Presiding Justice Anthony V. Cardona of the N.Y. Supreme Court, Appellate Division, Third Department, presided over a swearing-in ceremony for 46 new students, who will join 200 of their classmates to advocate for clients of the Law Clinic & Justice Center.

ALBANY LAW CLINIC & JUSTICE CENTER



Joseph Connors Takes Helm of Law Clinic & Justice Center

Professor Joseph Connors assumed the position of director of the Albany Law Clinic & Justice Center on July 1. He has a long record of being a committed advocate on behalf of the low-income clients served by the center.

Among his recent cases, Professor Connors helped represent a single mother who is battling cancer. She was also battling her insurance plan, which initially denied her a path of treatment recommended by her doctors. Working with students, he helped the woman with legal action, resulting in a favorable hearing decision that allowed her to get the treatment.

Each year, the clinic recruits more than 250 students to represent more than 600 clients, assist more than 1,500 individuals and organizations and offer more than 40 community education activities.

In addition to being director of the law clinic, Professor Connors will also retain his role as director of the Health Law Clinic, which teaches student interns to identify and address the legal issues often faced by low-income individuals living with chronic health

conditions. The Health Law Clinic is one of eight public interest programs within the Law Clinic & Justice Center.

Professor Connors joined Albany Law School in 1992 after working as a staff attorney with the Monroe County Legal Assistance Corp. for four years. He is a frequent lecturer at New York state disability conferences and is also the 1995 recipient of the New York State ARC, Inc., Robert Hodson/Augustus Jacobs Law award.

Public interest programs at the Law Clinic & Justice Center:

- Civil Rights & Disabilities Law Clinic
- Domestic Violence Prosecution Hybrid Clinic
- Family Violence Litigation Clinic
- Field Placement Clinics
- Health Law Clinic
- Introduction to Litigation Clinic
- Low Income Taxpayer Clinic
- Securities Arbitration Clinic

Help Us Celebrate our Retiring Faculty and Honor their Legacy

Six veteran faculty members of Albany Law School retired this year or plan to retire next year. The group is made up of individual members who taught, advised, and touched the hearts of literally thousands of students over the past 30 years. Probably no student went through Albany Law School without learning from at least one of these retiring professors.

Share your stories online about your memories and experiences with the retiring faculty members and we will post them for viewing at their retirement celebration in the spring. Go to www.albanylaw.edu/retiring-faculty to share your stories.



Robert Begg

Associate Dean and Director of the Schaffer Law Library
Dean Begg will retire at the end of this school year. He joined the Albany Law School faculty in 1983 as head librarian.

After earning his B.S. at Slippery Rock College, his J.D. at University of Oregon, and an M.L.S. at Rutgers University, he served as director of the law library, professor of law, and chairman of the Faculty Senate and University Council at Ohio Northern University.

He oversaw the building of the new Albany Law School library in 1985. As director of the library, he led the shift into the digital age, maintaining a high national ranking for the law library, even as the market continues to shift resources online. He served as the associate dean of academic affairs from 1993–1996.

He has taught Legal Profession and Professional Responsibility Seminar.



Norman Deutsch

Professor Deutsch will retire at the end of this school year. He joined the Albany Law School faculty in 1978.

He earned his B.A. and J.D. from the University of Maryland, taught at the University of Illinois, was a member of the law faculty of Stetson University, and also practiced privately for several years before joining the Albany Law School faculty. Professor Deutsch has taught Constitutional Law, Contracts, Political and Civil Rights and Secured Transactions.

His most recent scholarship includes two papers: “May Religious Worship Be Excluded From a Limited Public Forum? Commentary on the Ninth Circuit Court of Appeals Decision in Faith Center Church Evangelistic Ministries v. Glover,” published in the *Hawaii Law Review* last year, and “Does Anybody Really Need a Limited Public Forum?” published in the *St. John’s Law Review* also last year.

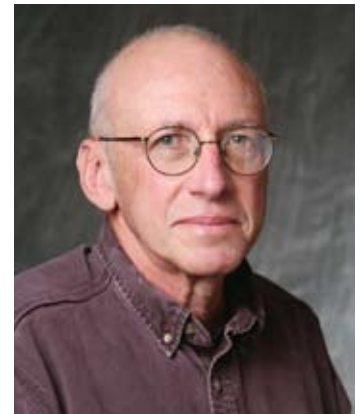


Harold Dubroff

Professor Dubroff retired July 1 this year. He joined the faculty in 1972. He earned his B.A. from Case Western Reserve University, and his LL.B. and LL.M. from New York University. After two years as an associate with a New York City law firm, he was an attorney advisor for the U.S. Tax Court, and subsequently a legislation attorney with the Joint Committee on Taxation in Washington, D.C., before joining Albany Law School.

He taught Contracts, Federal Income Taxation partnerships, Non-profit Organizations: Tax/Governance, Trusts and Estates.

“The Implied Covenant of Good Faith in Contract Interpretation and Gap-Filling: Reviling a Revered Relic,” was published in *St. John’s Law Review* (2006). Books he authored include *Estate Planning for the Small Business Owner* (1993), and *The United States Tax Court: An Historical Analysis* (1979).





Sandra Stevenson

Professor Stevenson retired July 1 this year. A member of the Class of 1971, she joined the faculty in 1974 as the school's first female professor. Before that, she was an assistant professor at Rensselaer Polytechnic Institute. Four years after joining the faculty, she served as the first director of Albany Law's new Government Law Center, the first of its kind in the nation. She developed the internationally recognized Saratoga Conferences and is also largely credited for spearheading a science, technology and law focus at the School.

She taught copyright law, state and national government law, constitutional law and torts. She is the author of the multi-volume treatise, *Antieau on Local Government Law*, second edition, and a new book published by Matthew Bender called *Understanding Local Government*.

Katherine Katz

Professor Katz retired July 1 this year, as the first professor to hold the Kate Stoneman Chair in Law and Democracy. Hired in 1975, she was the second female professor at the school.

She graduated from Albany Law School in 1970 and immediately opened up, with a partner, the first women-owned law firm in upstate New York.

She taught Children and the Law, Family Law, Human Reproduction: Legal and Moral Issues Seminar.

Published widely, her scholarship has focused primarily on family law. Two recent articles are: "Parenthood from the Grave: Protocols for Retrieving and Utilizing Gametes from the Dead or Dying," published by the University of Chicago Legal Forum (2006); and "The Legal Status of the Ex Utero Embryo: Implications for Adoption Law," published in the *Capital University Law Review* (2006).



Peter Preiser

Professor Preiser will retire at the end of this school year. He joined the faculty in 1977.

After earning his B.S. and LL.B. from New York University, he practiced civil and criminal law, and served New York State as commissioner of Correctional Services, deputy state administrator of the New York court system, director of probation, director of Office of Crime Control Planning, and assistant district attorney for New York County.

He taught Advanced Criminal Law, Constitutional Law, Criminal Procedure: Adjudication, Criminal Procedure: Under the 4th, 5th and 6th Amendments, and Evidence.

He is the author of annual commentaries on criminal procedure (*McKinney's Consol. Laws*). His work focused on New York criminal law and procedure, on which he wrote numerous book chapters and articles.



Four New Members Appointed to Board of Trustees



James Benedict '74



Gail Norris '83



Ryan Donovan '01



Vonzell Jones '09

Albany Law appointed James Benedict and Gail Norris as Term Trustees, Ryan Donovan as an Alumni Trustee, and Vonzell Jones as a Recent Graduate Trustee. The four new trustees began their terms on July 1.

James Benedict '74 is the Chairman of the Litigation Department of Milbank, Tweed, Hadley & McCloy LLP and head of its Securities Litigation Practice Group. He is based in the 650-person firm's New York City office. Prior to joining Milbank, he was a partner at Clifford Chance where he served as head of the Global Litigation and Dispute Resolution Practice.

Gail Norris '83 is the Director for the Office of Technology Transfer at the University of Rochester, where she develops strategies for the licensing and commercialization of intellectual property, and assists in the establishment of start-up companies. Previously she was a partner at Nixon Peabody specializing in corporate law.

Ryan Donovan '01 is a founding partner in the Albany-based firm of Harris, Conway & Donovan, PLLC, where he focuses his practice on personal injury and commercial litigation. He is also the Town Justice for the Town of Bethlehem. Donovan is president-elect of Albany Law School's National Alumni Association and will begin his term in June 2010.

Vonzell Jones '09, who graduated from Albany Law School this past May, recently assumed the position of Associate Director of the New York State Science & Technology Law Center located in the College of Law at Syracuse University in August.



Quantifying Scholarship, Albany Law Rises to the Next Level

While faculty continue to produce scholarship at an unprecedented level for Albany Law School, an organized presence on the Social Science Research Network has brought new visibility to the school.

The Network contains some 200,000 downloadable documents, making it one of the central sites for legal scholarship in the United States. Downloads are tracked per paper and author, documenting the number of viewers for every paper.

"For the first time Albany law professors can see how many scholars read their work," said Professor James Thuo Gathii, the Associate Dean for Research and Scholarship. "We have faculty who consistently fall into the top 10 list for downloaded articles in their area of work."

Gathii noted top-10 downloaded faculty members such as: Stephen Gottlieb, in the area of Public Opinion & the Judiciary; Patricia Salkin in several categories including Criminal Law & Procedure; and Raymond Brescia in the categories of

Consumer Credit & Payment Issues, and Mortgages.

Gathii himself falls in this category, whose recently-posted articles have been downloaded by 900-plus viewers. His article on "War's Legacy in International Investment Law" landed on top 10 lists in several categories, including International Organizations, Investment, and National Security & War. Another high scorer is Paul Finkelman, who had his recent articles downloaded 560 times.

"It's rewarding for our professors to see the interest their scholarship is generating across the country and beyond," Gathii said. "This affirms what we always knew: that Albany Law School's faculty contributes in a meaningful way to the latest thinking on leading legal issues."

While the numbers fluctuate often, and a majority of the faculty's papers have not yet been uploaded into the system, Albany Law School was ranked 87 of 258 national and international law schools for downloaded articles at the time of this writing.

Students Help Secure Coverage for Bone Marrow Transplant

Sarah McDonough, a 32-year-old single mother, had been receiving treatment since September 2008 for a rare form of life-threatening cancer. When her doctors recommended a bone-marrow transplant at Boston's Dana-Farber Cancer Institute—calling it her “last best hope for treatment”—Fidelis Care denied the request.

With the help of three students, under the direction of Joe Connors, the director of the Law Clinic & Justice Center, the decision was appealed. The N.Y. State Dept of Health ruled that Fidelis must cover her treatment at the Boston facility.

At issue was the location, said Connors. Fidelis wanted her to use an in-network provider, located in Buffalo or New York City. But Ms. McDonough was

deep into chemotherapy to prepare for the transplant, and feeling pretty terrible. She has family in Boston, where her 7- and 9-year-olds could stay during the month-long treatment. “She had no one in New York, and had no way to get there given her health,” said Connors. “She would have had to begin testing from the start. She was zapping her energy fighting Fidelis and the stress that comes with those conflicts.”

As a result of the Health Law Clinic's hearing advocacy, the New York State Office of Temporary and Disability Assistance directed Fidelis to provide coverage for Ms. McDonough's treatment in Boston in order to comply with its legal responsibilities as a provider under New York's Family Health Plus Insurance plan.



Students who worked on the case include, from left, Michael Frascarelli '11, who worked on “peace of mind” issues around the client's health care proxy, living will and power of attorney; Rita Romani '11, who helped the client prepare for the hearing; and Alejandro Taylor '09, the Barry A. Gold '70 Health Law Clinic Fellow, who prepared the client's last will.

New Assistant Dean for Student Affairs Joins Albany Law from Stanford



Susan Feathers

Susan Feathers joined Albany Law School as the new assistant dean for student affairs. Before joining the law school, Feathers was the executive director of the Levin Center for Public Service

& Public Interest Law at Stanford University Law School.

In her new position, Feathers will provide oversight of student affairs activities, including student development and programming issues, student access and accommodations issues, and Student Bar Association and member organizations. She will also develop a more robust pro bono program and teach in the academic support program.

“Initiatives for the upcoming year include expanding our diversity programs to include service-learning components and developing more comprehensive wellness programming that will include stress management

classes,” said Feathers.

Prior to her time at Stanford, she also served as assistant dean at the University of Pennsylvania Law School for nine years. While there, Feathers developed one of the country's first mandatory pro bono programs, which subsequently won a pro bono award from the American Bar Association.

“The Office of Student Affairs is developing a more robust pro bono program through which students will have the opportunity to work on a host of new projects including a Foreclosure Prevention Project, a Medical-Legal Collaborative for veterans and seniors, a statewide rural

legal service project, and a prisoners' legal education program,” she said.

She has also been a public interest advisor at Yale Law School and held positions at Brooklyn Law School and Hofstra Law School. Feathers began her career as an associate appellate counsel with the Legal Aid Society's Criminal Appeals Bureau in New York City. She earned her J.D. from Northeastern University School of Law in 1987, and her bachelor and master's degrees in sociology from The University of Pennsylvania.

GOVERNMENT LAW CENTER



ABA Section Awards Staff Attorney Lavine; 3 of 8 Winners at Albany Law

Government Law Center staff attorney Amy Lavine '07 (right) recently accepted the Jefferson Fordham Up and Comers Award from the American Bar Association's State & Local Government Law Section at its annual meeting in Chicago. The award is given each year to an attorney whose early career accomplishments demonstrate significant potential in the field of state and local government law. Lavine is a nationally recognized resource on community benefit agreements and maintains

a blog on the topic at <http://communitybenefits.blogspot.com/>.

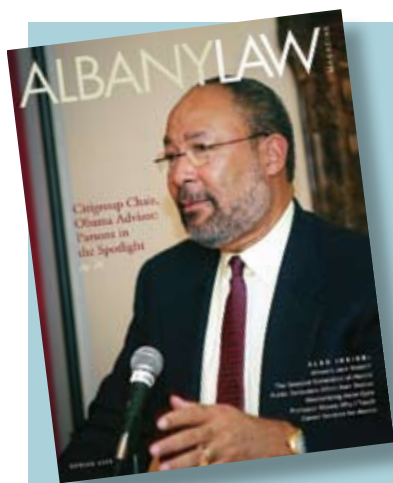
Albany Law School currently boasts three of the eight Jefferson Fordham Up and Comers, including Associate Dean Patricia Salkin (center), the first recipient in 1998, and Professor Keith Hirokawa (left), who won the award in 2004.

Dean Guernsey's Blog Hits Issues Large and Small

Read his thoughts on:

- U.S. News rankings
- the folly of creating a new law school in N.Y. state
- the struggle to make legal education affordable
- the infamous lack of parking spaces

<http://blogs.albanylaw.edu/dean>



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Issues can be found at www.albanylaw.edu/magazine

Faculty in the News

The Economist

"Public interest in horse-racing in New York state has simply shrivelled up," says Bennett Liebman, who heads a racing think-tank at Albany Law School. *"Off-track betting in crisis: Flogging a dead horse; Will No 9 prove a winner?"* 9/10/09

The New York Times

"I think what we really have here is a constitutional question as to whether or not the governor had the authority to fill a vacancy, and it's not picking one winner over another," said Patricia E. Salkin, director of the Government Law Center at Albany Law School. "The outcome is going to be Ravitch is or is not the lieutenant governor." *"State's Top Court Ready to Hear Challenge to Appointment of Lieutenant Governor,"* 9/10/09.

The New York Times

Timothy D. Lytton, a professor at Albany Law School and the author of "Holding Bishops Accountable: How Lawsuits Helped the Catholic Church Confront Clergy Sexual Abuse" (Harvard University Press, 2008), said most memories of clergy sexual abuse "do not involve recovered memories—this is a small percentage of cases we're talking about," he said. *"Ex-Priest Challenges Abuse Conviction on Repressed Memories,"* 9/10/09.

NBC Nightly News, USA Today

Professor Paul Finkelman made national headlines for his role in securing a posthumous pardon for two people wrongly convicted and executed for a murder 100 years ago. He appeared with Harvard University professor Henry Louis Gates. "Pardon Comes 94 Years after Execution," 10/14/09

Associated Press

"It certainly doesn't give any indication they believe the Appellate Division got it wrong and it needs to be reversed," said Albany Law School Professor Vincent Bonventre, a former clerk at the top court who writes about it. "It means the Court of Appeals recognizes this is an important case...."

"State's top court to hear lieutenant governor case," 8/25/09

New York Times

"There really is just a black hole here," said David Pratt, a veteran pension lawyer now on the faculty at the Albany School of Law. "There is very, very little law on the obligations of custodians." *"Questions for a Custodian After Scams Hit I.R.A.'s,"* 7/25/09

New York Times

"She's saying, 'I hope you don't contest the will, and if you do contest the will, you're going to get penalized by me,'" said Ira M. Bloom, a professor at Albany Law School who specializes in trusts and estates law. *"Fight for Astor Estate Mirrors Battle 50 Years Ago,"* 4/25/09

Jackson Lecture Series Examines the Changing Family



This year's day-long Justice Robert H. Jackson Lecture Series was dedicated to former chief judge Judith S. Kaye's efforts to protect, rehabilitate, and promote families in New York. The first panel discussed emerging trends in family law, while the second dissected issues around children and the law. The final panel considered reforming the courts to better serve families. Panelists included members of the bar, the bench, and professors from around the country.

Pictured above is panelist Hon. John M. Leventhal, Associate Justice of the Appellate Division, Second Judicial Department.

Merging Faith and Finance in the Islamic Market

"You can't make money from the mere passage of time," said Rushdi Siddiqui '91, the former director of the Islamic Indexes for Dow Jones, noting that Islamic Finance prohibits interest. "The subprime crises cannot happen under the principles that drive Islamic Finance."

Now the global head of Islamic Finance for Thomson Reuters, Siddiqui said that the existing markets are saturated, leaving the Islamic Finance market one of the few growing niches, currently at some \$500 billion. "Everybody is moving

into this space because this is where the money is." He named the large brokerage houses, as well as the European countries.

Calling it "boring finance," he described the core principles that guide socially responsible investments—no pork, no alcohol, no tobacco, no gam-

bling—where speculation and uncertainty are not permitted, the risks need to be shared by parties, and transactions must be backed with tangible assets.

Siddiqui presented as part of a larger three-day series of dialogues on defining Islam, coordinated with Albany Law School's Muslim Law Student Association (MLSA) and the school's Business Law Society and Diversity Office.



Students and guests listen to Siddiqui speak.



Rushdi Siddiqui '91



The Iraqi Refugee Crisis: An International Perspective

Iraqi refugees spoke with students this fall about fleeing their country for Syria, Lebanon, Jordan and Egypt before resettling in the Capital Region. Kristèle Younès, a senior advocate for Refugees International, pictured above, talked about the efforts to ease the refugee experience. Sitting next to her was moderator Zainab Chaudhry '98, assistant solicitor in the New York attorney general's office. The event was sponsored by Albany Law School's Muslim Law Students Association, Amnesty International and the International Law Society, in conjunction with the Iraqi Refugee Project Coalition.

Did Lincoln Abuse—or Wisely Use—Executive Power? His Legacy Examined at a Two-Day Symposium

He expanded the military, appropriated money, and suspended habeus corpus—“it was hard to know his bounds of presidential powers.”



Dr. Louis Fisher



Lewis Lehrman



Hon. Frank J. Williams

President Abraham Lincoln usurped so much power over Congress during the Civil War—he expanded the military, appropriated money, and suspended *habeus corpus*—that “it was hard to know his bounds of presidential powers,” the Hon. Frank J. Williams told a crowded Dean Alexander Moot Court Room. Lincoln didn’t deny that these actions required Congressional approval. Instead, Lincoln argued that his acts were Constitutional in a time of war because, for example, the courts were not designed for a “vast” emergency such as a war, therefore, the suspension of due process during crises was necessary.

Williams, a former Chief Justice of the Rhode Island Supreme Court, delivered his remarks on a panel as part of a

two-day symposium by the *Albany Government Law Review* called “Lincoln’s Legacy: Enduring Lessons of Executive Power.”

Williams’ panel, titled “Lincoln, Executive Power & the Modern Presidency,” included Dr. Louis Fisher, a specialist in constitutional law with the Library of Congress, who spoke about Lincoln’s impact on protecting the nation and the constitution.

The symposium opened with Lewis Lehrman, author of *Lincoln at Peoria: The Turning Point*, delivering the 2009 Edward C. Sobota ’79 Memorial Lecture, called “Abraham Lincoln and the Declaration of Independence: From Peoria to the Presidency.”

The symposium examined Lincoln’s use of executive

power and compared, as well as connected, his presidency to the use and abuse of executive power today.

A series of panel presentations with experts in law and history spanned topics such as the politics of immigration reform and executive power in an age of terror.

The Edward C. Sobota ’79 Memorial Lecture Series, which Lehrman delivered this year, was established in 1989 by his brother Henry Sobota ’77, the Sobota Family and Weil, Gotshal & Manges LLP.

Papers presented at the conference will be published in the *Law Review*’s Spring 2010 issue.

To hear the entire conference, go to www.albanylaw.edu/lincolnlectures.



Professor Paul Finkelman, the President William McKinley Distinguished Professor of Law and Public Policy at Albany Law School, who is also an adviser to the Lincoln Bicentennial Commission, co-advised the symposium with Professor Patty Salkin, the Raymond and Ella Smith Distinguished Professor of Law.

GOVERNMENT LAW CENTER



From left: Luke Bierman, Elizabeth Lynam, Assemblyman Richard Brodsky and Scott Fein.

Public Authorities Forum Addresses Tension Between Autonomy and Accountability

Public authorities manage more than 90 percent of New York state's debts, and 85 percent of the state's infrastructure. A growing tension between the authorities' autonomy from political influence while lacking any system of accountability is emerging as an issue of the day.

Responding to this tension, the Government Law Center's Public Authorities Project hosted a program in June to discuss "The Proposed Legislation to Amend the Public Authorities Law: Maintaining the Balance Between Authority, Autonomy and Accountability."

Participants included Luke Bierman, General Counsel, Office of the State Comptroller; New York State Assemblyman Richard L. Brodsky; and Elizabeth Lynam, Deputy Research Director at the Citizens Budget Commission. Scott Fein, the director of the Public Authorities Project and a partner at Whiteman Osterman & Hanna, LLP, moderated the panel.

The panel discussed the means and measures available for the evaluation of authority performance; the availability of administrative sanctions; nature of the fiscal reforms; potential scope of the State Comptroller's contract review; and the implications of board member certification of independence.



Ali Chaudhry '10

Thirty-Five Million Watch U.S.-Pakistan Expert Chaudhry '10 on India's Leading News Show

Ali Chaudhry '10 was interviewed on India's largest news network last semester on "The Big Fight," a program watched by 35 million people. During the interview, Chaudhry discussed President Barack Obama's policy on Pakistan and Afghanistan, as well as current conditions in Pakistan.

The segment, which was broadcast from New York City, was conducted by the CEO of New Delhi Television (NDTV), India's largest news network. Chaudhry shared a panel with experts from the Brookings Institute, former U.S. ambassadors to Pakistan and India, and a professor from Columbia University.

