

Widener Law

Guilty as
charged?
Mistaken
identity,
science,
and
criminal
law

The technology of
surveillance

Twelve years of service
from the Criminal
Defense Clinic

Mistaken eyewitness
identification and
wrongful convictions

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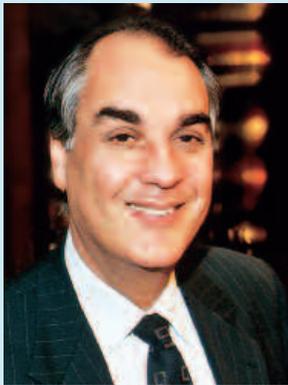


“The highlight of my first semester as dean was participating in the bar swearing-in ceremonies and receptions for hundreds of our students who are now members of the bar in Pennsylvania, New Jersey, and Delaware.”

DEAR ALUMNI AND FRIENDS: My first year as your new dean has been rewarding and filled with activity here at the Law School. As you will discover as you read this issue of the magazine, Widener Law is executing its vision, which states, in part, “Widener University School of Law aspires to be a synergy of diverse and highly qualified students interacting with dedicated scholars, teachers, and practitioners in a vibrant, student-centered environment.” The theme for this edition is criminal law and litigation. Our resident scholars, Professors Len Sosnov, Jules Epstein, Stephen Henderson, and Judy Ritter, provide informative articles on topics ranging from mistaken witness identification to how courts are applying the Fourth Amendment in issues of technology and surveillance. ■ Our students are getting real-world experience in a variety of forums. Professors Ritter and Arlene Rivera Finklestein’s sojourn to New Orleans over winter break with nine Widener-Delaware law students to assist in protecting the rights of the accused is featured. Externs in Harrisburg talk about their experience at the Dauphin County District Attorney and Public Defender offices. David Sunday, a third-year student on the Harrisburg campus, shares his thoughts about the summer he spent as an intern at the United Nations. Our alumni litigators in Philadelphia are also featured, Sharon Caffrey ’87, a partner with Duane Morris; Eugene McGurk ’78, a partner at Raynes McCarty; James Golkow ’86, a partner at Cozen O’Connor; Bernard Smalley ’80, a shareholder with Anapol Schwartz; and Larry Bendesky ’87, a shareholder at Saltz, Mongeluzzi, Barrett & Bendesky, talk about their experiences in the courtroom, give advice to actors who play lawyers in the movies, and explain what it means to be a Philadelphia lawyer. ■ There is so much good news; I cannot summarize it all here. However, read more about the Dean’s Leadership Forum inaugurated this past semester. Our first participant was New Jersey alumnus George Miller ’81, a successful attorney in private practice, businessman, and community leader. George packed our Ruby Vale Courtroom on the Delaware campus and spent a riveting hour talking about the difference Widener made in his life and his subsequent successes, including dealing with none other than Donald Trump. On the Harrisburg campus, U.S. District Court Judge John Jones lectured on his decision in the “intelligent design” case, and Ann Durr Lyon, niece of Justice Hugo Black, and whose parents — along with civil rights activist E.D. Nixon — bailed out Rosa Parks when she was arrested for not giving up her seat on a Montgomery bus, joined us to celebrate Dr. Martin Luther King’s birthday. ■ After the wonderful official welcoming ceremonies on both campuses last fall attended by so many of you, the highlight of my first semester as dean was participating in the bar swearing-in ceremonies and receptions for hundreds of our students who are now members of the bar in Pennsylvania, New Jersey, and Delaware. There is much more to tell, as you will discover when you read this issue. ■ Finally, I want to thank all of you who have been so gracious in making my transition to Widener Law so seamless and successful. At Widener Law, we are living our vision, and our best days are yet to come. ■

DEAN LINDA L. AMMONS

A message from the executive council



“The campaign to name the Alfred Avins Special Collections Library has now exceeded \$200,000, and a dedication ceremony to name the room in honor of Dean Avins is scheduled for spring 2007.”

DEAR ALUMNI AND FRIENDS:

2007 promises to be a great year for our law school. Our alumni are establishing themselves as leaders in the legal community and reaching new heights of success and achievement. On December 11, the Alumni of the Year Award was presented to Brian Preski '92, former chief of staff to the Speaker of the Pennsylvania House of Representatives. Brian exemplifies the success that Widener graduates now achieve. The Outstanding Service Awards recipients are Yvonne Takvorian Saville '92 and Scott Blissman '97, and the Outstanding Young Alumni were Robert J. Sanders '98 and William Higgins '99. It is certainly gratifying to read what our alumni have done in such a short period of time.

The annual Philadelphia Alumni Reception took place on March 22 at The Crystal Tea Room. Over 300 attend this annual event, including judges from many benches and counties in the tri-state area. If you missed the reception, please join your fellow alumni next year for this fabulous party, which notably excludes speeches and fundraising, and is all about reuniting with classmates and networking with colleagues.

The campaign to name the Alfred Avins Special Collections Library has now exceeded \$200,000, and a dedication ceremony to name the room in honor of Dean Avins is scheduled for spring 2007. Dean Avins, our founder, deserves this special recognition since, without his initiative and perseverance, there would be no Widener University School of Law, nor any Widener Law graduates. If you have not contributed to this campaign, please do so now, and be sure to attend the spring ceremony, which will also mark the seventh anniversary of his passing. Everyone associated with Widener Law owes a debt of gratitude to Dean Alfred Avins.

Our new dean, Linda Ammons, has begun to implement her ambitious plans to propel Widener to the forefront of law schools, and you can look forward to much greater visibility for Widener Law. Dean Ammons brings her remarkable energy and talent to the helm of the law school, and we are already enjoying the fruits of her efforts. Her ability to connect with the administration, faculty, students, and alumni is invaluable in creating a unified and focused Widener image.

Please join Dean Ammons and support our school in the way you can best serve!

SINCERELY, STEVEN P. BARSAMIAN

Alumni Association

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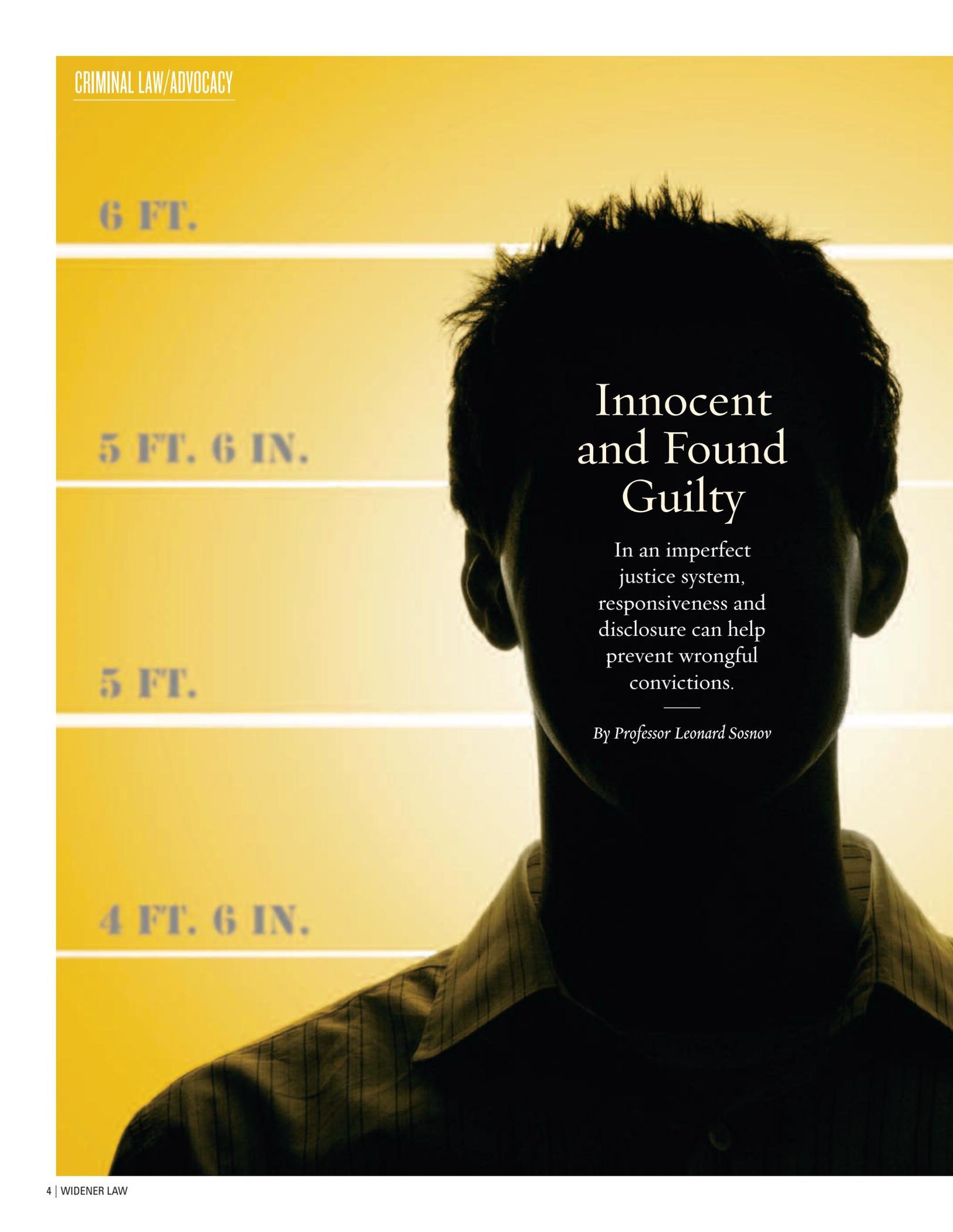
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Innocent and Found Guilty