Before law school, Chaudhry directed the Pakistani American Leadership Center (PAL-C), a lobbying group in Washington, D.C. For three years before that, at the Embassy of Pakistan, Washington, D.C., as a 24-year-old diplomat, he was the sole analyst for military/intelligence research within Pakistani and South Asian context, and regularly advised the Office of the Military Attaché on national security, defense and foreign policy, and media relations.

As Executive Director of the Pakistani American Leadership Center, he helped create the first-ever Congressional Pakistan Caucus (today it has 72 members in the U.S. House of Representatives) and increased the membership of the organization from 1,800 to 33,000.

"By the time I left Washington," Chaudhry said, "I was well known as an expert on U.S.-Pakistan relations, especially on the issues of military cooperation and legislative affairs."

Chaudhry is currently the chief editor of the N.Y. State Bar Association's *Government, Law & Policy Journal*, managed by Albany Law's Government Law Center, and managing editor for *Albany Government Law Review's* symposia.



158th Class Graduates, Live Webcast Viewed Around the World

More than 250 students received degrees at Albany Law School's 158th Commencement ceremony on May 15 at the Saratoga Performing Arts Center.

The Honorable Jonathan Lippman delivered the keynote address, his first as Chief Judge of New York State. The ceremony was webcast live and watched by family and

friends, including a spouse serving in Iraq.

Of the graduates, 218 received their J.D., 10 their LL.M., and 27 their M.S. in Legal Studies with a concentration in

Technology Transfer.

Pictured above, from left, are Judge Lippman, President and Dean Thomas Guernsey, and E. Stewart Jones, Chair of the Board of Trustees.

We Congratulate Our Honors Graduates

SUMMA CUM LAUDE

Arlene A. Akiwumi-Assani
Andria L. Bentley
Daniel H. Bresler
Kathleen A. Copps
Michael Greenberg
Trey T. Kingston
Danielle Elizabeth Podlucky
Lona M. Scavone
Tanya A. Weller

MAGNA CUM LAUDE

Gurudev D. Allin
Jennifer R. Andriano
Erin K. Barlow
Adam T. Conway
Chad B. Denton
Deanndra E. Dodd
Jennifer M. Giella
Ruth Elizabeth Green
Joseph W. Hammer
Jennifer K. Harvey
Gareth J. Hedges
Jason D. Hughes

Tolulope O. Jegede
Jennifer M. Kane
Dan Li
Katerena Y. Moustakis
Kelly Ann Pressler Giordano
Brian E. Reese
Lamia Sabrina Sampson
Carolyn L. Schoepe
Christopher J. Scully
Summer J. Simmes
Luke H. Simone
Matthew J. Skinner
Ashley Ferrara Staropoli
Dena Tadros

CUM LAUDE

Jessica L. Ansert
Lauren A. Atwood
Eric J. Bach
Celine L. Barakat
Budrawi Alan Bazzari
Kevin T. Blackwell
Zarah Lynn Bleau

Brian C. Borie
Edward J. Bradley
Claudia Knudsen Braymer
Molly Adams Breslin
Lori A. Bertsch-Brustman
Gennaro D. Calabrese
Deisnel Cardenas, Jr.
Esther Wei-Chee Cheung
Kathryn J. Coleman
Sarah Diane Darnell
Kristin Maureen Dascher
James Andrew Davenport
John Arthur Degasperis
Cristina M. DiGiovanna
Joel Kirkland Enterline
Edward P. Fitzgerald
Nicholas A. Fusco
Trevor Michael Gomberg
Jessica Marie Gorman
John McMahon Hendrie
Mary A. Holst
Daniel A. Katz
Lauren DiPace Konsul

Katherine R. Largo
Karen C. Lattibeaudiere
Patrick Ryan Lockamy
Michael W. Macomber
Robert G. Magee
Andrew L. McNamara
Ashley M. Naporlee
Thomas K O'Gara
Konstantin Podolny
Kristen M. Quaresimo
Cody Daniel Queen
Akilah J. Rawlins
Shardae S. Rookwood
Brian B. Selchick
Steven M. Sharp
Peter N. Sinclair
Haohao Song
Matthew J. Stockl
Sebastian B. Vaneria
Jessica M. Vaughn
Daniel C. Wood
Steven D. Zecca



Led by Randolph Treece '76, U.S. Magistrate Judge for the Northern District, the Class of 2012 took an oath "to honor the values and standards expressed in the Albany Law School student handbook...and to act with civility and dignity and to uphold the standards set forth by the legal community and Albany Law School."

Class of 2012—the 159th class—Boasts High LSATs and GPAs

Albany Law School welcomed 255 students as the Class of 2012. The law school's newest class features graduates from 125 undergraduate colleges and universities. One third of the students hail from beyond New York state's borders, including 25 other states and foreign countries such as Pakistan, Romania, Canada, France, Turkey and South Korea.

The students' median LSAT score is 155 and their median GPA is 3.3, both numbers an increase over last year. Twenty percent of the Class of 2012 identify themselves as members of a minority group, making the class one of the most diverse in the law school's 158-year history. The class, which has a median age of 23, is 42 percent female and 58 percent male.

The class has an equally diverse employment background, with members of the 2012 class completing internships in legal offices, public relations firms, special victims units, police departments, sports management agencies, at the White House, and

other settings. Thirty-seven speak more than one language, including Mandarin, Hindi, Arabic, German, Swahili, Turkish, Urdu, Italian, Vietnamese and Russian. Nine new students are veterans of service with the Army, Navy, National Guard or Marines.

Student Represents New York's 15 Law Schools, Awarded "Star of the Division"



David Rozen '10, who represented New York's 15 law schools at the American Bar Association Law Student

support admittance for a mental health initiative. The Division unanimously supported the initiative, which allows for applicants to practice law after demonstrating successful rehabilitation from certain illnesses and chemical dependency.

Division's Annual Meeting this summer in Chicago, earned the "Star of the Division Award." At the ABA meeting, he urged the Assembly—comprised of SBA presidents and ABA representatives from all 199 ABA approved law schools—to

Rozen's role through the year includes chairing the Division's Resolution/Legislative Advocacy Committee and overseeing, representing and communicating the ABA Law Student Division regional activities within the 2nd Circuit.

CLEO Summer Programs Ready Students for Law School



Rheena Lomingkit, left, and Erica Molina, both participated in summer programs sponsored by the Council on Legal Education Opportunity (CLEO) before joining Albany Law's Class of 2012. Lomingkit, a UCLA graduate, participated in a one-week "Attitude is Essential" program, where she sat in on classes to learn about study strategies and other best practices for succeeding in law school. Molina, who went to New Jersey City University, participated in CLEO's Six-Week Summer Institute at the University of Pittsburgh School of Law, where she took condensed classes in Civil Procedure, Criminal Law and Legal Writing and Research. CLEO, founded in 1968, seeks to diversify the legal profession by expanding legal education opportunities to minority, low-income and disadvantaged groups.

After Long Road and Four Kids, Afzali Begins Law School at 32

Javid Afzali '12 has had his mind set on law school for a long time. Today, at age 32, with a wife, four kids and a career in auto mechanics that included adjunct teaching at Hudson Valley Community College, he has finally begun law school.

He emigrated from Afghanistan at the age of five with his family as refugees fleeing the Russian invasion of their country. Settling first in Queens, N.Y., Afzali eventually moved to the Philadelphia area, where he attended high school, married his wife, Mara, and earned an associate's degree in specialized technology, which qualified him to fulfill a long-time goal of working as a mechanic.

"I was attracted to the idea of working on cars after reading Robert Pirsig's *Zen and the Art of Motorcycle Maintenance* when I was in high school," said Afzali. "That book, coupled

with a cross-country road trip when I was 17 in a Subaru that I bought for \$300, solidified my desire to learn about cars."

He moved to Albany's South End in 2002 with his wife and two young children, initially working at a local Volkswagen dealership. In 2005, he left the dealership to pursue undergraduate studies in political science and criminal justice at Siena College, and to prepare for law school, another one of his long-term goals. "I can remember thinking about law school even before I was married," he said.

At the same time, he started teaching at Hudson Valley Community College as an adjunct professor in the school's automotive program.

Afzali left his teaching position during his senior year at Siena, when he accepted an internship with the New York State Insurance Department's



Javid Afzali '12

Insurance Fraud Bureau. During his internship he helped the department with criminal prosecutions and civil action related to insurance fraud and financial and white-collar crimes.

Afzali, who now has four children ranging in age from three to 10, graduated from

Siena with honors in May 2009. After a short summer break, he joined Albany Law School as one of the Class of 2012. While it's still early for him to settle on a single career path, he says, "I really enjoy constitutional law and can see myself leaning that way in the future."

Our Youngest and Our Oldest Apart by Some 30 Years

Donald Labriola '10 retired 18 years ago, at the age of 37, after running a successful engineering consulting business. Rather than buy the Ferrari to ward off his mid-life crisis, he chose law school, making him Albany Law's oldest student today.

Kaitlyn Jorge, 20, who earned an associate degree when

her friends were graduating high school, arrived in Albany from Washington state to join the Class of 2012 as its youngest student.

Together, the two students reflect the range of ages and experience that fill the classrooms of the school. To read about both their stories, go to www.albanylaw.edu/oldandyoung



Kaitlyn Jorge '12 and Donald Labriola '10

What I Did on My Summer Vacation

Members of the Class of 2010 spent their summers in a variety of ways, many working as associates. Here are a few snapshots of their summer.



Czech Republic

Jennifer Clark '10 spent the summer in the Czech Republic working with the International League of Human Rights, where she researched laws related to the pharmaceutical industry and mandatory vaccinations in both the European Union and the United States.



New York

From left, M. Ali Naquvi '10, Amy Tu '10 and Andrew Zacher '10 worked as summer law associates at Pfizer Pharmaceuticals in New York City.



San Francisco

While working at the California Appellate Project in San Francisco, Parneet Chauhan '10 helped challenge convictions of defendants facing execution through *habeas corpus* proceedings. Her work included interviewing witnesses and compiling medical and social histories of her clients.



New York

From left to right, Jonathan Gillerman '10, James Foster '10 and Matthew Laroche '10 worked as summer associates at Milbank, Tweed, Hadley & McCloy LLP in New York City.



Rochester

Benjamin Bodner '10, shown here third from right and next to New York Court of Appeals Chief Judge Jonathan Lippman, spent his summer in Rochester working at Harter Secrest & Emery LLP where he rotated through the firm's litigation, business and property practices.



Baltimore

Christopher Michaels '10 was a summer associate at White and Williams LLP in Philadelphia, where he worked in the firm's business, commercial litigation and litigation departments. He is shown here, back row, center, on a boat trip to Baltimore with other summer associates.

TRANSFORMING THE WAY WE PREPARE STUDENTS:
Teaching Gets Its Own Center



“The primary metrics used to measure a person’s readiness as a lawyer—one exam at the end of the semester, the bar exam, or grade-point-average—are not always great predictors of professional success for a first job or for a long-term career.”

—Professor Mary Lynch, Director, CELT

Albany Law School has long held a reputation for its practical approach to preparing students for careers in law. To further its leadership in this area, a new Center for Excellence in Law Teaching opened this fall.

“Our foundation to legal education relies on a three-pronged approach: teaching, scholarship and service,” explained Thomas Guernsey, president and dean. “Our infrastructure has been well-established for scholarship and is currently experiencing a surge of success from recent scholarly efforts [see page 6 for article on scholarship]. That kind of success I want to achieve in our teaching reforms.”

Professor Mary Lynch, who will lead the effort, is well aware that “a law school can’t provide—in three years—everything a student needs for a life-long career as a lawyer. But law school educators across the country agree that we can and should equip students with the knowledge and skills they need for early success, as well as the reflective and theoretical tools to learn from experience.”

Previously the co-director of the Law Clinic & Justice Center, Lynch knows that a diverse faculty has diverse opinions

on legal education pedagogy. “That’s all to the good,” said Lynch. “Engaging the entire school in a conversation around reform creates the impetus to explore innovative teaching, and ensures that we evaluate the national reform efforts in light of our own school’s values and history.”

A survey of the faculty found strong support for learning new assessment methods, identifying opportunities for collaborative and cross-disciplinary teaching, and exploring curriculum revisions so that students progress in a more clearly delineated manner through the three years.

“The crux here is better preparing students for professional practice,” said Lynch. “How do we ground their experience better, so that they have a real sense of what they’re going to be doing? How do we help them connect theory with real experiences, working with concepts alongside the changeable nature of real people? Imagine medical students becoming doctors before ever working with patients? Well, law students can pass the bar and start practicing before ever having client interaction, providing legal advice, or facing a single opposing counsel.”



Prof. Mary Lynch will direct the Center.



Prof. Pamela Armstrong teaches in the lawyering program, where students work through theory-based assignments grounded by a semester-long hypothetical case.

While the movement for reform is not specifically driven by the current shake-up in law firm hiring practices, the timing is serendipitous. Law firms are evaluating their summer associate programs, as well as their development system for new associates.

“This is an opportune moment to figure out—working with our alumni, the Bar, judges and others—whose job it is to prepare students for certain professional skills,” Lynch said. “Should our graduates be well-versed in client-centered representation by the time they leave law school? Would employers rather teach law-office management on the job? Should graduates have learned not only to write appellate

“The work we’re talking about here does not require a large financial commitment. It requires thoughtful dialogue among our faculty, and a desire to modernize outdated methods of delivering legal education.” —Dean Guernsey



The Center coordinates a Teacher Exchange series, where faculty tackle a different topic at each session, such as outcomes and assessment, teaching methods, and curricular development. Pictured above is a group of professors discussing teaching development where they shared strategies, styles and philosophies for teaching and learning inside and outside the classroom.

briefs, but also learn to draft client letters detailing complex legal ideas in lay language? And what about the large percentage of students who do not go on to law firms? Who mentors and teaches those who go into small firms, small public interest offices, or the public sector?”

Program Potential

Lynch is quick to rattle off a list of programs already in place at the School: a strong clinical program; 14 concentrations allowing students to focus and apply their learning; an integrated first-year lawyering program that takes students through a complex case over two semesters; vibrant alumni who mentor students at several levels; a variety of skills courses; and a goal of providing small class sizes.

“We’re already moving in the

right direction,” says Dean Guernsey. “Establishing a Center brings our commitment to the next level. We think it’s time to address the larger, strategic picture, as well as the nitty-gritty, right down to training faculty on outcome assessment, which amounts to far more than a simple grade.” Other activities might include professor mentoring, interim assessment—multiple exams—co-teaching, rewriting curricula, and assessing what students not only know but also what they can do.

Externally, said Lynch, the Center intends to grow its clearinghouse of material so that it’s seen as a national resource by the legal education community (see www.teachinglawstudents.com). She makes reference to her blog, where dozens of legal educators around the country already

contribute on a weekly basis (see <http://bestpracticeslegaled.albany-lawblogs.org/>). An electronic journal and an annual symposium are being explored.

Nationally, at least one law school has designed its entire third year for professional development. For the most part, law schools are taking a more conservative approach: rethinking student outcomes, such as requiring multiple assessments; creating a three-year progressive curriculum, culminating in practical experiences in the third year; offering context-based opportunities throughout all courses; and providing formal classroom development for professors.

“Our challenge is to be creative, more creative than ever before,” said Connie Mayer, associate dean for academic affairs.

Carnegie Study with *Best Practices* Book Spurs National Reform Movement

The Carnegie Foundation examined 16 law schools over two academic years—1999 to 2000—providing the deepest observations of legal education of its time. At that same time, the Clinical Legal Education Association published a book by Professor Roy Stuckey, formerly at the University of South Carolina School of Law, with other legal educators called *Best Practices for Legal Education, A Vision and a Road Map*.

Taken together, the two statements formed a perfect storm, validating a variety of visions long called for by the legal education theorists, empowering the start of a reform movement.

Below summarizes some of the significant findings.

Observations

- Law schools are very effective at socializing students into the standards of legal thinking.
- Law schools primarily rely on only one way of teaching to accomplish their mission: the case-dialogue method.
- Assessment of student learning remains undeveloped.
- Legal education approaches improvement incrementally, not comprehensively.
- Legal education should also give more focused attention to the actual and potential effects of the law school experience on the formation of future legal professionals.

Recommendations

- *Integrate the following:*
 - (1) the teaching of legal doctrine and analysis;
 - (2) introduction to the several facets of practice included under the rubric of lawyering, leading to acting with responsibility for clients; and
 - (3) exploration of the identity and values consonant with the fundamental purposes of the legal profession.
- *Join “Lawyering,” Professionalism and Legal Analysis from the Start.*
- *Make Better Use of the Second and Third Years of Law School.* Law schools could design the third year as a “capstone” opportunity for students to develop specialized knowledge, engage in advanced clinical training, and work with faculty to reflect on their strategies for career and future professional growth.
- *Support Faculty to Work Across the Curriculum.* Both doctrinal and practice courses are likely to be most effective if faculty who teach them have some significant experience with the other, complementary area. Faculty will make significant pedagogical discoveries as they observe one another teach.
- *Design the Program so that Students—and Faculty—Weave Together Disparate Kinds of Knowledge and Skill.* The demands of an integrative approach require both attention to how fully ethical-social issues pervade the doctrinal and lawyering curricula and the provision of educational experiences directly concerned with the values and situation of the law and the legal profession.
- *Recognize a Common Purpose.* The formation of competent and committed professionals deserves and needs to be the common, unifying purpose.
- *Work Together, Within and Across Institutions.* Legal education is complex, with its different emphases of legal analysis, training for practice and development of professional identity. Integration can flourish if law schools can organize their emphases through ongoing mutual discussion and learning.

What Students Will Gain from the Center for Excellence in Law Teaching*

- Faculty who constantly re-evaluate their delivery methods
- Faculty who make formal efforts to improve their classroom skills
- Professional responsibility, identity, and purpose
- An education focused on outcomes: to pass the bar and to practice law
- Marketable skills: a sense of professionalism and skills sought by employers
- An assessment of progress through the year, rather than one final exam
- A more active classroom with more opportunity to participate
- More feedback from professors throughout semester, based on frequent assignments
- An articulate description of outcomes in specific courses

* Bar passage studies support a majority of these activities

A History of Teaching and Learning at Albany Law School

1700 to 1800s	Apprentice system: aspiring lawyers paid a fee to apprentice in a law office. System had varying results.	1911	Court of Appeals requires four years of legal study, three years for college graduates.	1971	Renewed focus on practical skills, bar passage, and a move to ground the theoretical. Attica riots plant seed for law school clinics at Albany.	1997	Creation of concentrations.
1851	School has three professors, all of them practicing lawyers. Albany Law founders argue for formal legal instruction. Classes held Monday to Friday. Written test at the end of each term. Sample course offerings included real estate, wills, personal rights, domestic relations, evidence, property, contract law, New York code.	1924	Emphasis on practical training and professionalism continued, with a specialization on N.Y. state law.	1972	After Kent State event, 100 law students ride in patrol cars to observe police work firsthand, strengthening move to establish clinical program.	1998	Semester in Government for state and federal internships. Two new joint degrees: JD/Masters in Social Work and JD/Masters in Regional Planning.
1861	Students observed court proceedings and legislative sessions.	1926	Debate team competes against other schools.	1975	Clinic established.	2000	Semester in Practice created for second-year and third-year students to experience semester-long placement in judicial and public interest offices.
1870s	Case system introduced. Legal education begins to look a lot like current system. Faculty, all practicing lawyers, expands by several members.	1943	Internships begin with the Albany Legal Aid Society.	1981	Clinical education expanded to include the Litigation Clinic.	2001	Six new LLM programs added.
1880	Two-year program instituted.	1947	GI Bill swells student body; hire full-time non-practicing teachers.	1983	Civil Rights & Disabilities Law Clinic begins.	2003	Low Income Taxpayer Clinic begins.
1903	Lecture series on legal ethics inaugurated. Only 20 of the 70 U.S. law schools taught professional ethics.	1947 to 1948	New courses appear like administrative law, labor law, legal draftsmanship.	1986	Emphasis on faculty scholarship: grants, student assistants, sabbaticals offered to faculty.	2004	Health Law Clinic begins. Two joint degrees added: JD/ Masters in Public Policy and JD/ Masters in Bioethics.
1905	A new focus on state law. Still only “adjunct” professors teaching at the school.	1950s	Students required to participate in moot court.	1989	Academic success program established.	2005	One course on substantial skills required. Excellence in Teaching Award established.
1910 to 1920	National trend swings back from theoretical to Albany Law’s nuts-and-bolts approach.	1952	Problem method adopted by several professors, emphasizing skill over content.	1992	The HIV/AIDS Law Project begins.	2006	Creation of Masters in Legal Studies with a Concentration in Technology Transfer.
		1953	Dean Clement writes an article arguing against clinical education, warning that the school would edge too close to vocational training.	1993	Post Conviction Remedies Project begins.	2008	Curriculum revisions in response to Carnegie Report, resulting in: • Securities Arbitration Clinic begins. • First year curriculum revised; international administrative/regulatory law required. • One-credit one-week winter intersession courses blend doctrinal and skills instruction.
		1958	35% bar passage rate, due to large student body of war veterans ill-prepared.	1994	Family Violence Litigation Clinic begins. Bar passage reaches 95%.	2009	CELT established.
		1961	Student body shrinks, 85% pass the bar, second only to New York University. Professional ethics shifts from 25 hours to 12 for first-year students.	1996	Joint degree program begins with Rensselaer Polytechnic Institute, connecting law, science, technology. Skills Enhancement Series created. Areas are drafting, fact investigation, problem-solving/ADR, and persuasion.		



Classroom clickers let students see their answers collectively and professors assess individual and class progress.

Mayer divides her class into several “law firms,” spurring students to model professional behavior while receiving the same content as from a traditional lecture. “This way it’s more engaging, and students absorb—even enjoy—the lesson. While students are often measured professionally on their knowledge of the law, their success importantly depends on other skills such as communicating, working in teams, analytical reasoning, and problem solving.”

Innovative Assessment

“The primary metrics used to measure a person’s readiness as a lawyer—one exam at the end of the semester, the bar exam, or grade-point-average—are not always great predictors of professional success for a first job or for a long-term career,” said Lynch. “I’ve spoken with successful alumni who found that the traditional law school approach failed to emphasize or encourage the very skills that made them so successful in their careers.”

Improvements have been piecemeal, rarely systemic. “It’s generally agreed that our national system for assessing preparedness is inadequate,” said Lynch. “Let’s be frank: the traditional law school approach was developed in the 19th century. It will take a coordinated effort to make real change, but that doesn’t mean we shouldn’t do it. This is the area where I believe our school could show real leadership.” Furthermore, Lynch added, the ABA will soon be requiring all law schools to demonstrate that the outcomes and assessment tools selected are sufficient to ensure that students are prepared to participate effectively, ethically and responsibly in the legal profession.

“The work we’re talking about here does not require a large financial commitment,” said Guernsey. “It requires thoughtful dialogue among our faculty, and a desire to enhance outdated methods of delivering legal education. This is a process and should create the kind of excitement that energizes all our other activity as well, specifically scholarship and service.” ■

Web Sites for Law Teaching



www.teachinglawstudents.com: A clearinghouse of material hosted by CELT to serve as a national resource for the legal education community.

http://bestpracticeslegaled.albanylawblogs.org: A vibrant blog hosted by CELT where dozens of legal educators around the country currently contribute on a weekly basis.



http://lawteaching.org/: The Web site for the “Institute for Law Learning & Teaching,” a joint effort of Washburn University School of Law and Gonzaga University School of Law.

www.law.umkc.edu/faculty/profiles/glesnerfines/bgf-edu.htm: An online resource called “Teaching and Learning Law: Resources for Legal Education,” a site managed by the University of Missouri-Kansas City School of Law.