In an imperfect
justice system,
responsiveness and
disclosure can help
prevent wrongful
convictions.

By Professor Leonard Sosnov

When individuals charged with crimes are factually innocent, they usually get the verdict they deserve—not guilty. For others, there are guilty verdicts, long-term incarceration, and bleak prospects for vindication. Why does the system produce such results in these cases? This is partly because the very nature of the system is imperfect. There are no video cameras on when the crime took place, or physical evidence to test for DNA to tell us conclusively who the perpetrator is. Thus, the jury must sort out the testimony of witnesses who may be lying or sincerely mistaken. Other variables come into play, including the relative skills of the attorneys for the prosecution and the defense. It is no wonder then, that guilty persons are sometimes found not guilty, and innocent individuals sometimes convicted. There are, however, other factors that adversely affect the innocent, which are not natural by-products of an imperfect justice system.

One problem is the tunnel vision some police and prosecutors possess once a crime is “solved” with an arrest. Any investigation before police concluded that the defendant was the perpetrator, even when fairly conducted, usually ceases once an arrest is made. The resources of the prosecutor and police are then directed toward building a case for conviction at trial. Not infrequently, this means ignoring leads and evidence, which may show that someone else did the crime.

For example, often a crime is deemed “solved” when a crime victim, attacked by a stranger, identifies a picture of an individual from an array of photographs. The identified person is arrested as a result. In some cases, the victim (or eyewitness) attends a post-arrest lineup, in which police include the defendant. On occasion, the victim positively identifies an individual other than the defendant.

Countless times, I have seen the same thing happen: The individual positively identified is not investigated, the identification is treated by authorities as a “mistake,” and the prosecution proceeds.

Because defense counsel is present at the lineup, or otherwise informed of the result, the jury might be apprised that someone other than the defendant was identified as the perpetrator. In other situations, however, defense counsel is kept in the dark about evidence that might exculpate the client. The United States Supreme Court has held that a prosecutor’s duty is to seek justice, and therefore the Due Process Clause requires disclosure of any material evidence tending to show the defendant is innocent or which discredits the state’s witnesses. Because this is a self-policing obligation, overzealous police officers or prosecutors can bury significant evidence they are duty-bound to disclose.

Once the innocent defendant is convicted, exoneration becomes much more difficult. The United States Supreme Court has held that, unlike some trial errors, a claim of innocence does not even raise a constitutional question that

can be litigated in the federal courts. Reconsideration of a case is frequently unattainable in state courts as well, once the jury “has spoken”—no matter how uninformed or misled because of lawyer incompetence, prosecutorial misconduct, or other factors. Once, in a case where I had convincing new evidence of the defendant’s innocence, the prosecutor rejected it, telling me, “We have to respect the sanctity of the verdict.” Fortunately, in a few of these cases, relief is possible because a judge is concerned with justice, rather than finality.

In a small percentage of cases, DNA testing can scientifically prove the perpetrator’s identity because physical evidence such as sweat, blood, saliva, or another bodily secretion may be tested. It is of vital importance that this evidence be preserved and made available for testing. While the law is

Once the innocent defendant is convicted, exoneration becomes much more difficult. The United States Supreme Court has held that, unlike some trial errors, a claim of innocence does not even raise a constitutional question that can be litigated in the federal courts.

generally improving, many states still have no provisions guaranteeing the preservation of this evidence for testing or re-testing as scientific methods advance. Even where the evidence is available, many states have statutes of limitations on testing requests, or difficult evidentiary hurdles.