This first part of an ongoing series about Capital Region law firms looks at some of the current firms operating 75 years or more in the area.

Region's Founding Firms Share a Rich History

By Paul Grondahl

The founding law firms of the Capital Region, some which pre-date Albany Law School, share a rich history together. A unique set of traits make the firms distinct from any other region. Two Albany-specific characteristics loom large over the past 150 years—their location in the capital of New York, and the generations of Albany Law graduates that have fueled and sustained their prosperity.

*Samuel E. Aronowitz
(Mr. Sam) in his
office at O'Connell &
Aronowitz at 100 State
Street, circa 1925-1935.*



The reasons for establishing their law firms in Albany and keeping them here are as different as the attorneys themselves.

Often the founding partners were expatriates from New York City who discovered they liked Albany living. Firm-founders also planted their seeds here to avoid New York City rents and high salaries to associates, allowing a cost advantage when competing against New York City firms.

With the billable hour roughly twice the price in New York City, the region's larger and smaller firms found themselves at an advantage for government work. Even today, the area's firms are considered a great legal bargain when competing for national accounts.

Being familiar with the judges and lawmakers also helped Albany law firms thrive, effectively prohibiting for years large national firms from entering the market.

For decades, if not still, state government work has been the most prominent single thing that makes the region unique for law firms. While firms have developed niches and a significant base of private sector clients, government work in all its manifestations—including lobbying—has long been king.

Another unique, and uncanny characteristic of the Albany region is the small size of the law firms. In fact, the area's largest law firms are far smaller than the larger firms of Binghamton, Rochester, Syracuse and Buffalo.

Explanations vary on this. The absence of large corporate headquarters and big business in

the region explains some of it. Smaller, boutique firms market themselves on knowing the judges, the courts and the legal system in Albany much better than outsiders, using the stigma of "smallbany" to their advantage.

From their founding to their good fortune of longevity in a steady market, firms have enjoyed more than 150 years of prosperity in the region, sharing a rich history with Albany Law School.

Here's a look at some firms that started here more than 75 years ago.

THE EARLY YEARS

Cooper Erving & Savage and Pattison Sampson Ginsberg & Griffin

Two of the oldest firms in the Capital Region, Cooper Erving & Savage in Albany and Pattison Sampson Ginsberg & Griffin in Troy, predated Albany Law School and can trace their origins to the early 1800s and the birth of the republic. A founder of Cooper Erving & Savage, for example, was Paul Fenimore Cooper, son of the famous novelist of *The Last of the Mohicans*, James Fenimore Cooper. He took over the practice from Abraham Van Vechten, whose firm dated to 1813. Van Vechten performed the legal work for Stephen Van Rensselaer, the Colonial Dutch patroon, and the firm was kept busy during the Anti-Rent War of the 1830s, when tenant farmers revolted and demanded better terms in the payments required by the patroons in

exchange for living on the quasi-feudal estates.

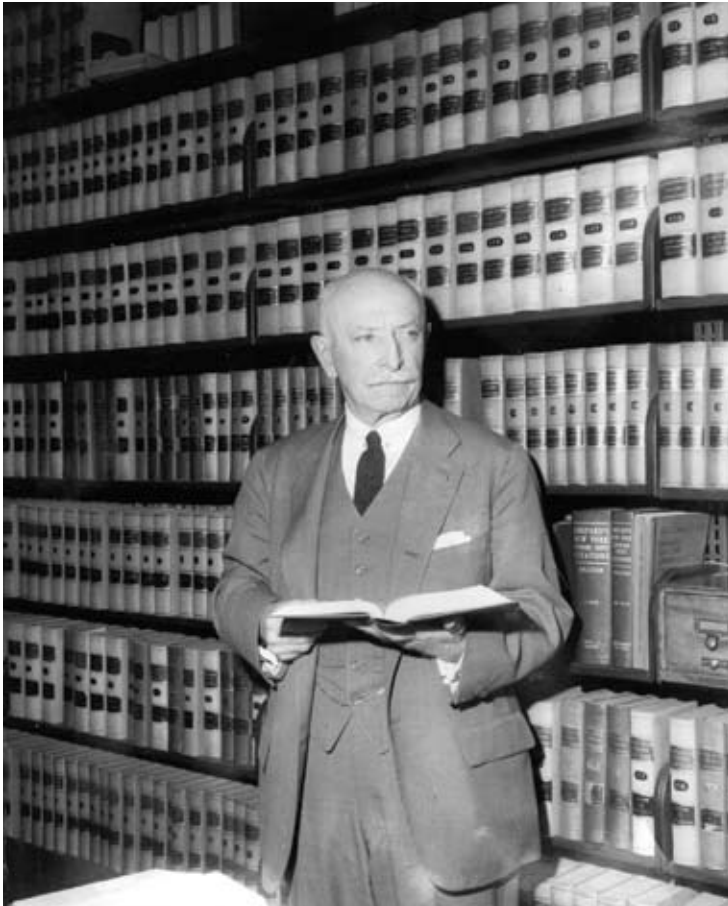
In Troy, the Pattison firm started in the mid-1800s with Edward Clinton Pattison, son of Elias Pattison, who was one of the first boat operators on the Erie Canal when it opened in 1825. Pattison's offices were located in Troy's "Market Block." It has remained a general practice firm with a long family legacy, including Edward H. "Ebbie" Pattison, who joined his father, Edward Aston Pattison, as a partner in 1925 after working in a Wall Street firm.

McNamee Lochner Titus & Williams

When you walk into the downtown Albany law offices of McNamee Lochner Titus & Williams, founded in 1863, you immediately see the portrait of founder Frank A. McNamee in his Army uniform, a veteran of both World Wars. A 1921 Harvard Law School graduate, he immediately joined a small Albany firm and came under the tutelage of partner Robert E. Whalen, an 1898 graduate of Albany Law School. In 1923, the firm was named Whalen, Murphy, McNamee & Creble. Whalen was one of the brightest stars in their firmament and he argued a number of cases before the U.S. Supreme Court, representing New York Central Railroad and large utilities before famous justices Oliver Wendell Holmes, Louis Brandeis and William Howard Taft.

Leonard A. Weiss '48, a special counsel at McNamee,

The firm was kept busy during the Anti-Rent War of the 1830s, when tenant farmers revolted and demanded better terms in the payments required by the patroons in exchange for living on the quasi-feudal estates.



Frank A. McNamee

Lochner is known as “the magician” because he works magic in his role as judicial hearing officer for the New York State Supreme Court. A former Presiding Justice of the New York state Appellate Division, Third Department, Weiss joined the firm in 1994, but knew its notable lawyers and the firm’s rich history during a long career as a lawyer, judge and Democratic Party political leader in Albany. One of more than 33 attorneys at the firm, 18 of the lawyers are Albany Law graduates.

“When I was a young lawyer starting out, I met Mr. Whalen and the Colonel, who was short of stature and very militaristic in his demeanor,” Weiss recalled. “Mr. Whalen was very dignified. They were society lawyers who developed the practice through their connections to the heads of

Albany banks and insurance firms. People of means and pillars of the community gravitated to them because they had a great reputation and stature in Albany.”

Ainsworth Sullivan

When Elizabeth Dumas ’81 and Margaret Comard Lynch ’82, partners in Ainsworth Sullivan, were first hired at the firm fresh out of Albany Law School, there were so few women doing litigation in Albany firms that their presence initially created confusion at depositions. “The other lawyers handed me their cards because they assumed I was the stenographer,” Lynch recalled.

“The biggest concern the other lawyers had when I started was how I would get along with my secretary, since we were both

75 State Street in downtown Albany. Ainsworth, a former Republican Assemblyman and chairman of the Ways and Means Committee, died in 1927. Sullivan was a much younger man, an attorney whose legal skills complemented Ainsworth’s political savvy. “Charlie Sullivan used to say that nothing succeeds like success and we got a lot of work because we were good,” recalled Robert Ruslander ’57, president of his class at Albany Law, who joined Ainsworth Sullivan in 1959 and is now of counsel. When Ruslander started at the firm, Sullivan had lost his sight and yet still came into the office every day and practiced law with visual aid devices. “I had the office next to Charlie and he used me as a sounding board and was a grand gentleman,” Ruslander said.

The firm’s roster of notable alumni includes Presiding Justice Anthony V. Cardona of the New York State Appellate Division, Third Department; and New York State Supreme Court Justice Joseph C. Teresi.



*Charles B.
Sullivan*



*Danforth
Ainsworth*

women.” Dumas and that secretary, Peggy Jubic, now a certified paralegal, have remained a strong team since the first day Dumas was hired in 1981.

By the time Dumas and Lynch broke the gender barrier, the firm had been around for more than 70 years. It was established in 1908 when Danforth E. Ainsworth and Charles B. Sullivan joined forces and established their practice at

Carter, Conboy, Case, Blackmore, Maloney & Laird

With nothing more than a handshake, J. Stanley Carter and M. James Conboy ’19 became partners in 1920 and set up their practice in rented space above Calkins Drug Store on Remsen Street in Cohoes. It was a humble beginning for a firm that has grown into one of Albany’s largest and is now known formally as Carter,



*J. Stanley
Carter*



*M. James
Conboy*

Conboy, Case, Blackmore, Maloney & Laird, with 28 lawyers and nearly two dozen active areas of practice. Beginning with the founder, the connection to Albany Law has remained strong, as 20 of the firm's current attorneys graduated from Albany Law. Carter didn't attend law school in an era when it was not uncommon for a lawyer to apprentice and then to read for the law. It was Carter, a solo practitioner for several years, who represented the United Traction Co. during the trolley company's bitter labor strike that lasted a year in Albany and neighboring cities and his success with labor and employment litigation laid the foundation for future success. Carter and Conboy opened an Albany office in 1927 and also kept their Cohoes office open until 1975, two years after Carter died. They moved to expanded office space in Corporate Woods, a suburban office park, in 1992. The founders' sons, James S. Carter and James M. Conboy, continued to build the practice with a strong reputation for its representation of insurance companies.

"We're known as trial lawyers who are not afraid to liti-

gate," said James M. Conboy, who joined the firm in 1958 and, at 81, continues to visit the law office most days to confer with young attorneys and to read legal periodicals.

"It's great to have the continuity that Mr. Conboy provides and it's wonderful to see him share his insight and wisdom with our young lawyers," said Michael J. Murphy '82, director, chief operations officer and chairman of the firm's executive committee.

"My parents pushed me to go into the law and I'm happy they did," said Conboy. But there will be no third-generation lawyers among the founders' families. Conboy's five children and nine grandchildren have shown no interest in becoming a lawyer, nor have Carter's four daughters.

"My dad told me that outstanding preparation of the law is paramount," Conboy said. "He also told me to remain calm and never lose your cool in the courtroom. Sometimes, though, it's necessary to blow off a little steam at a trial," Conboy said with a sly grin.

Hinman Straub

Harold J. Hinman, a powerful Republican Assemblyman who once challenged for the Assembly Speaker's post and who later served as State Supreme Court Appellate Division justice, was a proven optimist when he started his Albany law firm in 1932 at the height of the Great Depression. He was joined by his son-in-law,

J. Vanderbilt Straub, and Hinman Straub was launched. Today, with 34 attorneys, it is one of the largest in the area and maintains a strong connection to Albany Law School, according to Bartley J. Costello III '72, who is known as B.J., a principal of the firm. Costello's father also graduated from Albany Law School and that connection helped B.J. land his first job. The law school's beloved registrar, Helen Wilkinson, called B.J. into her office one day and said she knew his father and how he struggled to complete law school with young children. When he started Albany Law, B.J. also



Harold Hinman

had two kids and had served on a Navy ship during the Vietnam War. The registrar sent him downtown to see Mr. Straub and Costello's internship in his second year led to an associate's position when there were just eight lawyers. He's been with the firm ever since. Four of the six shareholders who run



Original law firm sign that hung at its first office in Cohoes above Calkins Drug Store in 1920.



Albany Law graduating class circa 1910–1915. O’Connell and Aronowitz both graduated in 1914.

the firm are Albany Law grads. “We hire smart people and what we’ve determined is that Albany Law School provides a practical, hands-on approach to the law and we end up hiring a lot of Albany Law grads because they’re good,” Costello said.

O’Connell & Aronowitz

Although they occupied opposite ends of the political spectrum, Albany Law School classmates Edward J. O’Connell ’14 and Samuel E. Aronowitz ’14 formed a law firm in 1925. O’Connell & Aronowitz has grown into one of the area’s largest, with more than 30 lawyers in Albany and Plattsburgh covering a wide range of practice areas. Aronowitz was an influential member of the Republican Party and a veteran of World War I, who served as state

commander of the American Legion whose early legal efforts were as an advocate for veterans with disabilities. O’Connell was a staunch Democrat who served

as chairman of the Albany Democratic Committee and whose brother, Dan O’Connell, was a powerful Democratic political boss. In that era, brass spittoons were placed beside the desks in the firm’s law library and its all-male roster of attorneys practiced in three-piece suits, with time kept on gold pocket watches.

“It might seem like an unusual combination because of their politics, but they got along famously and were very close,” said senior partner Cornelius D. Murray, who is known as Neil and who joined the firm in 1970 as its ninth attorney. He recalled that when he was an eager young associate who came into the office at 8 o’clock on Saturday morning, Aronowitz would already be there. “He always wore a three-piece suit and he was an old-school attorney,” Murray said. “He



From left, a young Erastus Corning, Ed O’Connell, and Dan O’Connell, of O’Connell and Aronowitz.

liked to reminiscence and he told me a story about Franklin Delano Roosevelt, when he was governor, coming to the office.” Aronowitz, who was affectionately known as Mr. Sam at the firm, died in 1973, following a serious car accident. O’Connell died several years earlier.

Martin, Shudt, Wallace, DiLorenzo & Johnson

Martin, Shudt, Wallace, DiLorenzo & Johnson managing partner Richard P. Wallace ’67 joined the long-established Troy law firm, which traced its roots to the mid-1800s, in 1968 and after a brief stint as a banking executive in Rhode Island. “There was a fair amount of bureaucracy and politics, and I found I didn’t enjoy working for a large bank. The law firm atmosphere here was much more collegial and enjoyable,” said Wallace, who is one of five partners among six who graduated from Albany Law.

The firm is still located on River Street in Troy, as it has been for more than a century. “We consider ourselves the quiet law firm,” Wallace said. “We don’t advertise or tout our clients. People might be surprised at the range of clients we have.”

Lawyers in the firm typically continue to practice into their 70s. “We have an affable organization with very little turnover,” Wallace said. “Our lawyers enjoy it so much they have no desire to retire completely. I plan to stick around for quite awhile, too.”

Maynard O’Connor Smith & Catalinotto

Another firm with a long presence in Albany and a strong connection to Albany Law School is Maynard O’Connor Smith & Catalinotto. The firm was formed in 1919 by William C. Maynard and Gerald W. O’Connor. Their wide-ranging general practice has drawn business and individual clients across upstate and eastern New York for 90 years. The firm expanded by opening an office in Saugerties in the mid-1960s. The firm also has an office in Johnstown, N.Y.

Higgins Roberts Beyerl & Coan

Higgins Roberts Beyerl & Coan, which began in Schenectady in 1837, is among the oldest law firms in New York state and the country as a whole. For the first 158 years of its practice, the firm occupied two different offices on lower State Street in downtown Schenectady. In 1994, it moved to suburban Niskayuna. The firm’s lawyers continue to honor a rich historical legacy with a Latin phrase that has long served as its motto: *Non ut sibi ministretur sed ut ministret*. It means, “Not to be served, but to serve.”

The firm’s practice areas include estate planning and administration, real estate, litigation, education and corporate and commercial law. Five of its eight attorneys graduated from Albany Law. Former partners of the firm include Barry D. Kramer ’68, a judge in Schenectady County Surrogate’s

Court, and Robert M. Carney ’78, Schenectady County District Attorney.

E. Stewart Jones Law Firm

The E. Stewart Jones Law Firm recently celebrated its 115th birthday. Founded by Abbott Jones in 1894, the firm was passed on to E. Stewart Jones, Sr., and then to E. Stewart Jones, Jr., who is currently the chair of Albany Law School’s Board of Trustees. Practically a household name in the Capital Region, in large part from the high-profile cases Jones litigates, his brother, W. Farley Jones ’82, who graduated from Princeton University, also practices in the firm.

Founder Abbott Jones never went to college or law school, but studied the law on his own as a clerk in a law office and ultimately gained admission to the Bar. He developed an extensive private practice, went on to serve as City Court Judge in Troy and was ultimately elected to the position of Rensselaer County District Attorney. When he passed away in 1939, his son, E. Stewart Jones, Sr., partnered with Arthur L. Rosen. “He made the bullets, and I shot them,” Jones Sr. once said of Rosen.

Stu Jones Jr. joined the firm in 1970 after spending 3 years at the district attorney’s office in Rensselaer. “It was a great training ground,” Jones said of his time as an ADA. I was prosecuting highly-visible murder cases three years out of law school.” Things didn’t get quieter when he joined his dad’s firm, where he “learned from the master.”



Abbott Jones, founder of the current E. Stewart Jones law firm



E. Stewart Jones Sr. '35 and Jones Jr. '66, the school's current chair of the Board of Trustees

"In 1974 I was 32 years old and my father at 60 years of age and tired of the pressure of expectations and miracles in the courtroom told me it was time to sink or swim," said Jones. "So virtually all of our cases, civil and criminal, became my responsibility. I was extremely lucky. It was an opportunity few lawyers have. I had exceptional role models, great instruction, genes and my father's name."

For three generations the Jones have kept their firm as a boutique. "It's more manageable this way," Jones said, noting they have five attorneys and 20 people for support. "Our type of firm and our way of practicing may be time limited given how paper intensive, discovery driven and time burdensome the litigation process has become regardless of the complexity, simplicity or stakes of the case."

Thuillez Ford Gold Butler & Young

Roland Ford, class of 1907, almost did not make it to Albany Law School and his family's four-generation connection to the institution nearly never came to be. Ford had to work hard to convince an overly protective mother that he would be fine if he left behind his job as a school teacher in the tiny farming community of Little Falls in the Mohawk River Valley near Utica to venture to the metropolis of Albany to attend law school. Generations of Albany Law graduates are thankful that he managed to prevail over his mother's objections as Ford

went on to found Thuillez Ford Gold Butler & Young, one of the longest-tenured firms in Albany, and earned a reputation as a giant in the law school's annals of memorable professors. Ford taught torts and evidence from 1921 through the late 1950s and remained on Albany Law's faculty until his death in 1970. He also authored the four-volume treatise, *Ford on Evidence*, the definitive text in the field between 1935 and 1960 and often cited by New York's courts. Ford also co-authored with Dean Andrew Clements the standard New York jury charges before the



Roland Ford '07

creation of the Committee on Pattern Jury Instructions.

Shortly after graduating from Albany Law, he entered into a partnership with attorney Harold Hinman. Their small firm focused on commercial and real estate law and they rented office space on lower State Street in downtown Albany. Along with their law books, they found two

items indispensable to their practice: a wood-burning stove to heat the space in winter and a canoe, which they paddled to and from their office during perennial spring flooding of the Hudson River. After the Great Sacandaga Reservoir was built in 1928, ending springtime inundations of downtown, the canoe was packed away. Hinman left the firm in 1919 when he was elected on the Republican line as a State Supreme Court judge. He remained on the bench until 1932, when he returned to private practice and formed the firm of Hinman Straub.

Thomas Ford '47 joined his father's firm and managed to overcome the loss of sight in one eye. He had convinced the Army to allow him to enlist and served in World War II, joining a large law school class of veterans who studied on a 12-month schedule. He treasured a get-well letter written by legal legend Benjamin Cardozo after Ford's blinding injury in the 1930s when Cardozo served on the U.S. Supreme Court. The great jurist wrote that with hard work Thomas Ford might one day become a great lawyer like Ford's father. The young man fulfilled Cardozo's prediction by becoming a co-editor of *Ford on Evidence*, teaching trial practice at Albany Law and befriending Neil Hesson Jr. '37, brother of Albany Law School Dean Samuel Hesson. Neil Hesson joined the firm and tried cases from the 1940s through the 1970s, when it was known as Hesson, Ford.

Dale Thuillez '72, a member of the Albany Law School board of trustees, left behind his studies in physics at Rensselaer Polytechnic Institute and changed his career path by enrolling at Albany Law in 1969. Upon graduation, he joined a firm the Ford family had shaped and soon developed his own strong practice in litigation, particularly insurance defense work, as well as personal injury and product liability cases. Thuillez had a central role in the successful three-year litigation on behalf of New York State against large tobacco corporations that ended in 2001 and resulted in a large financial award for the state, while also being credited with helping to save as many as 90,000 lives annually from the ill effects of tobacco smoke.

Upon graduating from Albany Law, Donald P. Ford Jr. '76 joined the firm his grand-father founded and focused his work on insurance defense, medical malpractice insurance coverage and personal injury litigation. It's worth noting that he met his future wife, Mary Frances Ford '76, while attending Albany Law and their daughter, Daisy Ford '06, co-valedictorian of her class, followed in her parent's footsteps. She is currently a law clerk for Judge P. Susan Read of the New York State Court of Appeals.

"They're a brilliant family of lawyers for four generations now," Thuillez said of the firm. "We've purposely remained a small firm, with seven lawyers currently."

Thuillez called the firm's late partner, Barry A. Gold '71,

who died in 2002, "one of the most beloved attorneys I've ever known. I'm continually reminded of how well-known he was and how deeply people cared about him." Gold's memory lives on at his alma mater. His wife, Sherry Gold, contributed \$1 million in 2006 to establish the Health Law Clinical Program Endowment Fund in the Law Clinic & Justice Center. The funds support representation of low-income clients with cancer or other chronic medical conditions and provides training on legal rights for clients, advocates, health care staff, physicians and law and medical students. Their son, Benjamin Gold '06, works for Legal Aid in New York City.

D'Agostino, Hoblock, Flannery & Jeram

Justice Isadore Bookstein '12 started his firm a year after graduating from Albany Law. Since that time, partners and associates have come and gone, careful never to grow beyond 14 lawyers.

"At our largest time, every lawyer was from Albany Law," noted partner Harry D'Agostino '55, who joined the Albany firm after law school.

Merton Zubres joined the firm in 1937. Bookstein's sons Stanley and Edward came on board as well. Edward became a lecturer in labor law at Albany Law.

Partners today include Kyran Flannery '69, William Hoblock '60 and Thomas Jeram '60.

Albany Law's Board of Trustees established a three-year scholarship to entering students in honor of Judge Bookstein, a

lecturer at the law school and a former member of the Board of Trustees.

McPhillips, Fitzgerald & Cullum

McPhillips, Fitzgerald and Cullum, established in 1911 in Glens Falls, may be the oldest law firm between the capital district and Montreal. James McPhillips, the founder, graduated from Albany Law School in 1896. His partner, Cornelius Fitzgerald, spawned three generations of attorneys, including existing partners William and John Fitzgerald and great nephew Edward Fitzgerald '09.