Post-conviction DNA testing, it is hoped, will become increasingly available. Both commentators and the courts have recognized DNA as nothing less than a truth machine that ensures justice. With the increasing availability of large DNA data banks, DNA testing has the potential not only to exonerate an innocent, incarcerated defendant, but also to lead to the arrest and conviction of the real perpetrator who has been free to commit more crimes. Additionally, if test results confirm the defendant’s guilt, society is served because any question of innocence has been put to rest.

Our imperfect system needs to be more responsive to the possibility of error both before and after conviction. “Justice” system is a misnomer when there is not enough attention paid to fairly disclosing and analyzing *all* evidence in an effort to determine the truth. ■

Professor Sosnov teaches and writes in the areas of Criminal Law, Criminal Procedure, and Evidence. He has extensive litigation experience, including briefing and arguing two cases before the United States Supreme Court.

CRIMINAL LAW/ADVOCACY

On the steps of the courthouse in New Orleans: From left, Rachel Ramsay, Danielle Graham, Dave Iannucci, Jessica Sanchez, Everett Gillison, Lisa Vetro, Nazim Karaca, and Eric Lubin. Also participating but not shown were students Brett Bendistis and Julie Serfess. Gillison is a public defender in Philadelphia who joined the students on the trip.



Widener Law Criminal Defense Clinic: Twelve Years of Making a Difference

By *Judith L. Ritter, Associate Professor*

BORN IN THE 1960S,
CLINICAL LEGAL
EDUCATION IS
ROOTED IN THE
NOTION THAT LAW
STUDENTS BELONG
ON THE FRONT LINES
IN THE BATTLE FOR
SOCIAL JUSTICE.

Over time, law school clinics have served the dual functions of preparing students for the practice of law and providing legal assistance to underrepresented populations.

When I joined the Widener Law faculty in 1994, I was offered the opportunity to start a new, live-client, in-house, criminal defense clinical program. “Live client” distinguishes the program from simulation courses. It means that students represent real defendants in real criminal prosecutions. “In-house” means that the clinic functions as a small firm housed at the law school. Looking back at our first twelve years, I am gratified that the Widener Criminal Defense Clinic has exemplified the founding principles of clinical education.

My partner, Staff Attorney Romie Griesmer, and I follow a simple clinical education design: Through hands-on experience, a small caseload, close mentoring, and a “leave no stone unturned” philosophy, we teach students how to be thorough, prepared, and effective defense lawyers. Our goal is for clinic students to graduate having seen and practiced client-centered, zealous, and conscientious defense lawyering.

Another significant feature of the clinic model is “team litigation.” Students work in teams that include a faculty member. Team meetings with routine brainstorming sessions provide valuable opportunities for students to appreciate the intellectual joy of creatively and carefully analyzing legal issues. Moreover, the legal product created by the team is superior to one provided by individual litigators.

Certification from the Pennsylvania Supreme Court authorizes our students to function as first-chair lawyers. We start each semester with an intense training and orientation program that covers substantive law and legal skills. Once the students get their cases, they conduct client interviews, fact investigation, legal research, preliminary hearings, pre-trial discovery and motions, plea negotiations, guilty plea colloquies, pre-trial hearings, and trials. The cases run the gamut of those that a new public defender would encounter: assault, drug possession, DUI, terroristic threats, and thefts. What the students lack in experience, they make up for in preparation and passion enabling them to gain good results for our clients.

In addition to the more routine cases, over the years the clinic has also taken on more unusual cases, as the following highlights demonstrate.