McPhillips himself generated a legacy of lawyers in the firm, including Bernard McPhillips '42 and Gerald McPhillips.

"Many relatives of the founders have spent their entire careers with this firm" said James Cullum, the managing partner who graduated from Albany Law School in 1967.

Sullivan Keenan Oliver & Violando

Sullivan Keenan Oliver & Violando dates back to 1927 when Edward J. Halter and William J. Sullivan formed Halter & Sullivan. Over the years the name has changed as partners joined and left the firm, and eventually Halter's name was dropped. Sullivan was a well liked attorney who maintained a relaxed, familial atmosphere in the office; his work as a lobbyist continued until his death in 1980.

Among the many notable partners passing through the firm include Hon. John Reffuss,

Along with their law books, they found two items indispensable to their practice: a wood-burning stove to heat the space in winter and a canoe, which they paddled to and from their office during perennial spring flooding of the Hudson River.

LARGEST REGIONAL FIRM RECALLS DEFINING MOMENT



At Washington Park in Albany, Michael Whiteman, top row second from left, and John Hanna, lying on the ground, with, from top left, Jason Gettinger, Richard Parsons, Howard Shapiro, Harry Yohalem, William Donnino holding the football, Jim Ayers and Arthur Quern in the middle.



John Hanna and Michael Whiteman

Whiteman Osterman & Hanna

Although it is the Albany area's largest law firm by a wide margin, with 75 attorneys and 75 office staff, the founding partners of Whiteman Osterman & Hanna recalled their fears at the prospect of leaving good positions with state government under the Rockefeller and Wilson administrations and going out on their own in 1975.

"We had no business at all when we started," said John Hanna, who was deputy commissioner and general counsel of the Department of Environmental Conservation at the time. "I stayed on the job with the state for six months after we had the handshake to go into practice because I had three kids and a mortgage and the prospect of no income was terrifying."

"I remember sitting on orange crates at a card table

when we started," recalled Michael Whiteman, who had been counsel to the governor.

Hanna and the late Melvin H. Osterman, who had no experience running a business, were told they should get a \$100,000 line of credit from a bank so they could pay their employees in a timely manner. At their meeting with the banking executive, Hanna said they wanted \$200,000 and they were given that much in a line of credit.

"Why'd you ask for \$200,000?" a startled Whiteman asked his partner in the elevator after the meeting with the banker.

"I said I was starting to get cold feet about the whole thing and wanted to be able to draw a paycheck if I needed it," Hanna said.

Currently, 14 of 32 partners graduated from Albany Law and 27 of the firm's 75 attorneys are Albany Law alumni.

who went on to become Albany City Judge, Robert Snashall '78 who was appointed Chairman of the Workers' Compensation Board by Gov. Pataki, and John Cunningham '58 who continued his private practice with the firm until his retirement in 2004.

Today, the firms' grads include partners John M. Oliver '94 and Michael D. Violando '96, and associate Matthew J. Leonardo '07.

Wemple & Daly

When William Wemple launched this Schenectady firm in 1887, he could not have known he started something that would last more than a century, partly with the help of William Jr., who started with the firm in 1922 and spent the next 50 years there. When Charles Daly '41 joined the firm, he continued a multi-generation of Albany Law grads, including son James, who is still with the firm.

"I'm the 6th member of the family to graduate from Union College and the third from Albany Law School," James Daly '84 said. Robert graduated in 1974.

While the firm survived over the 20th century, they never employed more than six attorneys at a time.

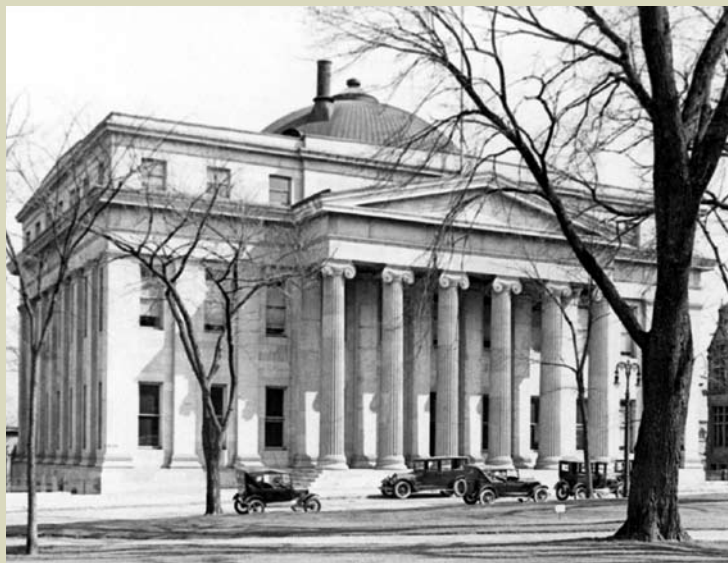
"We've always been a general practice," James Daly said, noting that one of their staple clients back in the day was the Schenectady Trust Co., now Trustco.

TOO FAR TO TRAVEL, EVEN FOR THE COURT OF APPEALS, AN EXPERT ALBANY-BASED APPELLATE BAR RESIDED IN THE CAPITAL

By Robert Emery, Associate Director & Head of Reference, Library

The Court of Appeals, established as New York's highest court by the Constitution of 1846, sat only in Albany. It was not, however, easy to get to Albany. Either by steamboat or by the New York Central, which established New York City-Albany rail service in 1851, it took nearly a full day to get from New York City to the capital. Travel from points west—from Syracuse, Rochester, or Buffalo—took much longer.

Hence grew the Albany "counsel business": a small but expert appellate bar, residing in the capital, employed by lawyers throughout the state to handle cases, on site, before the state's highest court.



Albany lawyers specialized in arguing before the Court of Appeals. Pictured here is the Old State House which is now occupied by the Court.

The Albany Law School Connection

The three examples described below show that lawyers affiliated with Albany Law were prominent in the "counsel business" during the Gilded Age, their arguments before the Court helping to shape the common law of New York state.

Amasa J. Parker (1807–1890) was a founder of Albany Law School and one of its longest serving trustees and professors. He was also Delaware County surrogate and district attorney, state assemblyman and U.S. congressman, member of the Board of Regents, state Supreme Court justice and judge of the Court of Appeals for one year. Parker appeared as counsel in almost 400 Court of Appeals cases over the course of 44 years (starting in 1856). Among his cases were *Bissell v. Michigan Northern* (22 NY 258) which stated the modern doctrine of corporate liability for ultra vires acts; *People v. Hackley* (24 NY 74) on the immunity of witnesses compelled to give testimony; and *Lansing v. New York Central* (49 NY 521) on the fellow-servant rule in torts.

Matthew Hale (1829–1897), unlike Judge Parker, largely stayed out of politics and devoted himself to law. After practicing in Poughkeepsie and New York, he moved to Albany in 1868 and joined the firm that became Hand, Hale & Schwartz, successor in interest to the almost

legendary appellate partnership of Hill, Cagger & Porter. He appeared in almost 170 Court of Appeals cases, making a specialty of complex corporate—particularly railway—cases (such as *Holsapple*, 86 NY 275; *Vilas*, 106 NY 439; and *Tonawanda Valley*, 123 NY 641). He was also one of the winning counsel in the *Bank Tax Cases* (69 US 200) before the U.S. Supreme Court. From 1870 until his death Hale was a professor at the Law School, teaching mostly domestic relations and criminal law.

Nathaniel Moak (1833–1892) was counsel in some 140 cases before the Court of Appeals. A Schoharie County farm boy, Moak supported himself by teaching in

the common schools while reading law in a local lawyer's office. Practicing in Albany starting in 1867, Moak was unusual in distinguishing himself both in corporate law and as a trial advocate. On one hand, for example, he advised Jay Gould's opponents in the interminable "Susquehanna War" for control of the Albany & Susquehanna Railroad Company. On the other, as Albany County district attorney in 1872, he gained national attention for his prosecution of notorious razor-murderer Emil Lowenstein. Although Moak handled the full range of civil litigation before the Court of Appeals, perhaps due to his extensive trial experience he had more than his share of criminal cases—such as *People v. Richards* (108 NY 137: is breaking into a tomb burglary?) or *People v. Schuyler* (106 NY 298: can an appellate court disturb a jury finding of insanity?). From 1882 on, Moak was a professor at Albany Law School where he primarily taught legal research (or, as they termed it in the old days, "books and their uses").

By the time the earliest alumni of Albany Law School reached professional maturity, transportation improvements had broken the Albany appellate bar's monopoly. While it lasted, however, older Albany Law trustees and professors were prominent players in the "counsel business" before the state Court of Appeals.



TO BE OR TO EXIST:

Standards for Deciding Whether Dementia Patients in Nursing Homes Should Engage in Intimacy, Sex, and Adultery

Professor Evelyn M. Tenenbaum

This article is an edited excerpt of the full article, which appears at 42 Indiana Law Review 675 (2009) and <http://ssrn.com/abstract=1470316>

More than half of all patients in nursing homes have dementia. Those who have dementia can live with the condition for a long time. Despite their cognitive decline, their needs for intimacy and sex continue. But nursing homes cannot freely allow sexual relationships between demented residents. Due to their cognitive deficiencies, some sexual relationships between demented adults raise issues of consent, rape, and abuse. Obviously, the nursing home must intervene to ensure that unsafe and abusive relationships do not occur.

Beyond the issues of safety and abuse, there are other concerns. Should a nursing home allow a married resident with dementia to engage in an adulterous relationship in the nursing home? For example, former Supreme Court Justice Sandra Day O'Connor's husband, who has Alzheimer's disease and lives in a nursing home, was having a "romantic" relationship with another woman in the home. Here, the nonresident spouse—Justice O'Connor—did not object to the resident spouse's relationship, but what if the nonresident spouse does object? There are no guidelines to help nursing homes determine whether to allow the relationship to continue, yet the decision involves complex issues concerning adultery, the weight to be given to the resident's prior values formed when competent, and the weight to be accorded the resident's current well-being. Simply ending a relationship without considering these issues would infringe on the resident's rights to privacy and autonomy.

Nursing home patients, like the rest of us, do best when their needs for intimacy are met. Our youth-oriented culture generally ignores, or is repulsed by, the thought of sexually active older adults. This leads to a devaluation of the importance of sex to the elderly. Yet, older adults consider sexual expression to be a natural part of their lives and may actually need physical contact more than younger individuals. Although it may at first seem counterintuitive, sexual

contact is especially important in nursing homes. Nursing homes are places of isolation and loss, especially for dementia patients, and choosing an intimate sexual partner may be important in helping them affirm their own identity and in satisfying their emotional needs.

Encouraging / Discouraging Sexual Relations

Demented patients present a substantial challenge for nursing homes because they may lack the legal capacity to consent to sex and the consent they do give may be difficult to interpret. For example, there are reported instances where demented women mistakenly thought their sexual partners were their husbands. Some patients become disoriented and confused during sex, making the consent ambiguous. And problems may arise when a sexual partner with dementia fails to understand a request to stop or where one of the sexual partners has higher cognitive functioning than the other.

Making matters worse, failure to adequately assess a patient's consent may lead to criminal and tort liability. Engaging in sexual conduct with individuals who are so mentally incapacitated that they cannot consent is a crime. Although sex has been allowed between institutionalized mentally retarded and mentally ill patients, the facilities have an obligation to ensure that vulnerable residents are not raped or sexually assaulted.

The government rarely prosecutes mentally incapacitated individuals who have sexual relations with victims who cannot consent because they do not meet the competency requirement to stand trial. However, administrators and staff at a nursing home can come "dangerously close" to criminally facilitating a sexual offense if they encourage sex between demented individuals and the consent is ambiguous. If families object to sexual activity, facilities may also face tort liability for failure to protect a patient from sexual assault.

To further complicate matters, dementia patients may suffer from sexual disinhibition. Sexual disinhibition results in inappropriate, and sometimes physically aggressive, sexual behavior. Such conduct is caused by the patients' deteriorating cerebral functioning, which diminishes their ability to repress sexual impulses.

Nursing homes must consider all of these complexities and balance the patients' needs and rights to sexual intimacy against their obligation to protect vulnerable residents from nonconsensual sexual contact. They must provide enough supervision to protect against rape and sexual abuse while not oversupervising so that sexual intimacy is stifled.

Some nursing homes respond to this seemingly impossible dilemma by disregarding sexual preferences and effectively forcing celibacy on their demented residents. Others take a more humane approach and work to facilitate healthy and non-abusive sexual relationships.

Nursing homes must also decide what to do if the family objects to a sexual relationship, especially if the objecting family member is the non-resident spouse.

Adultery—Relying on the Nonresident Spouse

"[A]pproximately 75% of men and 35 to 50% of women in nursing homes are married." The nursing home must decide if it has an obligation to defer to the marital spouse's wishes or to the needs and desires of the nursing home patient. This decision is complicated by the fact that the non-resident spouse's desire to end the sexual relationship is probably based on his or her belief that the decision is best for the patient and that the patient would have made the same decision if competent. Relying on the non-resident spouse may also make sense because adultery is a crime in 23 states.

However, adultery laws are very rarely prosecuted and there is no reason to hold demented individuals to a higher standard than everyone else. More importantly, the well-being of the patient should be the nursing home's primary concern, not the existence of 'dead-letter statutes.' Various state provisions and court decisions protect the dignity, privacy, and social preferences of those living in nursing homes. Given the nursing home's obligation to safeguard the residents' "psychosocial well-being" and social preferences, the nursing home should not take steps to end an intimate relationship based solely on the request of the non-resident spouse.

Substituted Judgment

Because the nursing home's obligation is the well-being of its residents, perhaps the home should act as surrogate decisionmaker for the married resident. Substituted judgment would require the surrogate

decisionmaker to reach, as accurately as possible, the same decision the married resident would have reached if competent. To make this decision, the home would gather information regarding advance directives, prior communications, and core values. The resident's values, when competent, could be extrapolated from his or her previously-developed philosophical and religious beliefs, morals, and patterns of behavior.

Courts have traditionally favored substituted judgment, rather than a best interests test, when an incapacitated person was formerly competent. This reflects a policy of respecting the patient's own views and preferences and, therefore, the patient's autonomy.

However, the use of precedent autonomy, which is essentially substituted judgment, presents some serious problems. It would obviously be difficult for the nursing home to accurately predict what the demented nursing home resident would have decided, when competent, about continuing his adulterous relationship. Indeed, there are several studies documenting that family members—even those who were chosen by the patient to be surrogate decisionmakers—are often inaccurate in predicting what the patient would choose when confronted with a specific situation.

More importantly, a person's values and desires may change so much with disability that it no longer makes sense to base decisions on the person's prior values. It is difficult for any of us to accurately predict how we would feel with a given disability. Because a non-disabled person cannot fully understand what life will be like with a disability, values formed before the person became disabled should not control.

Best Interests

The best interests test requires that the nursing home make decisions based on what would benefit the resident the most and cause the least amount of harm. Factors to consider include the resident's "health, safety, and well-being." The best interests test is objective and relies on what a hypothetical average citizen or reasonable person would choose. It does not take the patient's individual preferences into account.

When deciding whether to allow the married resident's relationship to continue, the nursing home administrators and staff may believe that it is more important to the resident's well-being to have family members visit regularly, and feel comfortable doing so, than for the resident to have a relationship with another demented patient. This assessment may even be likely because the able-bodied tend to devalue the quality of life of the disabled, some administrators and staff may have moral and religious objections to adulterous relationships, and nursing homes have strong incentives to cater to families.

Nursing home administrators and staff can come “dangerously close” to criminally facilitating a sexual offense if they encourage sex between demented individuals and the consent is ambiguous.

The nursing home may use its assessment to end the relationship even though the resident may not recognize his family and may derive enormous personal satisfaction from his adulterous relationship.

Functional Competence

Perhaps, the nursing home should determine whether the resident has the functional competence to decide if the relationship should continue. Most courts no longer assess competence by making a single, global decision that a person is competent or incompetent. Instead, they assess functional competence, which allows them to determine that a person is incompetent in some areas but not others.

Competency decisions are technically made only by the courts, not by clinicians. However, clinicians regularly make similar determinations.

Over the past twenty-five years, many state legislatures have recognized the importance of focusing on functional competence and have revised their guardianship laws accordingly. The concept of maximizing patient autonomy has also been extended to long-term care facilities, which are required to provide care in a manner that least restricts the independence and freedom of their residents.

Focusing on functional competence is particularly important to residents with dementia. Cognitive deficiencies with dementia can vary greatly from one person to another. Some demented residents, who would be deemed globally incompetent, have “large islands of competence.”

Continuing An Adulterous Relationship

Based on the limited guidance available, below are four steps for deciding whether an adulterous relationship should continue in a nursing home. The first three steps enable the nursing home to determine if the resident is functionally competent to make this decision himself. The fourth step provides guidance if the resident is deemed incompetent to make this decision.

The first step is to determine whether the resident has the ability to express his or her desires.

The second step is to determine what critical interests or values might be affected by acting on these desires. To have functional competence, the resident should understand the consequences and implications of his decision, especially if it impacts important life values and goals. The relevant critical interests would include the resident’s interest in protecting his family’s feelings, protecting the way he wants to be remembered, and his religious beliefs.

Once the global critical interests have been identified, the third step is to determine if the resident can adequately consider these interests in making a decision. If the nursing home resident can do this, then he should be considered functionally competent to decide for himself if the relationship should continue.

If not, under the fourth step, the nursing home should decide whether the value of the intimate relationship to the resident outweighs the value of the critical interests affected. In determining the value of the critical interests, the nursing home should take into account that demented patients may live for a long time and that the patient’s critical interests may be altered significantly based on changed circumstances.

Conclusion

Millions of elderly Americans will end up in nursing homes; many will be demented, lonely, and depressed. Society has a responsibility to ensure that the needs of these residents are met. That includes fostering rich lifestyles and making their lives as meaningful and enjoyable as possible. For some residents, intimacy and sex can go a long way towards meeting this goal. For this reason, nursing homes should attempt to meet the residents’ sexual needs to the same extent that they support the residents in other areas. This includes evaluating what is best for the resident, even if the resident is engaged in an adulterous relationship in the nursing home and the nonresident spouse objects.

** Lawyering Professor, Albany Law School and Adjunct Professor of Medical Education at Albany Medical College. Professor Tenenbaum wishes to thank research assistants Brian Reese, Michael Pape, Adam Lounsbury, Martin McGuinness, and Will Meacham; and legal assistant Laurie Dayter.*

Publications



Professor Raymond Brescia's article "Part of the Disease or Part of the Cure:

The Financial Crisis and the Community Reinvestment Act" was published in 60 *University of South Carolina Law Review* 617 (2009).



Professor Beverly Cohen's article "Trouble at the Source: The Debates over the Public

Disclosure Provisions of the False Claims Act's Original Source Rule" was published in 60 *Mercer Law Review* 701 (2009).



Professor Patrick Connors' article "Which Party Pays the Costs of Document Disclosure?"

was published in 29 *Pace Law Review* 441 (2009), and his article "The King of New York Practice" was published in the 72 *Albany Law Review* 447 (2009). His article "Decisions Include Negligence, Enforcement of Judgments, Fee Splitting" was published in the *New York Law Journal* (Special Section: Court of Appeals the Year in Review) (August 31, 2009), and "Transition to the 'New' New York Rules of Professional

Conduct" was published in the 241 (no. 94) *New York Law Journal* (May 18, 2009). "Unresolved Issues Over Disclosure of Settlement Agreements" was published in the *New York Law Journal* on Sept. 21, 2009.



William McKinley Distinguished Professor of Law and Public Policy Paul

Finkelman's article "The American Suppression of the African Slave Trade: Lessons on Legal Change, Social Policy and Legislation" was published in 42 *Akron Law Review* 433 (2009), and his article "A Rail-road Lawyer's Finest Hour: Lincoln Issues the Emancipation Proclamation" was published in 9 *Insights on Law & Society* 2 (2009). His article "Race, Federalism, and Diplomacy: A Gentlemen's Agreement a Century Later" was published in 56 *Osaka University Law Review* 1 (2009). He authored entries on "The Centrality of Brown" in *Choosing Equality: Essays and Narratives on the Desegregation Experience* (Robert L. Hayman and Leland Ware, eds.) (Pennsylvania State University Press, 2009), "Lincoln, Emancipation, and the Limits of Constitutional Change" in *The Supreme Court Review* (Dennis J. Hutchinson, David A. Strauss, Geoffrey R. Stone, eds.)

(University of Chicago Press, 2009), and "Thomas Reade Rootes Cobb" in *The Yale Biographical Dictionary of American Law*, 117 (Yale University Press, 2009). Professor Finkelman also co-edited the *Encyclopedia of United States Indian Policy and Law* (CQ Press, 2009) (co-edited with Tim Alan Garrison). His work on *The World of Frederick Douglass, 1817-1895* is scheduled to be published as part of the African American History Reference Series (multi-volume set) (Oxford University Press, forthcoming 2009) (With L. Diane Barnes), and his piece "Barack Hussein Obama: An Inspiration of Hope, an Agent for Change" is scheduled to be published in *African Americans and the Presidency: The Road to the White House* (Bruce Glasrud & Cary D. Winz eds.) (forthcoming 2010).



Governor George E. Pataki Professor of International Commercial Law James Thuo

Gathii's section "Irregulars and the Use of Force Under the U.N. Charter" will be published in *The Meaning of Armed Conflict in International Law* (Mary O'Connell, editor) (forthcoming 2009).



Professor Maria Grahn-Farley's piece "A Child Perspective" will be published in "The U.N.

Convention on the Rights of the Child and N.Y. State Law: A Legal Analysis" in the *New York Law Review* (forthcoming 2009).



Professor Peter Halewood's article "Laying Down the Law: Post-Racialism and the De-

Racination Project" is scheduled to be published in the 72 *Albany Law Review* (forthcoming 2009).



Professor Lenese Herbert will publish the fourth edition of *Constitutional Criminal Procedure*,

4th ed. (Foundation Press, forthcoming 2010) (with Taslitz and Paris).



Professor Keith Hirokawa is scheduled to publish "At Home with Nature: Early

Reflections on Green Building Laws and the Transformation of the Built Environment" in 39 *Environmental Law* 507 (2009), "Critical Enculturation: Using Problems to Teach Law" in *Drexel Law Review* (forth-

coming Fall 2009), and “A Challenge to Sustainable Governments” in 87 (no.1) *Washington University Law Review* ____ (forthcoming 2009).



Professor Michael Hutter argued that the governor of New York state does not have

the power to name a lieutenant governor in a *New York Post* oped titled “Hijacking High Office” that appeared on July 11.



Government Law Center Executive Director Bennett Liebman

authored “The Law Of Racetrack Exclusions” for *Harness Tracks of America* (May 2009).



Professor Alicia Ouellette’s article “Shaping Parental Authority over Children’s Bodies” is

scheduled to be published in ____ *Indiana Law Journal* ____ (forthcoming 2009).



Professor David Pratt’s article “Retirement in a Defined Contribution Era: Making the

Money Last” is scheduled to be published in the ____ *John Marshall Law Review* ____ (forthcoming 2009).