REPRESENTATION OF CAPITAL DEFENDANTS IN *CERTIORARI* PROCEEDINGS IN THE UNITED STATES SUPREME COURT:

The clinic has represented a number of Pennsylvania capital prisoners in petitions for *certiorari* to the United States Supreme Court. These projects provided the students with a breadth of experience as they mastered the formalities, rigors, and requirements of Supreme Court practice. The work strengthened their research skills, as they were required to immerse themselves in complicated, challenging, and often unfamiliar legal issues. Petitions prepared by the clinic presented issues involving the Confrontation Clause, jury instructions, and the Eighth Amendment’s prohibition

of cruel and unusual punishment. These petitions also allowed students to hone their writing skills as they drafted and re-drafted arguments and received much feedback and editing suggestions. Of course, the final product had to be perfect, and students learned how to exert maximum effort to accomplish that goal. Perhaps most important were the relationships students established with condemned prisoners. Students were expected to correspond with their clients and thereby learned something of the personalities behind the names. Indeed, when one *cert* client with sickle cell anemia suffered from hypersensitivity to the cold, a clinic student went through prison channels to get him extra blankets. When he died from his illness while his case was pending, the student attended the funeral, interacted with his family, and felt a loss.

DNA AND INNOCENCE: Defense clinic students took on a couple of cases in which, years after a conviction and the imposition of life sentences, our clients sought the opportunity to be exonerated through DNA testing. In both cases the technology was not available at the time of their trials. While exoneration was not to be, students gained knowledge of the science of DNA, post-conviction law and practice, the challenges of investigating old cases, and techniques for counseling clients with diminishing options.

GOING TO THE GULF: On New Year's Day, nine third-year Widener Law students headed to New Orleans for a week of volunteering, to assist the Office

Clinic enrollment is always full because students recognize the enormous rewards the program offers—providing quality defense for the indigent, gaining first-chair lawyering experience, acquiring confidence, enhancing a resume, and employability—to name a few.



Students Dave Iannucci, Danielle Graham, and Lisa Vetro see first-hand the devastation left by Katrina.

of the Public Defender for Orleans Parish. As part of this project, a joint endeavor of the Criminal Defense Clinic and the Public Interest Resource Center, students assisted with and conducted bail motions on behalf of pre-trial detainees who have suffered, and whose cases have been neglected due to the chaotic state of the court system after Hurricane Katrina. Because a number of these students have just completed their Criminal Clinic experience, they have real-world experience doing this work and can provide truly valuable assistance. Much of the financial backing for this trip came from generous contributions from Widener Law alumni who rallied to our call for help.

TWELVE YEARS OF REWARDS: Clinic enrollment is always full because students recognize the enormous rewards the program offers—providing quality defense for the indigent, gaining first-chair lawyering experience, acquiring confidence, enhancing a resume, and employability—to name a few. Then there is the reward for the teachers. That comes when we accompany students to court appearances and see the pronounced growth and professional maturity demonstrated by our students. We feel enormous pride when we see our students conducting court proceedings as professional and persuasive advocates. ■

Judith L. Ritter is professor of law and director of the Criminal Defense Clinic at the Delaware campus. She teaches and writes in the areas of Criminal Law, Criminal Procedure and Post Conviction Remedies.

The Spirit of Service



While most law students across the country enjoyed a well-deserved break from their studies during the holiday season, a group of Widener Law students traveled to the Gulf Coast to assist the Public

supervised the students. Ritter directs the Pennsylvania Criminal Defense Clinic on Widener's Delaware Campus. Finkelstein directs the Public Interest Resource Center on the Delaware Campus. Both helped train the students in preparation for their trip, in conjunction with the "Katrina-Gideon Interviewing Project." The project is named after the landmark case, *Gideon v. Wainwright*, in which the U.S. Supreme Court recognized that states are constitutionally obligated to provide counsel to indigent criminal defendants.



"We are excited to be taking Widener's spirit of service on the road and putting it to work in Orleans Parish."

—Arlene Rivera Finkelstein,
Director, Public Interest
Resource Center

"We are excited to be taking Widener's spirit of public service on the road and putting it to work in Orleans Parish," said Finkelstein. "Our students will get a taste of the good they can do as attorneys, and while they are making this meaningful contribution, they will get real, practical experience for the future."



Defender's Office there, which is still trying to recover from the case backlog created by Hurricane Katrina.

During the first week of January, nine student volunteers conducted in-depth interviews with jailed defendants awaiting trial in Orleans Parish—one of the hardest-hit areas of the storm. Students drafted memos on their interviews and gave them to the Orleans Public Defender's Office in an attempt to help move inmates' cases forward.

Widener Law professors Judy Ritter and Arlene Rivera Finkelstein accompanied and

The Widener Law students joined students from Fordham and Brooklyn law schools in visiting Orleans Parish. However, Widener is the only Philadelphia-region law school to send students to the Gulf Coast for the Katrina-Gideon Interviewing Project during the winter break.