Raymond and Ella Smith Distinguished Professor of Law Patricia Salkin’s

section “The Clash of Law and Politics” was published in *Building Healthy Communities: A Guide to Community Economic Development for Advocates, Lawyers and Policymakers* (Roger A. Clay, Jr. & Susan R. Jones eds., ABA Press, 2009). Her article “Host Community Agreements for Wind Farm Development” was published in 9(5) *New York Zoning Law & Practice Report* (March/April 2009) (with Spitzer and Boosker). She also published the entry “Wind Blows in New York Code of Ethics for Companies Doing Business in New York State” in *Environmental Law In New York* (LexisNexis February 2009), as well as the article “New Code of Ethics for Wind Energy Companies Doing Business in New York: A Back-Door Approach to Regulating Municipal Ethics” in 23 *Municipal Lawyer* 13 (Winter 2009). Professor Salkin’s article “Residency Restrictions for Convicted Sex Offenders: A Popular Approach on Questionable Footing” was published in 9 (4) *New York Zoning Law & Practice Report*, (Jan./Feb. 2009) (with D. Merriam), and her article “Linking Land Use with Climate Change and Sustainability Topped State Legislative Land Use Reform

Agenda in 2008” was published in 37 *Real Estate Law Journal* 336 (Spring 2009). She is the editor of the *2009 Zoning and Planning Law Handbook* (Thomson-West, forthcoming 2009). Professor Salkin will also publish “God and the Land: A Holy War Between Religious Exercise and Community Planning and Development” in 2 *Albany Government Law Review* 355 (forthcoming 2009) (with A. Lavine), “Can You Hear Me Up There? Giving Voice to Communities Imperative for Achieving Sustainability” in ____ *Environmental Energy and Law Policy Journal* ____ (forthcoming 2009), “Seeing the Light through RLUIPA’s Haze” in *The RLUIPA Reader: Religious Land Uses, Zoning, and the Courts*, (Giaimo and Lucero, eds.) (American Bar Association, forthcoming 2009), “Sustainability and Land Use Planning: Greening State and Local Land Use Plans and Regulations to Address Climate Change Challenges and Preserve Resources for Future Generations” in 34 *William and Mary Environmental Law and Policy Review* ____ (forthcoming 2009), and “New York Climate Change Report Card: Improvement Needed for More Effective Leadership and Overall Coordination with Local Government” in *University of Colorado Law Review* ____ (forthcoming 2009).



Professor Evelyn Tenenbaum’s article “To Be or To Exist: Standards for Deciding

Whether Dementia Patients in Nursing Homes Should Engage in Intimacy, Sex, and Adultery” was published in the *Indiana Law Review*, Vol. 42, this fall.



Professor Donna Young’s article “When Customs and Constitutions Collide: The Economics of

Vulnerability, Poverty, Domestic Violence and HIV/AIDS” is scheduled for publication in *International Review of Constitutionalism* ____ (forthcoming 2009).

Awards and Achievements

Professor Paul Finkelman was elected to the membership of the American Antiquarian Society, an independent research library founded in 1812 in Worcester, Mass. His paper “School Vouchers, Thomas Jefferson, Roger Williams, and Protecting the Faithful: Warnings from the Eighteenth Century and the Seventeenth Century on the Danger of Establishments to Religious Communities” was listed on Social Science Research Network’s (SSRN) Top Ten



“Reckless Facilitation”: Professors Share Work with Colleagues

Professor Dan Moriarity kicked-off the first Faculty Workshop Series of the year, where he described to faculty members the problem when a person recklessly encourages or enables reckless wrongdoing by others. Prof. Moriarity went so far as to suggest a statute to cover the behavior, where he coined the phrase “reckless facilitation.”

Every Wednesday, as part of a series coordinated by James Gathii, Associate Dean for Research and Scholarship, a professor presents a scholarly work to the faculty.

download list in the categories of Education Law and Education Law: Primary & Secondary Education. Another paper, “The Centrality of Brown,” was listed on SSRN’s Top Ten download list in the categories of LSPLCL: Rights & Liberties and Education Law and Education Law: Primary & Secondary Education.

Associate Dean Patricia Salkin was elected as a Fellow of the American College of Real Estate Lawyers (ACREL), a 950-member organization that provides

leadership on issues of real estate law, regulation and practice. Her paper “Residency Restrictions for Convicted Sex Offenders: A Popular Approach on Questionable Footing” was recently listed on Social Science Research Network’s (SSRN) Top Ten download list in the category of Criminal Law & Procedure Journals.

Professor Raymond Brescia’s paper “Tainted Loans: The Value of a Mass Torts Approach in Subprime Mortgage Litigation” was listed on Social

Science Research Network’s (SSRN) Top Ten download list in the categories of Property, Land Use & Real Estate Law; Torts & Products Liability Law; and Real Estate. His paper “Part of the Disease or Part of the Cure: The Financial Crisis and the Community Reinvestment Act” was listed on SSRN’s Top Ten download list in the categories of CL: Consumer Credit & Payment Issues, CCPI: Consumer Credit Issues and CCI: Mortgages.



Jay and Ruth Caplan Distinguished Professor of Law Stephen Gottlieb’s paper

“Law and the Polarization of American Politics” was listed on Social Science Research Network’s (SSRN) Top Ten download list in the categories of Democratization: Building States & Democratic Processes and LC: Public Opinion & the Judiciary.

Professor James Thuo Gathii’s paper “War’s Legacy in International Investment Law” was listed on Social Science Research Network’s (SSRN) Top Ten download list in the categories of PIL: International Organizations, IEL: Investment, IEL: Regional Arrangements, PIL: International Courts & Adjudication and PEGERP: National Security & War. His paper “Slippages of the Public/

Private in Resource Wars” was listed on SSRN’s Top Ten download list in the category of IEL: Investment.

Presentations and Panels



Professor Steven Clark presented “Same Sex Marriage: The Tension Between Law and Statesmanship” at Siena College on Sept. 23, Constitution Day.

Professor Evelyn Tenenbaum presented a Public Health Policy and Ethics Practicum at the Summer Clinical Ethics Capstone sponsored by the Alden March Bioethics Institute at Albany Medical College on Aug. 5 and 7.

Professor Alicia Ouellette presented “Health Information Technology as Health Reform” at the Southeastern Association of Law Schools Annual Meeting in Palm Beach, Fla., on Aug. 5. She presented “Shaping Parental Authority over Children’s Bodies, from PGM to Plastic Surgery” at the Case Western School of Law’s 32d Annual Health Law Professors Conference on June 5. Professor Ouellette also presented “Preimplantation Genetic Modification of Embryos” at the Law and Society Association Meeting in Denver on May 30. She presented “The Role of

Professional Conscience in Healthcare” as the featured speaker at the annual meeting of the Schenectady County Bar Association, Schenectady County Medical Association, and Schenectady County Dental Association on April 2.

Associate Dean Patricia Salkin participated in a panel on “Innovative Teaching and Research Strategies for Land Use and Development Law” at the Southeastern Association of Law Schools Annual Meeting in Palm Beach, Fla., on Aug. 5.

Professor Keith Hirokawa participated in a panel on “A Whole New Land Use Law: Teaching New Urbanism, Smart Growth, Green Building and the Laws that Govern Them” at the Southeastern Association of Law Schools Annual Meeting in Palm Beach, Fla., on Aug. 5.

Professor Patrick Connors was a panelist on the New York State Bar Association’s program entitled “Ethics in the Wake of the New Rules of Professional Conduct” held in Albany on June 12. He also presented a program on the new New York Rules of Professional Conduct to the Chaminade High School Alumni Lawyers Association in New York City on June 18. Professor Connors presented a program on the new Rules of Professional Conduct to the Federation of Bar Associations of the Fourth Judicial District at

its annual meeting in Montreal, Canada, on April 25. On April 29, he presented a New York Civil Practice Update to the Broome County Bar Association in Binghamton, N.Y. He presented a program on the new Rules of Professional Conduct and a New York Civil Practice Update to the New York State Bar Association’s Trial Lawyers Section at their Annual Summer Meeting in Newport, R.I., on July 20. He presented a program on the new Rules of Professional Conduct to the New York State Defenders Association at their Annual Meeting and Conference in Saratoga Springs on July 27. He also moderated a panel on the “New’ New York Racing Association (NYRA)” at the Annual Saratoga Institute on Racing and Gaming, in Saratoga Springs, N.Y., on Aug. 4. On Oct. 1, 2009, he co-presented a program on the New York Rules of Professional Conduct (effective April 1, 2009) to the Justices and Clerks of the Appellate Division, Third Department and the Clerks of the New York Court of Appeals. On Oct. 16, Professor Connors narrated an “Ethics Play” at the New York State Bar Association’s Eleventh Annual Institute on Public Utility Law in Albany. The production, which included an update on the new New York Rules of Professional Conduct, also starred Albany Law School Trustee J.K. Hage in the lead role.

Jay and Ruth Caplan Distinguished Professor of Law Stephen Gottlieb presented “The Life Cycle of Democracy and Constitutional Law” at the 21st World Congress of the International Political Science Association at the University of Chile in Santiago, Chile, on July 14.

Distinguished Professor Emeritus of Law David Siegel and **Professor Patrick Connors** presented a New York Civil Practice Update to the Suffolk County Bar Association on Oct. 14, 2009. They also presented a New York Civil Practice Update to the Onondaga County Bar Association on June 26. They presented a New York Civil Practice Update to the Rockland County Bar Association on May 1. On May 8, they presented a New York Practice Program to the managing attorneys of dozens of New York City law firms at the offices of Sullivan and Cromwell. They also presented a New York Civil Practice Update to the Albany County Bar Association on April 17.

Professor Paul Finkelman was a panelist on the topic of “Making History: A Tribute to John Hope Franklin” at Princeton University on April 20. He also presented on “Race and the Constitution” at The Free Institutions Program of the Baruch School of Public Affairs at The City University of New

York on May 4. The topic of the two-day program was “Is the American Constitution Obsolete?”



Professor Elizabeth Renuart presented at a conference called “Consumer Finance Post-

Apartheid: The South African Experience,” sponsored by the Insurance Law Center at the University of Connecticut School of Law on Nov. 20.

Associate Dean Patricia Salkin participated in a land use teleconference for the International Municipal Lawyers Association. She spoke on the subject of ethics in land use planning and decision making. She also spoke for an American Bar Association teleconference on the Religious Land Use and Institutionalized Persons Act (RLUIPA), providing a summary of recent case law and current developments. At the invitation of the Government of Catalunya, Professor Salkin delivered a paper on affordable housing in the United States at the Institut d’Estudios Autonomics, a research institute for the Department de Realacions Institucionals i Participacio in Barcelona, Spain.

Albany Law School Alumni Events

Alumni events are being held throughout New York state and beyond, bringing alumni together to socialize, network, learn about career opportunities and build support for the School. These events provide alumni with the opportunity to meet other graduates in the area, often reconnecting with former classmates and meeting new colleagues. Visit the calendar of events at www.albanylaw.edu/alumni to learn of activities in your region.

If you are interested in hosting an event or in planning events with other alumni, please contact Christina Sebastian, Director of Alumni Affairs, at 518-445-3361 or cseba@albanylaw.edu.

Black Law Students Association Annual Alumni Banquet April 17, 2009 • Hilton Garden Inn, Albany, N.Y.



Omar Stewart '11, Regina Long '98, Barbara Cottrell '84, Phillip McKie '10

Rochester May 7, 2009 • Constellation Brands, Fairport, N.Y.



Front from left, Monique Mazza '08, Leo Sawyko '35, Maggie Dougherty '08, Ashley Baker '08, Megan Thisse '08. Back from left, Adrienne Kepner '08, David Ferris '76, Daniel Rubin '12, Jonathan Ferris '12



Above: Keshrise Mills, Jasper Mills '06, Alejandra Paulino '02, George Ferro '03



Left: Rosetta Rawlins, Destini Bowman '10, John Higgins '89 and Karline Leville



Above: Eric Stowe '06, Adriana Formoso '06, Neha Goel '06, Matthew Piston '06



Left: John Greisberger '50, R. Thompson Gilman '76

ALUMNIEVENTS

Connect Online with Classmates

Stay connected to your classmates and friends and Albany Law School; register by visiting www.albanylaw.edu/alumni, and click on Online Alumni Community.

Register and:

- Search for your classmates
- Update your information
- Submit class notes
- Register for alumni events
- Make a gift to the Albany Law School Fund online

Want online help?

Contact Ariane Garwood, Alumni Affairs Associate at 518-445-3220 or agarw@albanylaw.edu.

Metro New York Happy Hour: June 4, 2009 • Vermilion, New York, N.Y.



Above: Mark Kaplowitz '06, Dana Salazar '05, Abigail Nitka '05

Top, left: Cassandra Hyppolite '98, Jeffrey Gottlieb '73



Bottom, left: Annette Kahler (Director, Center for Law & Innovation), M. Ali Naquvi '10

Capital Region Happy Hour: August 6, 2009 • dale miller, Albany, N.Y.



Above: Cliff Kim, Diane Frazier '96, Don Ampansiri '96, Richard Belliss '97

Top left: Sandra Rivera '02, Gilbert Carey '01



Bottom left: Lauren A. Selchick '06 and Zachary H. Pratt '07

**August 16, 2009 • 13th Annual Day at the Races,
Saratoga Race Course**



Over 100 alumni and friends attended the annual Day at the Races with STARFORADAY winning the 7 furlongs, Albany Law School Race. Guests are photographed with winning jockey Rajiv Maragh in the Winner's Circle.



Dean Guernsey with winners of the Best Hat Contest. Photo left is alumna Alexandra Streznewski '93 with her family. Photo right is Crystal Doolity '04.



Bruce Schreiber and Ronney L. Rosenberg '07, in her homemade hand-sewn Race Day hat.

?

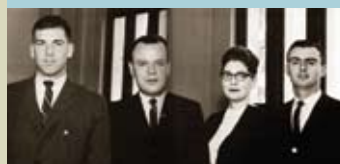
Who are they?

The first five alumni to correctly name anyone in either photo win an Albany Law School cap. The first two to correctly name all in either photo, including graduation year, win a Law School sweatshirt.

Submit your answers to Christina Sebastian, Director of Alumni Affairs, at 518-445-3361 or cseba@albanylaw.edu.



Answers from the last issue.



< Top Photo: left to right, John J. Connolly '69, James W. Sanderson '66, Virginia (Drick) Messing '66, Leo T. Brantigan '66



< Bottom Photo: left to right front, Breanne S. Skivington '04, Marie B. Beckford '04; left to right back, Robert D. Snowden '04, Tara J. Cohen '04



Giving, Spending, Investing

Activity abounds here on Albany Law School's campus. Our newest class is a highly qualified, enthusiastic group of students, we are looking to hire several new professors and we recently celebrated reunion weekend with more alumni in attendance than we have seen in a decade.

We have opened a Center for Excellence in Law Teaching. Our Center for Law & Innovation received a grant that will take them to the next stage of development. The Government Law Center has 20 students researching and writing on important policy developments and our clinics are thriving with growth and client success. Our new and talented dean of student affairs is focused on a pro bono program that has energized the student body. And finally, our faculty scholarship has never been stronger in 158 years.

Our biggest challenge at the moment is employment. As you well know, traditional employment prospects are weaker than they have been for some time and business-as-usual for large law firms may never return. However, this is where the strength of Albany Law's loyal alumni network comes into play. With some 7,500 working alumni across the country, there is no stronger resource that exists for our graduates and alumni seeking employment.

We appreciate those who have answered our call for assistance in providing internships, summer experiences and post graduation positions. In addition, we are grateful to the many who have come to campus (in person and virtually) to speak to students about non-traditional careers, judicial clerkships and federal legal employment. I continue to be amazed at how quickly and positively our alumni respond when asked to help.

Financially, the school remains quite sound. Due to careful long term planning and conservative investment practices, we suffered less than most academic institutions. In fact, our private, independent status has allowed us to respond more readily to the negative market forces.

Dean Guernsey has made it clear that even in these challenging times, some things will not be compromised. We may need further belt tightening, but it will not come at the expense of the academic program. We will continue to keep classes small, accepting only the most qualified.

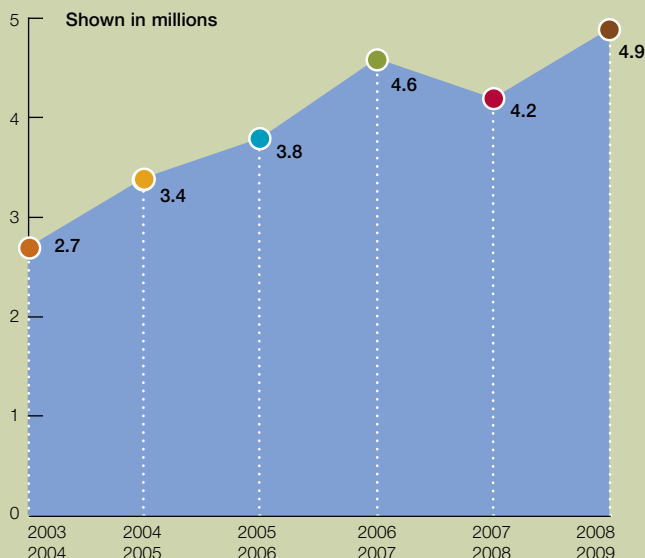
To sustain the momentum, however, we need your continued financial support. As competition increases for the best and brightest, we must be able to respond with minimal tuition increases and more attractive scholarship packages. At the same time, we must continue to provide resources to our clinics and centers and to maintaining our beautiful facility.

Your contribution will make a difference. Please make a gift of any size to the Albany Law School Fund.

Thank you.

Helen Adams-Keane

Investment in Scholarships





Widow honors Grad who took on “Legs” Diamond and New York City

By Nick Crounse

In a career that spanned nearly 70 years in the legal field, Hon. F. Walter Bliss '15 represented his hometown in a successful lawsuit against New York City and thereafter presided over the second trial of an infamous gangster.

Bliss was born in 1892 in the hamlet of Mackey, Town of Gilboa, Schoharie County, N.Y. He attended Cornell University and then Albany Law School before starting his law practice in the Village of Middleburgh, N.Y. Shortly thereafter he enlisted and served a tour of duty in World War I.

After returning to his law practice, Bliss represented the Town of Gilboa in a six-year lawsuit against New York City, ultimately resulting in a successful court decision requiring the City to pay school, town and county taxes on its dam at the Schoharie Reservoir. To date, based on the precedent-setting litigation and judgment, the City of New York has paid approximately \$100 million in taxes to the County of Schoharie and the Gilboa Central School District.

In 1930, then New York State Governor Franklin D. Roosevelt appointed Bliss a Justice of the New York Supreme Court. Shortly thereafter he was elected to a 14-year term. In January 1933, Governor Herbert Lehman appointed him to the Appellate Division, Third Department, making him, at 40 years of age, the youngest judge to serve on that tribunal—a distinction which endures.

Shortly after beginning his career on the bench, he presided over the second indictment and trial of Jack “Legs” Diamond, an infamous prohibition-era gangster charged with kidnapping and assaulting two men in an effort to obtain information about contraband applejack

manufacturing. Despite a number of threats against the Judge and his family, Bliss declined State Police escorts, although he did carry a pistol for self-protection.

When Diamond was acquitted of all charges, Bliss remarked: “While justice may not have triumphed as yet, I doubt the man will enjoy either freedom or his life much longer.” The gangster was gunned down outside his Albany apartment six hours later.

In 1945, after his judicial service, Bliss returned to private practice, establishing, with his law partner Warner M. Bouck, offices on Main Street in Schoharie, N.Y., as well as in Albany, N.Y. In 1950 Judge Bliss was nominated for the office of Governor of the State of New York by upstate Democratic delegates; he declined the nomination choosing to focus his pursuits on practicing law.

In 1963, after the dissolution of Bliss, Bouck and Holloway, Judge Bliss returned to a solo law practice in Schoharie. In 1965, by reference from the Court of Claims, Justice Bliss (then 72 years of age) was one of a panel of three referees appointed to hear and decide an action against the State of New York brought by the New York State Thruway Authority; the award was upheld upon appeal.

Thereafter Judge Bliss continued to practice law, argue appeals and provide counsel until he died on Sept. 8, 1982, at the age of 90. He was survived by his widow, three daughters, 13 grandchildren and two great grandchildren.

Beyond Judge Bliss' life of law, he devoted countless hours and resources to the communities in which he lived, including establishing, at Roxbury, N.Y., a retirement home for members of the clergy, the construction of the Middleburgh Central School, the Middleburgh Post Office, and the Schoharie County Community Hospital at Cobleskill. Judge Bliss was also involved with countless organizations and endeavors. In recognition thereof on May 31, 1975, he was awarded the Albany Law School's “Gold Medal for distinguished public service.”

To date, Judge Bliss remains the only native of Schoharie County to serve on the Appellate Division, Third Department, of the Supreme Court of the State of New York.

\$50,000 Gift to establish the Hon. F. Walter Bliss '15 Scholarship Fund

Judge Bliss' widow, Margaret N. Bliss, as part of her estate planning, has recently announced her intention to donate \$50,000 to Albany Law School to fund a student scholarship. The scholarship will be named the “Hon. F. Walter Bliss '15 Scholarship Fund.”

“Considering the Judge's pride and pleasure in helping many young people with their educational and professional pursuits, this is the kind of legacy he would have wanted to leave,” she said.

Career Week

Albany Law School's Career Center organized a full spectrum of programs for Career Week this fall.

Career Week started with Speed Networking, where students rotated through 20 alumni one-on-one to discuss careers and job searching. A Law Firm Forum offered students the chance to meet partners, associates and hiring personnel from firms of all sizes.

Other programs included a national speaker who discussed "Guerilla Tactics for Getting the Legal Job of Your Dreams," an Assistant U.S. Attorney, associates and partners from a number of law firms, and a reception sponsored by the New York State Bar Association featuring its President-elect and Albany Law School graduate Stephen Younger.

Career Week was sponsored by the New York State Bar Association and the Capital District Women's Bar Association.



Author Advises on Landing the "Legal Job of Your Dreams"

Kimm Walton, author of Kimm Walton: Guerilla Tactics for Getting the Legal Job of Your Dreams, this fall spoke to students about job-hunting techniques, from creative networking to finding the hidden positions.



Steve Younger '82 talked to students during a New York State Bar Association reception, where students visited information booths to learn about the professional sections. Younger, a partner at Patterson Belknap Webb & Tyler, is the president elect of the N.Y.S.B.A.



William Little '05 and William Decaire '00 speak to students about their firm Carter, Conboy, during the fall Law Firm Forum.



Lois Smith and Joann Sternheimer (pictured closest), both of Deily, Mooney and Glastetter, talk to students interested in their firm.

Preparing for the New York Interview

Matt Laroche '10 and Erika Winkler '10 spoke to about two dozen 2L students who were traveling to New York later that week to interview with large firms and district attorney offices. Laroche, who spent his summer at Milbank Tweed, and Winkler, who worked at Dewey & LeBoeuf, told the students to do their research, learn everything about the firm, understand why you are interested in that specific employer, and be personable.

"They know you are qualified, they've seen your resume," said Joanne Casey, Career Center director. "Now they want to know if you're a good fit. Let them get to know you a little."



Speed Networking



A Speed Networking event kicked off Career Week, where students rotated through 20 alumni one-on-one to discuss careers and job searching.

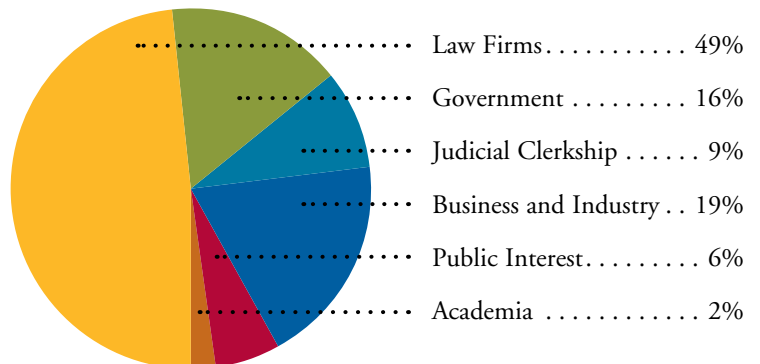
'08 Employment Rate Reaches 94% Amidst Tough Economy

Despite the tough economy, Albany Law School reported a 94 percent employment rate in legal positions for its 2008 graduating class. The national average is 90 percent, according to the National Association for Legal Career Professionals, the group that collects the data.

However, this year's 2009 graduates face a different employment landscape, where some traditional opportunities are currently closed, particularly positions at the larger New York firms.

The Career Center continues to work hard to create new opportunities and is urging alumni to consider hiring Albany Law graduates when filling new positions.

Class of '08 employment by sector:



CLASSNOTES

{ F A L L 2 0 0 9 }

1955

Carl J. Cochi has received the Hugh R. Jones award for exemplary service to the community and the legal profession from the Oneida County Bar Association.

1959

Louis Brindisi opened the Union Grille restaurant/pub in Saratoga Springs, N.Y. Mr. Brindisi's law firm is in Utica, N.Y.

1960

James Devine was honored by the Oneida Healthcare Foundation which dedicated the 2009 Follies in his name.

1964

Hon. Thomas McAvoy was appointed by U.S. Supreme Court Chief Judge John Roberts to represent the 2nd Circuit on the Codes of Judicial Conduct Committee.

1968

Judge Jan H. Plumadore has announced his retirement as the deputy chief administrative judge for the courts.

1969

Harvey Randall had his most recent book, *The General Municipal Law Section 207-1 and 207-c Book*, published electronically.

1971

Hon. Richard A. Hanft has been appointed to the Rensselaer County Family Court bench.

1973

The **Hon. Anthony Carpinello** has joined JAMS Financial Markets Group in New York City. He will be an arbitrator and mediator.

Edward F. Skoda has been selected by N.Y. Gov. David Paterson to fill the vacant Fulton County Family Court judge position until elections in November 2009.

1974

Lenard Schwartzner was interviewed by the *Las Vegas Review-Journal* for his work in the bankruptcy courts in Nevada, including some high profile cases.

1975

James Clough has joined the Orange County law firm Quinlivan Wexler LLP as a partner.

1976

Neil Burstein, an entertainment and intellectual property lawyer, sold the film rights to his client's book "Taking Woodstock: A True Story of A Riot, A Concert and A Life."

1978

Richard Cassidy has received the American Bar Association's 2009 Grassroots Advocacy Award.

Hon. Michael V. Coccoma has been appointed Deputy Chief Administrative Judge for Courts outside New York City.

Debra A. Scullary has been promoted to Air Force Reserve brigadier general. She is also president of a consulting firm.

1979

Williams J. Hooks was appointed the 26th State Reporter by the N.Y. State Court of Appeals.

1980

Hon. Richard Dollinger has been appointed Court of Claims judge to serve as an acting state Supreme Court Justice in the Seventh Judicial District.

Jamie Woodward has been appointed acting commissioner of the New York State Department of Tax and Finance.

1981

William G. Bauer received the New York State Bar Association's Law, Youth & Citizenship Program Distinguished Attorney Award for expanding the Monroe County Rubin Mock Trial Program. Bauer is a partner at Woods Oviatt Gilman LLP in Rochester, N.Y.

1982

Linda Cohen has been named the executive director of the N.Y. State Dispute Resolution Association in Albany, N.Y.

Janet Kaplan has received the Kimberly A. Troisi-Paton Leadership Award from the Capital District Women's Bar Association.

Thomas R. Monjeau is an assistant attorney general in the Claims Bureau of the Albany office of the Office of Attorney General.

Michael J. Murphy recently was elected president of the Northern District of New York Federal Court Bar Association.

Kris Van Lengen has been named the city planner for Marco Island, Fla.

1984

Amy Groveman has been promoted to senior vice president and deputy general counsel at Cablevision Systems Corp. in Bethpage, N.Y.

Leonard Steinman has been appointed chairman of the Nassau County Industrial Development Agency.

1985

Teresa Rossi is legislative counsel at Patricia Lynch Associates, Inc., a government affairs media relations firm.

1986



Edward J. Glackin has joined Colin Development, LLC as their chief operating officer.

Kathleen M. Ryan recently became a partner in the law firm of D'Agostino, Krackeler & Maguire, P.C.



Legal Counsel at Eastman Kodak

Eastman Kodak has a long history of hiring Albany Law School alumni. The company also routinely employs summer associates from Albany Law.

Pictured here, at the company's Rochester, N.Y., headquarters, are, from left: Jan McConaughy '88, Senior Counsel, Corporate Business and Regulatory Staff; William Zimmerli '94, Patent Counsel, Office of the Chief IP Counsel; Dale Skivington '79, Assistant General Counsel & Director of International and Employment Legal Staff; Julianne Oehlbeck '98, Senior Counsel, WW Corporate, Business & Regulatory Legal Staff; and Patrick Sheller '86, Corporate Secretary & Chief Compliance Officer.

Patrick Sheller has been elected corporate secretary at Eastman Kodak Company in Rochester, N.Y.

1988

John J. Gable has joined the firm of McGlinchey Stafford, PLLC, in Albany, N.Y.

Lisa Lorman was elected Amsterdam, N.Y., City Court Judge.

1989

Rosemary Weaver McKenna has joined the law office of Kara Conway Love '90.

1990



Kara Conway Love received the 2009 Women of Excellence

Award by the Albany-Colonie Regional Chamber of Commerce in the category of Excellence in the Professions for her professional achievements and dedication to community service.

Margaret Surowka Rossi, of Hiscock & Barclay, LLP, has been elected to the board of directors of the National Society of Dental Practitioners.

Andrea Terrillion has been named Yale University's chief labor relations official.

Robert Voltz has joined the personal injury law firm of Cellino & Barnes in their Rochester, N.Y., office.

1991

Linda Clark, of Hiscock & Barclay, LLP, has been appoint-

Withiam Negotiates Firm's Acquisition by Media Giant, Stays on as General Counsel

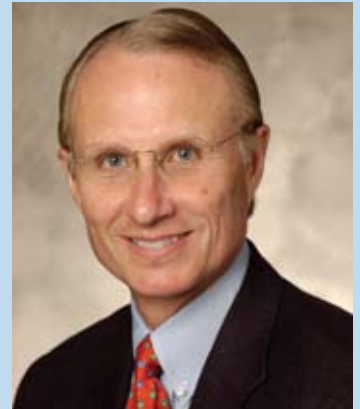
"War is hell," reflects **Jack Withiam** '74 when asked about his interest in reading historical narratives of war and past events. "Reading about it humbles me and gives me broad perspective." It is also his modest and rural upbringing in the Southern Tier of New York that allows him to appreciate all that has come before and after.

Withiam has spent the last 31 years working for George Little Management (GLM), most recently as executive vice president and general counsel. Prior to 2007, GLM was a family owned corporation founded in 1924 that grew to be the largest producer of consumer product tradeshows in the United States.

In 2000, GLM started negotiating its acquisition by DMGT, one of the largest media companies in the United Kingdom. Providing initially for just part ownership in GLM, the agreement called for DMGT to become the sole owner over time. Withiam had reservations about being acquired.

"We were not just family-owned, all of the employees were treated as such and all were important to the success of the company," he said. Withiam, instrumental in the negotiations, ensured that the merger was favorable for the entire staff and allowed the company to continue to be promoted under the GLM brand.

After working for the company for nearly 30 years and assisting in the successful transition,



Jack Withiam '74

Withiam thought this might be time for retirement. He couldn't have been more wrong. As a result of GLM's full acquisition by DMGT in 2007, Jack was promoted to Senior Vice President and General Counsel of dmgt world media, a subsidiary of the parent company. Over the past two years, he has found himself traveling more—from San Francisco to Phoenix to London—but enjoying it a great deal.

It was a friend from Hamilton College, Jeff Little, that brought Withiam to GLM in 1978, only a few short years after law school. Jack and his wife, Lynda, have three boys and one girl.

It was in law school that he met two lifelong friends: Tony Fitzpatrick, a fellow classmate and a good varietal, and Morty Schwartz, the owner of the wine shop where Withiam worked to finance law school, who taught Withiam about wine.

Today Withiam boasts a wine cellar of nearly 3,000 bottles.

—James Kellerhouse

Domby '79 Embraces Unexpected Career Path in Nuclear Energy

When **Arthur "Art" Domby '79** came to Albany Law School, he was most interested in studying environmental law, eventually focusing his attention on specific topics such as endangered species and land use regulation. However, a conversation with classmates over coffee about the Three Mile Island incident that occurred in Pennsylvania during his third year proved to be a foreshadowing of his ultimate career path.

"Many career opportunities appear to incrementally grow or evolve over time, and they do not sprout fully formed from the Career Center's postings and advertisements for attorneys," he said. "Little did I know that the completion of two of the last nuclear units in the 1980s and the development of the first two nuclear units in the late 2000s potentially will bookend my legal career."

Domby joined Troutman Sanders upon graduation from law school when the firm was based solely in Atlanta and had approximately 55 lawyers, seven of whom were involved in energy and environmental law. Over the past 30 years, the firm has grown exponentially to include 700 attorneys in 15 cities on three continents, with more than 80 attorneys comprising Energy and Environmental & Natural Resources practice groups.

Now a partner and practice group leader specializing in nuclear regulation, Domby represents clients in a wide variety of environmental, natural resources and energy law matters.



Arthur "Art" Domby '79

He has served as a nuclear energy counsel for nuclear plants since 1985, and he frequently represents Nuclear Regulatory Commission licensees across the country in administrative agency licensing proceedings, investigations and enforcement actions. He also provides strategic advice to nuclear energy clients regarding new nuclear power plants.

Throughout the evolution of his career, Domby has benefited from some of the advice he received during law school. "As many Albany Law School professors, including Professors Anderson, Wallace and Siegel, among others, admonished us as students: maintain your integrity, your ethical standards and your values in your practice of law, and remain objective in counseling your clients," he recalled. "Heeding that advice has proven itself valuable for me in screening prospective clients and representing existing clients."

Domby took the opportunity to share his experiences with the current crop of Albany Law students by speaking to

A conversation with classmates over coffee about the Three Mile Island incident that occurred in Pennsylvania during his third year proved to be a foreshadowing of his ultimate career path.

Professor Keith Hirokawa's environmental law class and during a presentation with students at the Career Services Center. He was visiting Albany for his 30th reunion.

When back home in Atlanta, Domby, his wife and their three children have undertaken the lengthy process of rehabilitating a timber tract in central Georgia. After 13 years of prescribed burns and selective harvesting, the family has restored the land to the point that it is habitable for a wide selection of animals, including deer, beaver, owls and raccoons.

An avid runner, Domby and a former partner have participated in the Atlanta Thanksgiving Day Half-marathon for the past 25 years. He also competed in the law school's 2nd Annual 5K Run during reunion weekend.

—Nick Crounse

ed to the advisory group of the New York State-Federal Judicial Council.

The **Honorable Diane Davis** has been appointed a Federal Court Bankruptcy Judge for the Northern District of New York.

James F. Moyle has joined as a partner Alston & Bird in the Securities Litigation and Commercial Litigation Group in New York.

Sen. John Sampson has been elected N.Y. State Democratic Conference Leader.

1992

Adam Hoffman, assistant professor of political science at Salisbury University, has been appointed co-director of the school's Institute for Public Affairs and Civic Engagement.

Gregg Johnson and **Christopher Lemire** have opened a new law office of Lemire Johnson LLC in Malta, N.Y.

Eleanor M. Zimmerman has joined Hodgson Russ's Corporate & Securities Practice Group in the law firm's Johnstown, N.Y., office.

1993

Jill A. Dunn has received the Hon. Judith S. Kaye Distinguished Member Award from the Capital District Women's Bar Association.

Patricia Wager has been named partner in the New York City law firm of Torre, Lentz, Gamell, Gary & Rittmaster.

Patent Counsel for Johnson & Johnson, Colby Helped Open IP Field for Women

Joseph Zappone is a partner in the Albany restaurant Quintessence.

1994

Joseph Johnson III has been named a partner at Eaton & Van Winkle in New York City.

Margaret Vella, a partner at Reed & Vella, LLP, was recently honored by The Children's Center at Albany County Family Court.

1995



Regina Morano has been promoted to vice president of legal and regulatory

affairs & general counsel for the Thompson Health System.

Charlie Scibetta is a partner in the newly formed firm of Chaffetz Lindsey LLP in New York. The firm will specialize in international arbitration, reinsurance, and commercial litigation.

James S. Rizzo has been made a partner at the firm of Saunders Kahler, LLP in Utica, N.Y.

Kenneth Rosenberg has been elected a trustee to the Essex County Bar Association.

1996

Gillian Hirsch is counsel to the deputy majority leader N.Y. State Sen. Jeffrey D. Klein.

Kevin Wicka has been named partner at the Buffalo law office of Brown and Tarantino.

"I always enjoyed science in school and was fascinated by the subject matter," said **Andrea Loshin Colby '80**.

Pursuing that interest eventually resulted in Colby's enrollment in Rensselaer Polytechnic Institute's Environmental Engineering program, where she was one of two women in the program that year, receiving RPI's Caird Prize for Excellence in Environmental Engineering. After obtaining her undergraduate degree, she decided to attend Albany Law School.

"So many pathways are possible with a law degree," she said. "You can really help people who depend on attorneys as guides to navigate laws and get them where they need to be."

Andrea Colby is now an associate patent counsel at Johnson & Johnson, the New Jersey-based health care company with facilities around the world and more than 120,000 employees. She is responsible for counseling several of Johnson & Johnson's consumer sector businesses on a broad range of patent and intellectual property issues, including intellectual property strategy, licensing and patent procurement.

When she started with the company 22 years ago, she was the 22nd patent attorney in the department. The Johnson & Johnson Patent Law Department has since grown to include more than 90 attorneys, and Colby is the hiring manager and sits on the department's management



Andrea Loshin Colby '80

committees.

Prior to joining Johnson & Johnson, she was an associate with Morgan & Finnegan, an IP law boutique in New York City. She specialized in patent prosecution and patent, trademark and copyright litigation for clients ranging from inventors to research laboratories and entrepreneurs to large companies. She began her legal career as a patent attorney with Union Carbide Corporation, gaining experience in patent prosecution and agreement work in the chemical sector.

"You should never feel limited by other people's attitudes. You should always strive to reach your full potential," said Colby, noting that there were only about 100 female patent agents and lawyers in the country when she graduated from law school. "Some individuals assumed that because we were women, there were aspects of the practice we couldn't do as well as male attorneys. We worked hard.

We proved them wrong."

Colby has lectured extensively on topics related to patent and intellectual property law. She has regularly participated in teaching "Intellectual Property Law for General Attorneys" for the New Jersey Institute of Continuing Legal Education, participated in planning the first "Joint IP Seminar" sponsored annually by the New York, New Jersey, Connecticut and Pennsylvania IP Law Associations in 1985 and continues to speak at the annual Seminar. She is a member of the New York and New Jersey Intellectual Property Law Associations, as well as the American Intellectual Property Law Association.

Colby earned a Masters of Arts degree in Organizational Management from the Fielding Graduate University of Santa Barbara, Calif., in 2002. Her community involvement has included service on the boards of directors of TADA!, a children's theatre group, and the New Brunswick Chamber Orchestra.

She currently serves on the Board of Trustees of Young Audiences of New Jersey, an arts education organization. Her passion for the arts extends to performance as well. She gave a piano recital four years ago, and is in the midst of "gearing up for another performance next summer." She lives in Metuchen, N.J., with her husband Michael, a musical theatre lyricist, their son Steven, a junior in college, and their standard poodle Max.

—NC

Managing the IPOs Then, and Structuring their Bankruptcies Now

Paul Cohn '81 remembers working on Lehman Brothers' IPO over 25 years ago while at Skadden Arps. Today, at Weil Gotshal, he is helping restructure parts of Lehman in its bankruptcy.

He can detail most of the financial cycles during his career, from the merger and acquisitions heydays of the 1980s, the '87 crash, the savings and loan crises, the rise of securitization and structured finance—and their recent free fall—the emergence of private equity as a market force and now, perhaps, the role of private equity as a key player in restoration of the capital markets.

"The capital markets always run in cycles," Cohn said. "It's a process. The boom cycle of securitization has come to a screeching halt, and now we have to look at what went wrong at the end of the process. And we have to look at what makes sense to preserve."

Cohn can't help but see the big picture, given the enormous size of the transactions he's handled. This includes two first-ever combinations of an IPO with a securitization for aircraft companies completed in 2006 for General Electric Capital Aviation Service's launch of Genesis Lease Limited; and in 2007 for Babcock & Brown's launch of Babcock & Brown Air Limited. Both transactions realized proceeds in excess of \$1.3 billion from the IPOs and simultaneous securitizations.

While his work covers a variety of financial transactions,

some of the most visible are the large bankruptcies, where, as he said, "We're trying to sort out the salvageable pieces of the carcass."

"I've always done complex corporate transactions—which has often been about building companies," Cohn explained. "Restructuring is no different. You're dealing with a tainted product, but it's still about building. You need to be creative. What parts do we rescue? How do we best keep the solid businesses going?"

Cohn cited the iconic Enron collapse to make his point. "The headlines are about the excess. But you don't hear about the 30 or so companies that spun out of Enron and which now employ tens of thousands of people and remain profitable."

Like the end of any prominent cycle, he said, "business changes. But it also stays the same. As we enter the next cycle, the business fundamentals don't change."

For the near future, Cohn sees a round of careful bank lending, and smart private equity growth, where investors will be looking for moderately leveraged bargains in the middle and upper markets. "Money isn't free anymore," he said. "We all know this personally since people aren't going to get 13 credit card offers every month anymore. Business will be conducted much more rationally."

He described the largest changes in the globalization of finance—off-shore deals, like the infusions of capital in India and Asia for example. "This adds a level of complexity and variety."



Paul Cohn '81

Cohn has a B.S. in Civil Engineering from Princeton University. And while he's not building bridges, he said the combination of his engineering and law degrees give him the technical rigor and ability to build complex financial structures required for his field.

"These large deals are financially complex," he said. "Each cycle adds more levels, and you need to bring your previous experience with you to apply it to the next round of transactions. The math and science and law that I learned in school and in the practice of corporate law give me the discipline and precision needed to approach this work properly."

Cohn has fond memories of his law school experience. He likes to mention how Prof. David Siegel made a call to Skadden Arps on his behalf, leading to Cohn's first law job and subse-

quently launching his career. He also likes to recall how impressed he was, and is, by Albany Law School professors' keen ability to provide students with rigorous legal foundations and training, while sharing their real world experience and genuine enthusiasm for their areas of specialty. —DS

"Restructuring is no different. You're dealing with a tainted product, but it's still about building. You need to be creative. What parts do we rescue? How do we best keep the solid businesses going?"

Three Years and 450 Books Deep, Lyons Searches for the Blockbuster

1997

Leigh A. Hoffman has received the Pro Bono Award from the Capital District Women's Bar Association.

Gerard Wallace has received the 2009 Generations United Grandfamilies Award.

1998

The **Honorable Andrew Ceresia** has been confirmed by the New York State legislature to serve as a Rensselaer County judge.

Kevin Hickey has been recognized as an "Up & Comer" in the Capital District of New York by the newspaper the *Times Union*.

Glenn King received the Louis J. Lefkowitz Memorial Award in recognition of his work in the Claims Bureau defending New York State.

David Rossi has been promoted to chief assistant district attorney of Albany County.

1999

Debra Keiser Burg has joined Lewis & Greer in Poughkeepsie, N.Y., as an associate.

Jacinda H. Conboy has joined the firm of Lemire Johnson, LLC, as an attorney.

Kimberly Hunt Lee became a partner in the law firm of McCabe & Mack in Poughkeepsie, N.Y.

Carrie Perfetti has been named director of corporate compliance at Liberty Administration in Amsterdam, N.Y.

It was three years ago this fall when **Tony Lyons '93** rented 2000 square feet in midtown Manhattan, armed with a college intern, some used furniture, and two decades of book-publishing experience. Twelve months later he had 100 books selling on the market.

These are not great times to grow a business. But for Skyhorse Publishing, growth has been decent—450 books out, 14 employees and \$6 million in revenue this past year. Lyons thinks it may be the fastest growth ever for a new publisher.

He points to a few successes that helped carry his larger catalog: "Jesse Ventura's *Don't Start the Revolution Without Me* hit the *N.Y. Times* best seller list; *Back to Basics* sold 70,000 copies; and riding the pop-culture vampire wave, *The Zen of Zombies* sold 50,000.

Some of these strong sellers are surprises, others are anticipated and targeted for the extra push. "Also, when something is working, we like to stay with it," Lyons said, noting a follow up to *Back to Basics*, called *Homesteading*, from the same author, as well as the forthcoming zombie-follower *ZEO*.

Not all the books sell as expected. Lyons published the first book on N.Y. Giants quarterback Eli Manning, shortly before he won the Super Bowl. But sales fell flat, and his optimistic print run forced him to eat thousands of copies.

"I'm always looking for good ideas, good authors, good books," said Lyons.



Lyons, holding one of his favorite stories

As the in-house lawyer for Skyhorse, he has untangled a dozen or so conflicts, one of them unsuccessfully which wound up getting covered in the *N.Y. Times*. The book, now canceled, faced several potential lawsuits, including boxer Shane Mosley threatening a defamation suit for author Victor Conti's details of Mosley's steroid use.

"I was ready to defend the suits against that book," said Lyons. "But in the end, our insurance company was not keen on insuring it, which meant we had to cancel the book."

Lyons also talked about a co-author who tried to stop the reprint of her book (he was working with the other co-author). He recalled specific code from a law school class that required permission from only one author on a collaborative effort. Based on this memory, he fended off a lawsuit threat from the co-author's lawyers.

While Lyons has been in publishing for his entire career,

he remains grateful he went to law school. "Like they say, Albany Law provides the intellectual and analytical foundation that would prove useful for any field. That I've had my own publishing companies has made the education, and training, that much more valuable."

All Skyhorse books are also offered in electronic format, and while the profit margin is less than print, Lyons likes the electronic sales. "People who buy our electronic books typically buy a print copy too," he explained.

Lyons has written a few books himself yielding moderate success, such as *The Quotable Dad*, and *The Quotable Lawyer*, both published by Lyons Press, the company his father founded, where Lyons cut his teeth in the business for 12 years, before eventually running and then selling the company.

Today Skyhorse receives around 1,000 unsolicited manuscripts a year, and another few hundred from agents.

"What makes it different at Skyhorse than the bigger houses," Lyons said, "is that it's a very personal process. The author can be involved in pretty much every step of the publishing process."