Top: Marks on boarded-up buildings around New Orleans show the flood level during Katrina.

Middle: Nazim Karaca helps with paperwork to process Louisiana prisoners.

Bottom: Students Lisa Vetro and Dave Iannucci work on a case.

CRIMINAL LAW/ADVOCACY

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10.01.04	11.48	541-887-4854	Centerville	0.02.18	\$2.08	Donalds, D.	Manufacturing
10.01.04	12.16	621-989-5267	Mobile	0.02.05	\$2.08	Miller, G.	Merchandising



...USA Today created quite a stir when, on May 11, 2006, it reported that the National Security Agency had obtained and was parsing the records identifying millions, if not billions, of telephone calls placed by Americans.

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10.01.04	06.22	888-827-5289	Mobile	0.01.42	\$1.58	Wilson, E.	Accounting
10.01.04	06.45	122-456-7890	Carton	0.21.42	\$6.62	Stevens, A.	Human Resources
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10.01.05	07.15	948-589-2048	Carney	0.01.17	\$1.78	Connors, J.	Payroll

The Technology of Surveillance: Will the Supreme Court's Expectations Ever Resemble Society's?

By Stephen E. Henderson, Associate Professor

For law students studying criminal procedure—or at least for those cramming for the exam—it becomes a mantra: government conduct only implicates the Fourth Amendment protection against unreasonable searches if it invades a “reasonable expectation of privacy.” This is not the contemporary definition of the word “search,” nor was it the definition at the time of the founding. But, via a well-intentioned concurrence by Justice Harlan in the famous 1967 case of *Katz v. United States*, it became the Court’s definition.

This lack of fealty to the English language left some questions. For example, is determining whether someone has a “reasonable expectation of privacy” a normative inquiry (what *should* a person expect) or an empirical one (what *does* a person expect)? And why do we need to determine whether someone had a *reasonable* expectation of privacy when the next question is, to the consternation of law students, whether the search was *reasonable*. Remarkably, the High Court has never answered these questions, although Justice Scalia has complained about the latter. But there are even larger problems with what the Court has done with its “reasonable expectation of privacy” test, problems that became immediately apparent, but that are now becoming critical.

Consider some recent events and technologies, and the problem becomes clear. Why might Patricia Dunn soon be able to empathize with Martha Stewart? Because she has been indicted for her role in the Hewlett-Packard board-leak fiasco. In a nutshell, Dunn allegedly authorized and assisted in an investigation that relied upon an “information broker” to determine which board member or members were leaking confidential information to the press. How does an “information broker” obtain that information? She lies. But it isn’t pleasant to have to tell new acquaintances at a cocktail party that one lies for a living, so instead “information brokers” engage in “pretexting,” which means contacting phone companies, posing as customers, and thereby obtaining call records. HP also appears to have engaged in dumpster diving, shadowing, and other favorites in the snoop’s arsenal, but for our purposes we want to focus on pretexting.

Naming aside, pretexting must be a pretty nasty business. Not only did it cost Dunn her chairman job, but the Attorney General of California charged her in a felony indictment and settled civil charges against the company for \$14.5 million. The FBI investigated, the SEC instigated a review (admittedly for a tangentially related Sarbanes-Oxley issue), the House Committee on Energy and Commerce held hearings, the “governator” (Schwarzenegger) signed legislation explicitly criminalizing pretexting of telecommunications records, and the United States Congress considered—and might enact—the same. Whatever it takes to constitute a “reasonable expectation of privacy,” it must be satisfied with respect to dialing

What if the government wants to plant a mole in your life who will remember, record, and transmit everything you say to him or her? There is no constitutional constraint. What if the government wants to place an electronic transponder on your vehicle to track your car? There is no constitutional constraint.

records. After all, *USA Today* created quite a stir when, on May 11, 2006, it reported that the National Security Agency had obtained and was parsing the records identifying millions, if not billions, of telephone calls placed by Americans. And there is, in fact, a federal statute, the Stored Communications Act, which forbids such access absent legal process. Apparently, a reasonable American both *should* and *would* expect dialing records to be confidential.