"I love publishing books," said Lyons. "I've been publishing in the same general categories since 1993, and I know them well."—DS

To learn more, visit www.skyhorse.com or email him at tlyons@skyhorsepublishing.com.

Finding Her Purpose in Health Care Law

2000



Donna Cole-Paul has joined the firm of Tully Rinckey, PLLC, as a partner.

Steven D. Wilson has joined the Albany office of Harris Beach as an associate serving on the Energy Industry Team.

2002

William Conway has recently been appointed senior counsel with the U.S. Securities and Exchange Commission's Division of Enforcement in the Miami Regional Office.

Marianne Cardo Zack has been named an associate attorney in the law firm of Mura and Storm in Buffalo, N.Y.

2003

JulieAnn Calareso has been recognized as a "Woman of Excellence—Emerging Professional" by the Albany-Colonie Regional Chamber of Commerce.

Nicole Helmer, of Tully Rinckey, has been named one of the "Empire State Counsel" honorees by the New York State Bar Association.

Cassie Prugh is manager of Nassau County Executive Tom Suozzi's re-election campaign.

Eric Sugar has received the Association of the Bar of the City of New York Municipal Affairs Award for his excellent work in Bronx Tort.

Regina Morano '95 became passionate for health care law while at law school.

"Professor [Dale] Moore taught us to be courageous about the law, and to understand the power of law in life-and-death decision-making from the courtroom to the hospital room," said Morano. "I was fortunate to attend Albany Law School at a time when Professor Moore was fostering a health law program."

Fellow Albany Law graduates have also been influential in Morano's career in the health law and regulatory fields, including Denise Gonick '91, an executive vice president at MVP Healthcare; Christopher Booth '86, an executive vice president at Excellus BlueCross BlueShield; and Robert Snashall '78, former Chairman of the New York State Workers' Compensation Board. "These alumni really tell the story of the incredible preparation Albany Law School offers, and the talent and leadership that is cultivated there," said Morano.

While Morano has enjoyed every job she has had in the legal field since graduation, she finds her current position at Thompson Health in Canandaigua, N.Y., closest to her calling.

"I walk in the door every morning with a sense of purpose, a sense that what we do every day—from the birthing center to the emergency department—makes a difference in the lives of thousands of people each



Regina Morano '95

year," said Morano, who is the Vice President of Legal & Regulatory Affairs and General Counsel responsible for legal, regulatory, compliance and risk management matters for the entire health system.

Thompson Health is an integrated health care system that serves more than 120,000 residents in the Greater Finger Lakes Region of New York. The system includes a 113-bed acute care hospital and 188-bed nursing home in the City of Canandaigua, five physician practices in surrounding communities, a nearby urgent care center, and independent and enriched living facilities overlooking Canandaigua Lake. The organization, founded in 1904, has approximately 300 physicians on medical staff, 1400 employees and more than 400 volunteers.

"On a daily basis I advise physicians, nurses, administrators, senior leadership and board members on legal, risk and compliance aspects of operations, transactions, governance and litigation matters," said

"Professor [Dale] Moore taught us to be courageous about the law, and to understand the power of law in life-and-death decision-making from the courtroom to the hospital room."

Morano, who serves on Thompson Health's Ethics Committee and Joint Executive Team. "I deeply value the direct interactions I have with patients, residents and their families."

She and her husband, Charles Lattuca, travel as much as possible each year, with destinations ranging from the beaches of the Caribbean and Florida to the historic urban centers of Baltimore and San Francisco.—NC

Defending Death-Row Clients, Hansen Gets a Favorable Supreme Court Decision

Dana Hansen Chavis '96 had only eight days left before her client was scheduled for execution. She knows these situations well, having defended death-row cases for more than 10 years, and currently representing seven death-sentenced clients for the Federal Defender Services of Eastern Tennessee.

Chavis blocked the scheduled execution of Edward Harbison after a federal judge ruled that the new three-chemical lethal injection in Tennessee was unconstitutional.

"When the execution date is that close," she said, "it can be very stressful." The Sixth Circuit has since overruled the decision, clearing the path for execution again, and Chavis is appealing to the Supreme Court.

She has already argued before the high Court on behalf of Harbison, winning a 7–2 decision which determined that inmates on death row have a statutory right to legal counsel for state clemency petitions.

"I was very surprised that I wasn't nervous," Chavis said of her experience in front of the Supreme Court. "I was fortunate to have a lot of time to prepare. Because I was prepared, I felt confident. Also, I thought the law and facts were on my side."

Only judges Alito and Scalia disagreed with her. The *New York Times* and *Wall Street Journal* both covered the case, each highlighting a terse exchange between judges Scalia and Breyer.

Chavis seems on her way to the Supreme Court again for



Chavis, standing, appearing before the Supreme Court. Chavis' husband, Mike, arranged the sketch as a surprise to her. He and their daughter are pictured two rows behind Chavis.

another high-profile client—Greg Thompson, who was featured in a "60-Minutes" segment. The Sixth Circuit is deciding whether Thompson, who is considered sane while on prescribed drugs, is deemed competent enough to execute.

To do this kind of work, she spends a long time on cases, such as Harbison's, which she's been working on for 10 years.

"You learn everything about the case," Chavis said. "I visit them, speak to them a lot on the phone; you get to know them." The more advanced the case, the more she gets mired in research and writing, and the less time spent with the client.

"But I'm not doing this work

only for the clients," Chavis said. "I really believe I'm upholding the values of the Constitution. I'm working to make sure our rights are protected—particularly the disadvantaged."

Chavis entered law school with these sensibilities already intact. Initially attracted to family law, her experience with the Law Clinic & Justice Center's former Post-Conviction Remedies Project led her down her career path.

Her first job out of law school was in Tampa, Fla., with the Office of the Capital Collateral Regional Counsel, where she helped defend 12 death-sentenced clients. From there she went to the Office of the District Public

Defender in Knoxville, Tenn., before moving to her current employer.

"I went to law school with the purpose of helping the disadvantaged," Chavis said. "I can only envision myself as a public defender. I have to put in a lot of hours and the work is very rewarding. I can't see myself putting in the same time and energy—missing family time—for a civil case."

Ironically, work for her can be time spent with family. "My husband is an investigator and works in the office next to mine," she said, laughing, noting that they have a nine-year-old daughter. "We work on the same cases a lot."—DS

Sketch by Dana Verkalten

Son of Refugees, Fortes '07 Bestows Asylum to Others



Michael Fortes '07, who works for the Department of Homeland Security as an asylum officer, befriends two Middle Eastern men in the desert during an official trip to process Iraqi refugees. As Michael explained: "I spotted two men riding on a motorcycle towards us. I was worried because one man had a shotgun (you can see that a shell is chambered). They were both on a tiny Chinese-made motorcycle [a common motorcycle in the Middle East] dressed in traditional clothing, plus knock-off Harley Davidson jackets. I asked them to take some

pictures with me in an effort to avoid any possible conflict. It all worked out."

As a federal immigration officer, Fortes determines if an applicant qualifies for asylum. He says he conducts his work a little differently than other officers: "My parents and their families were refugees to this country and literally came here with the clothing they were wearing and nothing else. America has been very generous to my family and in turn to me. I am now in the position to help other families settle in the United States."

2004

Elizabeth Fairbanks-Fletcher is a senior associate with Tully Rinckey PLLC.

Karin McArthur Rodriguez was promoted to senior specialist with the Office of Equity & Compliance, Fairfax County Public Schools, Virg.

2005

Danielle Barone has been named an associate at Lemire Johnson LLC in Malta, N.Y.

Noelle Lagueur-Alvarez has been hired as a staff attorney for the Fulton County Business Court, Georgia.

Brian Pilatzke has resigned as St. Lawrence County Public Defender to start a private practice with Thomas C. Finnerty Jr.

Christine Young joined the Rensselaer Land Trust as executive director.

2006

Chad A. Jerome has merged with another firm, now called LaFave, Latimer, Stroud & Jerome, LLP. They will be located in Latham, N.Y.

Kelly Marks has been hired as an associate at the law office of Phillips Lytle LLP in its Buffalo office.

Kasim Razvi is a Financial Representative for Northwestern Mutual Financial Network based in Latham, N.Y.

Ariel Solomon, of Tully Rinckey, has been named one of the "Empire State Counsel" honorees by the New York State Bar Association.

Francine Vero has been named an associate at Lemire Johnson, LLC, in Malta, N.Y.

2007

Glinnesa Gailliard has received the Outstanding New Lawyer Award from the Capital District Women's Bar Association.

Jennifer Sunderlin, of Tully Rinckey PLLC has been selected for the Leadership Tech Valley Class of 2010.

2008

Leslie Granger is the Securities Arbitration Clinic Fellow at Albany Law School.

Derrick T. Hogan is an associate attorney with Tully Rinckey PLLC.



Matthew T. Nowak has been hired as associate attorney at Higgins, Roberts,

Beyerl & Coan, P.C.

Jennifer Principe is an attorney at the Schwartz Law Firm in Amsterdam, N.Y.

2009



Amanda Tate has been named Admissions Recruiter at Albany Law School.



Alejandro Taylor is the Health Law Fellow at Albany Law School.

IN MEMORIAM

{ F A L L 2 0 0 9 }

MARRIAGES

Lorraine Jenkins '05 and **Adam Silverman '08** were wed on June 7, 2009, at Temple Israel in Albany.

Michael G. Hrankiwskyj '06 and Sally Ann Lo Cicero exchanged vows on July 10, 2009, at St. Thomas the Apostle R.C. Church in Pleasant Plains.

Sonya Smelyansky '06 and **Peter VanBortel '07** were married Sept. 4, 2009, at the Franklin Plaza in Troy, N.Y.

BIRTHS

Noelle Lagueux-Alvarez '05 and her husband, Juan Carlos Alvarez, welcomed their son Christopher Aidan on March 26, 2008.

Carin Spreitzer '04 and **Jonathan Schopf '04** welcomed their son Jonathan (Jack) Schopf on May 5, 2009.

Jill Dunn '93 and her husband welcomed Annabel Grace Conway on July 1, 2009.

Eric P. Sugar '03 and **Meredith A. Moriarty '03** welcomed their daughter Eloise Francesca Sugar on July 8, 2009.

1935

Judge D. Vincent Cerrito

Judge D. Vincent Cerrito, Niskayuna, N.Y., died on Sunday, April 26, 2009, at the age of 98. His law career, including his time as a judge and in private practice, spanned more than 70 years.

After graduating from Union College in 1932 and Albany Law in 1935, he started a private practice in Schenectady before serving in the U.S. Army during World War II. Upon his return, he served as an assistant district attorney in Schenectady County from 1948 through 1957 and was elected district attorney for Schenectady County in 1961.

Judge Cerrito was elected to the New York State Supreme Court in 1967, where he served for 16 years until his retirement in 1985. However, even after his retirement, he continued to hear arbitration and mediation cases until 2004.



Many recalled the judge as firm yet fair in the courtroom. "He was a guy who had a stern countenance, who had a graceful personality underneath and

who cared about people," said current Schenectady County District Attorney Robert Carney in an interview with the *Albany Times Union*.

Judge Cerrito was a generous supporter of Albany Law and, in particular, the school's library.

A Niskayuna resident, Judge Cerrito served for 20 years on the board of directors of St. Clare's hospital, as well as several terms on the board of directors for the Schenectady Senior Citizens. He was also the first chairman for the Schenectady County Board of Ethics. He is survived by his wife, Dr. Fe Teresa McCarthy, two children, and two grandchildren.

1935

Lester H. Rappaport, Rochester, N.Y., died on April 6, 2009. He practiced law in the Rochester area from 1935-1999. He is survived by six children, 13 grandchildren, two great-grandsons, and his dear friend Leo Sawyko '35.

1940

George B. Grow, Rome, N.Y., passed away on Feb. 25, 2009. He served as a special agent with the F.B.I. from 1942-1946. Mr. Grow practiced law in Rome, N.Y., for over 65 years. He is survived by two children, five grandchildren, seven great grandchildren and one brother.



Roy D. Wilcox, Lake George, N.Y., died June 21, 2009. He served as an officer in the

Coastal Artillery during World War II. He began his law practice in Glens Falls, then maintained his own practice in Lake George for several years. He also served as an elected village judge in Lake George for several terms and in 1964 was appointed to a seat on the state Workmen's Compensation Bench where he served until he retired in 1972. He is survived by his friend, Dorothy Shea, three children and four grandchildren.

1941

Floyd Van Deusen Ladd, North Chatham, Mass., died on April 15, 2009, in North Chatham, Mass. He served in the Marine Corps during World War II and was stationed aboard the U.S.S. Montpelier in the South Pacific. He practiced law in the Schenectady area until 2001. He is survived by two children and four grandsons.

1952

Paul V. French, Loudonville, N.Y., died on June 25, 2009. He served in the Occupation Forces of the U.S. Army, stationed in Berlin, Germany. He worked for the federal government and had a private practice. Mr. French is survived by his daughter, two brothers, one sister and many nieces and nephews.

1958

Frank W. Getman

Frank W. Getman, Oneonta, N.Y., passed away at the age of 77 on April 8, 2009.

After graduating from Colgate University in Hamilton, N.Y., he served for four years in the U.S. Marine Corps during the Korean War. Upon returning to the United States, he continued to serve in the U.S. Marine Corps Reserve until his honorable discharge in 1959.

Getman graduated from Albany Law School in 1958, and he promptly returned to Oneonta to begin practicing law. There, he served as an assistant district attorney until he was elected to the position of Oneonta City Court Judge in 1971. Ultimately, he served five



four-year terms, retiring as Oneonta's longest serving public official.

After retiring from the bench in 1991, he established a private practice with his son

Michael. Regarded as a successful general practitioner and trial lawyer, Getman continued to practice law until illness kept him from working in January.

Getman was an advocate for education, including as a generous supporter of Albany Law and as a trustee for Hartwick College, which granted him an honorary doctor of humane letters degree in 2000. He also served on several community boards in the Oneonta area.

He is survived by his wife, four children and 11 grandchildren.

Robert Cort Kastensmith, Peoria, Ariz., passed away on March 3, 2009. Mr. Kastensmith practiced general law for 10 years and spent most of his career as a real estate broker and teacher. He is survived by his wife, Gail, one son, four step-children, and one granddaughter.

1954



George P. McAloon, Alexandria Bay, N.Y., died on March 31, 2009. He

served in the Army Air Force in Guam and Hawaii during World War II. He spent most of his career in private practice in

Alexandria Bay, N.Y. He is survived by his wife, Mary Rose, six children, nine grandchildren, one brother and one sister.

1956

James F. Donohue, Katonah, N.Y., died on Nov. 1, 2008. He was a trial lawyer in White Plains, N.Y., and the longtime attorney for the Town of Bedford. He is survived by his wife, five children and eight grandchildren.

William J. Gray Sr., Delmar, N.Y., died August 29, 2009. He served in the Army during the Korean War. He started his career in corporate council and remained in private practice until the time of his death. He is survived by his wife, Helen,

five children, eight grandchildren and one brother.

Robert C. Wertz, Port Jefferson, N.Y., died on May 5, 2009. He was a N.Y. assemblyman for 32 years, including serving as assistant minority leader. He served as a Marine. He is survived by three children, 14 grandchildren and one brother.

1963

Peter R. Liebschutz, Pittsford, N.Y., passed away on April 23, 2009. He served with the U.S. State Department in Vietnam from 1967-68. He was an attorney at Liebschutz, Sutton and DeLeeuw and a real estate investor. He is survived by his wife, Renee, three step-children, two grandchildren and two brothers.

1964

Martin Blumenthal, Riverside, Calif., died on Nov. 29, 2008. He served in the Army from 1960-61. He was the founding and senior partner of the law firm Blumenthal & Milliken. He is survived by his two sons, four grandchildren, and his brother Robert B. Blumenthal '68.

1968

Leonard Basile, Jr., Salem, N.Y., died July 10, 2009. He served in the U.S. Army Reserve as a captain with the 16th Military Police in Vietnam in 1969-70. He was a newspaper reporter, ran a private security firm and assisted with operation of the Easton Market. He is survived by his daughter, two brothers and nieces and nephews.

1973

Anthony Mijares, Clifton Park, N.Y., passed away on June 9, 2009. He began and ended his career with the State of New York Attorney General's office. During those years he also spent several years working for the N.Y. State Office of General Services. He is survived by his former wife, partner John Diehsner, three sisters and three brothers.

1978

Michael B. Carlin, Albany, N.Y., died on March 24, 2009. He was an attorney for American Express-Investors Diversified Services. He is survived by his companion Doris Youzwak and one brother.

1979

Robert P. Augello, Middletown, N.Y., passed away on Nov. 25, 2008. He served two years as a volunteer in the Peace Corps prior to attending law school. He was an attorney in private practice in Middletown, N.Y., and an active advocate of open space and environmental issues in Orange County. He is survived by his wife, Joan, two sons and two brothers.

1989

Colleen Hiser Whalen, Mechanicville, N.Y., died June 15, 2009. She earned a B.A. in nursing and science from Russell Sage College. She also earned her private pilot's license. She is survived by her husband, two sisters, a sister-in-law and nieces and nephews.



REPORT OF GIFTS 2008 – 2009

THE REPORT OF GIFTS ACKNOWLEDGES THE GENEROUS SUPPORT OF CONTRIBUTORS TO ALBANY LAW SCHOOL DURING JULY 1, 2008–JUNE 30, 2009. EVERY EFFORT IS MADE TO ENSURE ACCURACY OF OUR DONOR LISTINGS. WE REGRET ANY ERROR OR OMISSION; FOR QUESTIONS, CONTACT JAMES KELLERHOUSE, DIRECTOR OF DEVELOPMENT, AT 518-445-3219.



Dear Alumni and Friends,

Thank you for supporting Albany Law School this year. In light of difficult times, we were thrilled to have the generous support of alumni and friends who made it possible to continue our tradition of excellence in legal education. Not only does your financial support mean so much

to our faculty and students, but it is the countless volunteers who helped us achieve these goals who should be lauded as well.

This year in particular we celebrate the accomplishments of achieving nearly \$1 million in annual giving and another \$2 million in gifts to restricted funds. Though our year was not record-breaking, we had the support of nearly 20% of our alumni, 100% of our faculty, 76% of our staff and 30% of our students! Collectively, this philanthropic investment in Albany Law School made the difference.

The Student Legacy Fund, still in its infancy as our student philanthropy initiative, had a great second year. Both classes of 2010 and 2011 used events and peer-to-peer solicitations to raise student participation and students' sights to the importance of giving back. There is now a Student Barrister Society as a result of this successful program.

Another achievement during our 2008-09 year was the launching of our new Firm Giving program. Firm agents were selected from a few firms this year to help strengthen alumni connections and increase participation. Thank you to all of the firms and firm agents who participated in the first year of this program—they are listed in the Report.

I would like to thank Larry Schiffer '79 for his leadership as National Chair of the Albany Law School Fund. Not only did Larry lend his name and expertise to our appeals for support, he chaired firm giving for Dewey & Leboeuf, was a member of the class of 1979 Reunion planning committee and served on the Board of Trustees Development Committee.

Thank you again. Our students, faculty and staff appreciate your continued generosity.

Sincerely,

Thomas F. Guernsey
President & Dean



Dear Fellow Alumni and Friends:

It was my pleasure to serve as the 2008–2009 National Chair of the Albany Law School Fund.

Although nationally 2009 giving was down by nearly 4% over 2008 levels, Albany Law School's results fared slightly better. We experienced an increased number

in gifts at the Barrister Society level. We converted many first time alumni donors through our inaugural firm giving program. And from our faculty, staff, students, and National Alumni Association members, the highest percentage ever made the choice to support Albany Law. Together we raised nearly \$950,000 for Albany Law School.

Whether you made your gift to aid students, support the faculty, provide for programs, strengthen the Library, or increase the impact made by the Government Law Center, the Law Clinic and Justice Center, or the Center for Law and Innovation, thank you. Our graduates, our students and our alma mater are all better because of it.

Sincerely,

Larry P. Schiffer '79
National Chair, Albany Law School Fund

Giving Levels

THE BARRISTER SOCIETY

The Barrister Society recognizes leadership gifts to Albany Law School. These gifts make the greatest impact on the legal education we provide to our students. The Barrister Society levels are named for prominent members of the Albany Law School family whose history, service and philanthropy have shaped the institution Albany Law is today.

The Barrister Society consists of six giving levels designed to recognize leadership gifts in a single fiscal year. The top four levels include donors of \$1,000 or more. Recent graduates of the last ten years, as well as current students, have the opportunity to join the Barrister Society at a reduced giving rate.

THE DEAN'S CABINET \$10,000 AND ABOVE

Just as the position of dean is premier at Albany Law School, members of the Dean's Cabinet are the premier donors to the institution in a given year. To honor their philanthropy, Dean's Cabinet members are listed on a special plaque in the Board of Trustees conference room in the 2000 Building. The Dean's Cabinet is subdivided into three giving levels:

DEAN'S PLATINUM CIRCLE:
\$50,000 AND ABOVE

DEAN'S GOLD CIRCLE:
\$25,000–\$49,999

DEAN'S SILVER CIRCLE:
\$10,000–\$24,999

THE JUSTICE ROBERT H. JACKSON 1912 SOCIETY \$5,000–\$9,999

Widely considered one of the greatest Supreme Court Justices in history, Justice Jackson also served as U.S. Attorney General and chief prosecutor for the Nuremberg World War II trials. Donors who give to Albany Law School at this level recognize the need to perpetuate Justice Jackson's legacy ensuring that today's law students receive the best education possible.

THE JUSTICE DAVID J. BREWER 1858 SOCIETY \$2,500–\$4,999

Just three years after graduating from Albany Law School, Justice Brewer began his distinguished career in public service. During his 20 year service as an associate justice on the U.S. Supreme Court, his cases illustrated a strong commitment to the protection of individual liberties as well as international peace. Donors at the Brewer level also show their commitment to supporting Albany Law School students in their legal endeavors.

THE KATE STONEMAN 1898 SOCIETY \$1,000–\$2,499

Katherine "Kate" Stoneman 1898 was the first female graduate of Albany Law School and the first female to be admitted into the New York State Bar. She was also a lifetime educator and renowned women's rights suffragist. Donors to the Kate Stoneman Society idealize the values of Kate Stoneman as a pioneer in the field of law and help provide students with the resources to do the same.

GRADUATES OF THE LAST DECADE (G.O.L.D.)

Within the first ten years after graduation, young alumni may join the Kate Stoneman Society at a reduced rate.

CLASSES OF 1999–2003: \$500+

CLASSES OF 2004–2008: \$250+

STUDENT BARRISTER SOCIETY

Students in the classes of 2009, 2010 and 2011 who made a gift of \$100 or more become members of the Student Barrister Society.

THE FOUNDERS CLUBS

The Founders Clubs recognize alumni and friends who make gifts to Albany Law School between \$100 and \$999. Founders Clubs are named in memory of Amos Dean, Ira Harris and Amasa Parker, the three individuals who established the law school in 1851. These founding fathers understood the need to provide a place in the Albany area to formally study law.

THE AMOS DEAN CLUB \$500–\$999

Amos Dean was a graduate of Union College and a founding father of Albany Law School. Dean was a noted educator, professor at Albany Law School and chair of medical jurisprudence at Albany Medical School. He later became the first president of the University of Iowa.

THE IRA HARRIS CLUB \$250–\$499

Ira Harris was a graduate of Union College and a founding father of the law school. In addition, he was a Justice of the New York State Supreme Court and a United States Senator. Harris spent the last eight years of his life as a professor at Albany Law School lecturing on equity jurisprudence.

THE AMASA PARKER CLUB \$100–\$249

Amasa Parker was a graduate of Union College and a founding father of Albany Law School. He had a distinguished career in the New York State Assembly, United States Congress and as a Justice of the New York State Supreme Court.

The Barrister Society

DEAN'S PLATINUM CIRCLE
\$50,000 and above

DEAN'S GOLD CIRCLE
\$25,000–\$49,999

DEAN'S SILVER CIRCLE
\$10,000–\$24,999

JUSTICE ROBERT H. JACKSON
1912 SOCIETY
\$5,000–\$9,999

JUSTICE DAVID J. BREWER
1858 SOCIETY
\$2,500–\$4,999

THE KATE STONEMAN
1898 SOCIETY
\$1,000–\$2,499

G.O.L.D. BARRISTER
Classes of 1999–2003: \$500 +
Classes of 2004–2008: \$250 +

STUDENT BARRISTER
Classes of 2009–2011: \$100 +

THE FOUNDERS CLUBS

Amos Dean Club
\$500–\$999

Ira Harris Club
\$250–\$999

Amasa Parker Club
\$100–\$249

* *Deceased*

** *Denotes a gift-in-kind*

In-kind contributions of goods and services provide Albany Law School with many vital resources.

The McKinley Society

THE MCKINLEY SOCIETY RECOGNIZES ALUMNI AND FRIENDS OF ALBANY LAW SCHOOL WHOSE CUMULATIVE GIFTS TOTAL \$100,000 OR MORE. THESE, OUR MOST PROMINENT SUPPORTERS, HAVE SET AN EXAMPLE BY THEIR PHILANTHROPY AND HAVE PLAYED A VITAL ROLE IN SHAPING THE FUTURE OF THE LAW SCHOOL AS WELL AS ALLOWING US TO THRIVE AND COMPETE WITH THE BEST LAW SCHOOLS NATIONALLY.

\$1,000,000 AND ABOVE

Madalyn Bellinger-Bryant*
Daniel A. Cerio*
Angela T. Farone*
Magdeline Farone*
Lillian Friedman '58*
M. Sherry Gold, Benjamin D. Gold '06 & Sari Gold
LexisNexis Matthew Bender
The A. Lindsay & Olive B. O'Connor Foundation
Richard D. Parsons '71
Morris Silverman '36*
Harold Slingerland '26*

\$500,000–\$999,999

Anonymous
Robert V. Gianniny '53
E. Stewart Jones Jr. '66
Eleanor Lieberman*
H. Schaffer Foundation
Raymond G. Smith '33* & Ella Smith*

\$250,000–\$499,999

Mary Bastow*
John Breyo '71 & Marilyn Breyo
Jay S. Caplan '46* & Ruth Caplan*
Myron J. Cohn '36*
Kathryn Dugan*
Stephanie C. Husted*
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Charlotte Blandy Pitt
Charles W. Stiefel '75
Edward P. Swyer
Wilmer Cutler Pickering Hale and Dorr LLP

\$100,000–\$249,999

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Georgia F. Nucci '96
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Alfred C. Turino '36*
Honorable Harold R. Tyler Jr.*
Davis S. Williams '42*

*Deceased

The Barrister Society

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Dale M. Thuillez '72

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Robert V. Gianniny '53
Thomas F. Guernsey and Kathe Klare
J. K. Hage III '78
Harold C. Hanson '66
Bernice M. Karp
Peter C. Kopff '75 & Diane Kopff
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Marvin I. Honig '63
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Ian G. MacDonald '58
Matthew H. Mataraso '58
Rika Murray '84
William L. Nikas '75
Michael D. Norris '83 and Gail M. Norris '83
James T. Potter '80
Richard A. Reed '81
Patricia E. Salkin '88
Edgar A. Sandman '46
Paul W. Sandman and Mary Beth Sandman
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 and Jean K. Cleary '70
 Robert J. Coan '58
 Beverly Cohen '87
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 Paul B. Goucher '93
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 Gary H. Gutches '83

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 Susan M. Halpern '83
 Kevin C. Harp '00
 and Heather D. Harp '00
 William M. Harris '72
 David M. Heim '77
 David P. Helwig
 Elizabeth L. Hileman '84
 Gary M. Hind '80
 Hinman Straub PC
 William R. Holzapfel '58
 David J. Hubbard '97
 Bruce E. Hunter '73
 Irad S. Ingraham '60
 Robert H. Iseman '73
 John A. Jackson '90
 and Juanita Jackson
 Jacquelyn L. Jerry '76
 Peng Jiang '03 and Li Tang '03
 Erik E. Joh '70
 John T. Johnson '93
 Margaret C. Jones '91
 Annette Kahler
 Richard A. Kaplan '82
 and Sharon R. Kaplan '82
 Katheryn D. Katz '70
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Semerad Recipient, Humbled by Scholarship, Exceeds Her Own Expectations in School

A native of Long Island, N.Y., Jessie Cardinale moved to the Albany area in 2005 to pursue the Six Year Accelerated Law and Public Policy Program that leads to a B.A. from Union and a J.D. from Albany Law School. Accepting only 10 students each year, this accelerated program of study requires maintaining a high grade point average and comporting oneself in a manner consistent with the legal profession.



Jessie Cardinale

As a 2L, Jessie is one of the top students in her class. She is a member of the Albany Law Review and along with her heavy course load, she is a teaching assistant for Professor Taranto for Lawyering and Civil Procedure.

Accessible professors is one aspect she feels distinguishes Albany Law School. "Professor Taranto is genuine in her support of students. She has high expectations, but she is willing to work with students to see them succeed."

As a recipient of the The Marjorie and Ralph D. Semerad Scholarship for Academic Excellence, Jessie is required to maintain a GPA in the top quarter of her class—she is currently in the top five percent of her class.

"Receiving this scholarship, named in part after a respected Albany Law professor and dean," said Jessie, "serves as a constant inspiration and reminder of my academic and professional goals in the legal field."

Jessie is humbled by the support Albany Law School receives from alumni and friends. It is this extensive and supportive network that offers career connections from interviewing on campus to participating in mentoring and other programs. Capitalizing on some of these connections and her outstanding academic achievements, Jessie just accepted a summer position at Baker & McKenzie for 2010.

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The focus of the challenge is participation, so gifts of every size are welcome. The program provides key support for faculty, students and programs at Albany Law School, strengthens alumni ties to the school within the firm, and raises the alumni giving participation rate.

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Even in a Tough Economy, Bill Curry '87 Digs Deep to Increase his Charitable Support

As a partner at Sullivan & Worcester in Boston, Mass., where he's been for 22 years, co-managing partner and a member of the firm's management committee, Bill Curry '87 understands first-hand the impact the economy has had on the legal profession. "Not only are we seeing firms lowering the salary of new associates, they are also significantly reducing the number of associates they are hiring. And with graduates leaving law school with heavy debt burdens, the results will be detrimental to the profession."



Bill Curry '87

In light of all that is going on in today's economy, Curry believes that it is time to dig deeper to support charitable organizations and educational institutions making a difference. To that end, he chose to increase his gift to Albany Law this year. And Curry did so because he feels grateful for a great Albany Law School experience which included professors and life-long friends and also believes in the law school's vision and bold steps of holding the line on tuition this year and increasing student scholarships.

Becoming somewhat reminiscent of his law school days, Bill remembers two professors in particular who made quite an impression on him. Professor Harold Sprow, who began teaching at Albany Law School after working in New York City at Roger & Wells, brought career perspective to the academic setting and even hosted students for dinners at his home. And Curry never forgets Professor Ira Bloom for his estates progression series and, in particular, taking care of his dog while Professor Bloom was on vacation.

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Scholarship Recipient Prefers One Goal at a Time

Becoming a lawyer by the age of 30 has been Sita Legac's goal for years. Now, mere months shy of graduating with the rest of the Class of 2010, she continues to pursue her goal with unwavering enthusiasm, as well as a packed schedule.

Legac spends 20 hours a week at her internship with GE Energy, where she shifts frequently between tasks related to environmental law, tort law, property law and other areas. She also works as a teaching assistant for Professor Dorothy Hill's lawyering class and serves as an article editor for the *Albany Government Law Review*.

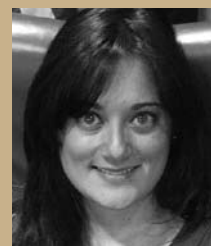
"There's always something to do," she said. "I find that having a full calendar is the best motivation."

She's also taking four classes this semester, including a bioethics seminar with Professor Alicia Ouellette. "I try to take different classes," she said, "classes in which I can have fun while learning something interesting that will ultimately benefit me in my career."

Legac, who has received the Staff Scholarship for the past two years, is applying a similarly diverse approach to her post-graduate job search. Though she has a definite interest in environmental law, cultivated in part through her internship at GE, she is currently looking at general practice firms so that she can experience the full breadth of available legal fields.

"I want to make sure I keep looking until I find something that exactly fits with me," she said.

When asked of her goals after the law degree, she replied unequivocally: "I don't make a new goal until I achieve the one in front of me."



Sita Legac '10

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ALBANY LAW SCHOOL IS VERY GRATEFUL TO THOSE WHO HAVE CHOSEN TO HONOR OR MEMORIALIZE A FRIEND OR FAMILY MEMBER WITH A GIFT IN THEIR NAME. AN HONORARY OR COMMEMORATIVE GIFT PROVIDES A LASTING TESTIMONIAL TO THE PERSON NAMED IN ADDITION TO SUPPORTING THE LAW SCHOOL'S MISSION.

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Whether you gave because you appreciate the education and hands-on experiences you gained at the Law School, in honor of the connections you made, in reciprocity of assistance you once received, or because you know how much current students and faculty count on us, thank you.

Because GOLD alumni support our Law School in so many ways as volunteers, mentors, and important financial supporters, it has been my pleasure to serve as the 2008–2009 National Chair for GOLD Giving of the Albany Law School Fund.

Your thoughts are as important as your generosity. Please continue to share with me and with members of the Law School staff about the ways in which the Law School can continue to improve and compete as it gains national recognition for the quality of the legal education it provides. We greatly appreciate your support and enthusiasm.

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Class of 2009 Senior Gift

For 18 years, each graduating class has presented Albany Law School with a class gift to better the campus environment, improve student life, or assist faculty and programs. The Class of 2009 directed their gifts to improve communication across campus, and made possible the purchase of 3 flat screen television monitors that provide continual campus news, event schedules and other information relevant to the Albany Law School.

Thank you to the Senior Gift Committee: Lauren Hunt, Tanyetta Jackson, Kevin Blackwell, Sara Chase, Michael North, Patrick Hennessey, Chris Anderson, and Myles Fischer.

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Faculty Giving Effort Reaches 100%, Honors Prof. Katz

For the second year in a row, 100% of the full-time Albany Law School faculty made a gift to Albany Law.

For Professor David Pratt, giving this year was easy, for it's something he has done for the past 15 years.

Noting that the 2008-2009 faculty effort was led by Professor Kathy Katz, the Kate Stoneman Chair, Professor Pratt went one step further: he made his annual gift to Albany Law in Professor Katz's honor, and then asked his fellow faculty members to do the same.

The results were not surprising—faculty who had not yet made their gift were quick to do so, and many who had already made their gifts for the year asked that their gifts be adjusted to recognize this effort for Professor Katz.

"Her commitment, scholarship, teaching and mentoring, plus her decision to lead the faculty effort in her last year of teaching, inspired most of us to step up quickly and properly," said Pratt. "She's served as a leader and model in almost every capacity you can think of. This was her swan song."



Professor Pratt

Annual Restricted, Capital & Endowment Gifts

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PRIZES

Annual Prizes

Capital District Trial
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Capital Region Bankruptcy
Bar Association

The School—and the Learning of Law—Make Casey Comfortable

Molly Casey '12 enjoyed taking the LSATs. She enjoyed studying for them, and she called the prep class "fun." She feels the same way about the courses at Albany Law School. For real.

"I can't understand people here who don't love the material," the Staff Scholarship Recipient says matter-of-factly. "The law is behind everything. It's the foundation to everything in our culture. It just makes sense to me."

The Troy native spent her undergraduate years at New York University as a politics major. After that she worked, coincidentally, for Jeanine Pirro's '75 campaign for attorney general, coordinating the campaign volunteers. From there she worked in the communications office of the Senate Majority Leader Joe Bruno. Looking for a break from Manhattan life, she landed a job in Albany, working in the Assembly.

"I always figured I'd go to law school, I just didn't want to push it right after college," says the daughter and granddaughter of Albany Law alumni John Casey '49, and Jack Casey '86. She doesn't know where it will bring her just yet—"Maybe politics, I don't know"—but she knows she feels at home with the classes and the school.

"N.Y.U. was really big, you could feel invisible there," she said. "From the first day I got on campus here, I felt comfortable. Everyone is friendly, and the professors are accessible."

Asked about her favorite class, she answered quickly: "Torts with Prof. [Dale] Moore."



Molly Casey '12

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The Student Legacy Fund

Begun in 2008 by members of the Class of 2010, the Student Legacy Fund is a three-year class gift program that educates students about the importance of their financial gifts and provides networking opportunities for students who provide that support with alumni and friends of the Law School who do the same. In their second year of fundraising the class of 2010 raised \$1,030 and, combined with last year's total, now have nearly \$23,000 toward their class gift.

Not to be outdone by the Class of 2010, the Class of 2011 quickly adopted the program and raised \$4,800 at their kickoff event, which was matched the Albany Law School Board of Trustees, leveraging \$9,600 towards their own class gift. The class of 2011 also saw a record number of Student Barrister members, with 27% of all gifts by that class made at that level.

Special thanks to all the Trustees of each class' Student Legacy Fund (indicated with a (T) who rallied their classmates and achieved such great success.

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THE SLOMO AND CINDY SILVIAN FOUNDATION, INC. SCHOLARSHIP

The Silvian Scholarship was funded through a grant from the Slomo and Cindy Silvian Foundation. The Silvians were civic-minded residents of Long Beach, New York, well known for their philanthropy. The foundation was established in 2007 with a generous bequest in Mrs. Silvian's will, and Albany Law School received one of the first grants. The scholarship is intended for a student with financial need, in good academic standing, who is interested in the field of health-care law.

THE KATE STONEMAN 1898 AWARD

The Kate Stoneman 1898 Award is a commencement prize awarded annually to a graduating student who exemplifies the pioneering spirit of Kate Stoneman, the first woman to graduate from Albany Law School and the first female member of the New York State Bar. Preference is given to a woman; however, men are not excluded from receiving the award. The prize was endowed through a gift from Miriam Netter '72, a member of the Stoneman Day Committee and a 1996 recipient of the Kate Stoneman Day Award.

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Scholarships and Fellowships

Albany Law School annually awards more than \$4 million in scholarships. This support is funded by alumni, friends and other sources. The Board of Trustees established awards for entering students honoring Justice Kenneth S. MacAffer, former chairman of the Board; former deans Andrew V. Clements, Harold D. Alexander, J. Newton Fiero and Samuel M. Hesson; and Justice Isadore Bookstein, lecturer and former trustee. Dean's scholarships are awarded on the basis of academic promise as demonstrated by an applicant's undergraduate grade point average and score on the LSAT. Diversity scholarships support students with unusual backgrounds including those who have been historically underrepresented in the legal profession. Additional endowed, named scholarships are awarded according to provisions established in agreement between the donor and the law school. Fellowships and assistantships are also available for eligible students.

MEDALLION SCHOLARSHIPS AND FELLOWSHIPS

Endowed with gifts and commitments at a minimum of \$250,000:

AYCO-ALBANY LAW SCHOOL ALUMNI SCHOLARSHIP

Established by Albany Law School alumni employed by the Ayco Company of Albany, preference for this scholarship is given to students with an interest in tax or tax-related areas who have demonstrated this interest through prior work experience, college and law school course credits, or other means.

EVA E. BASTOW AND HONORABLE EARLE C. BASTOW '19 MEMORIAL SCHOLARSHIP

The Bastow Scholarship was established in 1994 through a bequest by Mary E. Bastow in memory of her husband and his mother.

THE DEWAR SCHOLARSHIP

Created with a grant from the Dewar Foundation, Inc., this scholarship is awarded to deserving students with financial need. Recipients must be graduates of Oneonta, New York, High School.

ELIZABETH F. AND RUSSELL A. FREEMAN '57 SCHOLARSHIP

Established in 1997 by Elizabeth and Russell Freeman, this scholarship is designed to assist students with financial need.

BARRY GOLD '70 HEALTH LAW CLINIC PROGRAM

Established in 2006 by M. Sherry Gold with her children, Ben '06 and Sari, in memory of her late husband, this endowment—the largest ever given to the Albany Law Clinic & Justice Center—funds efforts to focus on representation of low-income clients with cancer or other chronic medical conditions. It also provides training on legal rights for clients, advocates, health-care staff, physicians, and law and medical students.

JUDGE R. WALDRON HERZBERG '33 AND RUTH MILLER

HERZBERG MEMORIAL SCHOLARSHIP

The Herzberg Scholarship was established by the bequest of Ruth Miller Herzberg. It is awarded to a student demonstrating financial need.

CONSTANCE M. JONES MEMORIAL SCHOLARSHIP

Constance Jones was a woman of boundless energy who was devoted to many worthwhile community causes. Upon her passing, her husband, E. Stewart Jones Jr. '66, established this medallion scholarship in her memory. The Constance Jones Scholarship will provide perpetual support to students, preferably women, who live in the Capital Region.

E. STEWART JONES SR. '35 MEMORIAL SCHOLARSHIP

This medallion scholarship was established by the family and friends of E. Stewart Jones Sr. '35, a distinguished lawyer of national renown whose career spanned 60 years. Jones Scholars will be chosen on the basis of merit with preference given to applicants from Rensselaer, Albany or Saratoga counties.

ARTHUR F. MATHEWS '62 MEMORIAL SCHOLARSHIP

This medallion scholarship honors Arthur F. Mathews '62, former trustee and preeminent securities law practitioner. It was established by family and friends, with special support from his colleagues at Wilmer, Cutler and Pickering.

THE SINGLETON SCHOLARSHIPS

A bequest from Stephanie Singleton Husted established the scholarships in September 1996, in memory of her husband, Harry H. Singleton, Class of 1927. They provide assistance to Albany Law School students based on financial need and academic merit.

INSIGNIA SCHOLARSHIPS

Endowed with gifts and commitments between \$100,000 and \$249,999:

Milton A. Abelow '36 Memorial Scholarship

John A. '48 and Virginia C. Buyck Scholarship

Judge John J. Clyne '53 Memorial Scholarship

Elaine M. and Myron J. Cohn '36 Scholarship

J. Francis Doyle '63 Scholarship

Richard C. Johnson '51 Scholarship

Leo and Esther Krause Scholarship

Norbert L. Noel '44 Scholarship

Richard D. Parsons '71 Scholarship

Margot M. Roberts Scholarship

Marjorie and Ralph D. Semerad Scholarship for Academic Excellence

J. Vanderbilt Straub '28 Memorial Scholarship

Jerome H. and Marian J. Teitelbaum Memorial Scholarship

Rose Mary E. and Alfred C. Turino '36 Memorial Scholarship

Walter H. Wertime Memorial Scholarship

Hon. Thomas M. Whalen III '58 Memorial Scholarship

David S. Williams '42 Scholarship

ADDITIONAL ENDOWED SCHOLARSHIPS AND FELLOWSHIPS

American Express Scholarship

Hon. Felix J. Aulisi '24 Memorial Scholarship

Joseph N. Barnett '29 Memorial Scholarship

Louis G. and Carmela M. Bianchi Scholarship

Leo W. Breed '21 and Helen E. Breed Scholarship

Charles Ward Brown '27 and Mary Furlong Brown Scholarship

Edward J. Cameron Jr. Public Service Fellowship

Forest N. Case, Jr. '57 Scholarship

Dawn M. Chamberlaine Scholarship

Con G. Cholakakis '58 Public Service Fellowship

Christopher Sam Chow 1993 Memorial Scholarship

Class of 1991 Scholarship

Class of 2001 and Karen C. McGovern Memorial Book Scholarship

William J. Crangle, Class of 1908 Memorial Scholarship

Hon. Richard J. Daronco '56 Memorial Scholarship

Doling Family Scholarship

Fred L. Emerson Scholarship

Hon. John M. Finnerty '65 Memorial Scholarship

Joseph C. Foidadelli '97 Public Service Fellowship

Seymour Fox '49 Scholarship

James E. Frankel '73 Scholarship

Friends of Robert Glennon '70 Adirondack Park Fellowship

David Greenberg Memorial Scholarship

Dale Gutekunst Memorial Scholarship

Dorothy S. Hartman Scholarship

Arthur J. Harvey '30 Fellowship for Civil Liberties Law

Juanita and John Jackson '90 Scholarship

Klare-Guernsey Scholarship

Thomas LaRosa Scholarship

Hon. Howard A. Levine Fellowship in Juvenile Justice

Robert E. Littlefield '52 Memorial Scholarship

Alonzo C. Mason Scholarship

Justin McCarthy '61 Memorial Scholarship

Thomas F. McDermott Scholarship

Leo E. Mills '30 and Kenna J. Mills Memorial Scholarship

Ruth M. Miner Memorial Scholarship

Gary M. Peck '79 Memorial Scholarship

Lawrence I. and Blanche H. Rhodes Memorial Scholarship

Stanley A. Rosen, Class of 1968, Memorial Scholarship

Edgar A. and Margaret D. Sandman Research Fellowship

Slomo and Cindy Silvan Foundation, Inc. Scholarship

Hon. Harold R. Soden '33 and Eunice G. Soden Memorial Scholarship

Henry J. Speck Scholarship

Ina G. and Earl W. Tabor '35 Scholarship

Regina and Leo Tanenbaum Memorial Scholarship

Joan Van Slyke Scholarship

William M. Watkins Scholarship

Professor John C. Welsh '55 Scholarship

We still live in Albany.
Albany, New Zealand.



Though we are 8,900 miles away,
we stay connected to our alma mater
through www.albanylaw.edu/alumni

*At Ayers Rock, Australia,
Mark Werman '75 and
Audrey Moss '75 with their
daughter, Stephanie, a
student at the University of
Auckland, on exchange for
her final year at the State
University of New York at
Stony Brook.*



ALBANY LAW SCHOOL



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SAVE THESE DATES

January 21 – New York State Bar
Admission Ceremony and Bar Passers
Reception, Albany, N.Y.

January 28 – National Alumni Association
Meeting and Metro New York Alumni
Reception, New York, N.Y.

March 25 – Kate Stoneman Day,
Albany Law School, Albany, N.Y.

May 14 – 158th Commencement,
Saratoga Performing Arts Center (SPAC),
Saratoga Springs, N.Y.

www.albanylaw.edu/events

The 1928 Building was lit purple through the month of October to honor the victims of domestic violence. The Women's Law Caucus held a vigil on October 14 to recognize those who have suffered and bring attention to the issue.