But according to the Supreme Court, there is *no* Fourth Amendment restriction on police accessing such records. They can be obtained for any reason, or for no reason. Mere curiosity will do. Why? Because to the Court, one who discloses information to a third party retains no reasonable expectation of privacy in that information (the “third party doctrine”). And we know we give those numbers to our phone company—how else are its switches to connect the call? So how about your bank records? As far as you are concerned, there is no constitutional constraint on government access. What if the government wants to plant a mole in your life who will remember, record, and transmit everything you say to him or her? There is no constitutional constraint. What if the government wants to place an electronic transponder on your vehicle to track your car? There is no constitutional constraint. What if the government wants to fly over your backyard to see what you do within that fence of yours? There is no constitutional constraint. And if the government wants to comb through your garbage, going so far as reconstructing shredded documents or testing a tampon for seminal fluid? There is no constitutional constraint.

These are the cases law students learn. But it gets worse. The human body is constantly radiating energy. This in itself sounds worrisome, but unless you are at a temperature of absolute zero (so chilly, atoms stop vibrating), you are going to emit energy. We don’t see this energy because it isn’t in the visible spectrum, but it turns out the body is much more

emissive in the millimeter wave spectrum than most other objects, such as guns, knives, and particulates. And just as visible light transmits through glass, millimeter waves transmit through clothing. This allows police to carry what is in essence a video camera attuned to this spectrum and view what a person is carrying on his or her person from a distance. Does the Fourth Amendment restrict use of such a device? Not under the third party doctrine, because you knowingly (at least now you know) convey this information to others.

And there are more banal examples. Consider to whom you disclose your e-mail messages. And how about your physical location? If you carry a modern cellular phone, you typically convey a very accurate location to your service provider not only when you are placing or receiving a call, but anytime the phone is turned on. And what of querying the mammoth databases amalgamating different types of information that we tend to hear about when they suffer security breaches? This is the magnum opus of the Court’s third party doctrine—the Court has removed all constitutional (legal) constraint, and technology has now removed any significant cost constraint.

So what should the Court do? Obviously the third party doctrine must go, but it is admittedly difficult to replace this wonderfully bright-line rule with anything administrable. I have crafted a proposal, and interested readers can peruse it via my page at Widener’s Web site. But in the space I have here let me just say this: Last term the Supreme Court declared that “[t]he constant element in assessing Fourth Amendment reasonableness...is the great significance given to widely shared social expectations.” As the HP debacle demonstrates, the Court’s jurisprudence deviates sharply from actual expectations. Unless the Court changes course our Constitution will read like AT&T’s recently modified privacy policy, which explains that “[w]hile your account information may be personal to you, these records constitute business records that are owned by AT&T.” That might suffice for corporate America, but it shouldn’t do for our Constitution. ■

So what should the Court do?
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must go, but it is admittedly difficult
to replace this wonderfully bright-line
rule with anything administrable.

Stephen E. Henderson is associate professor on the Delaware campus, where he concentrates on intellectual property and criminal law. He received his JD from Yale Law School, where he co-founded the Yale Law and Technology Society.

Giving Back to Widener Law

Selma Hayman '86

Selma Hayman '86 feels that she has been able to effect meaningful change through the law. She is also generous and grateful to her alma mater, Widener Law, for the opportunities it gave her to do important and valuable work for the underserved. And so, in keeping with her style and her values, Hayman recently donated appreciated securities to fund a charitable gift annuity to benefit the law school.



A charitable gift annuity is a planned gift which affords the donor substantial tax benefits, including a tax deduction at the time of the gift, while allowing the person to receive annuity payments. Hayman likes the charitable gift annuity vehicle because the annuity payments will supplement her income when she is retired, and she is pleased with the tax savings. In her words, "It should be noted that a portion of the annuity payment, because it is a return of principal, is tax free, and there are some tax savings if you donate appreciated property."

The charitable gift annuity vehicle is beneficial for the charitable institution as well, because the institution receives the remaining funds after the donor dies. In Hayman's case, the gift will benefit a scholarship for minority students. "When I was in law school, there were only about two black students in my class, and I thought it was a major gap," she explains.

Although she realizes that minority enrollment at Widener Law has increased since that time, Hayman wants to encourage a more diverse

population in the legal profession. A desire to "give back" to the law school as thanks for scholarship help she personally received as a student is also a motivating factor, she says.

Hayman, who has a bachelor's degree in biology from Antioch College and a PhD in biochemistry from the University of Wisconsin at Madison, entered Widener Law in 1983 at the age of 52 after a career in research. Of her decision to attend law school later in life, Hayman says, "I was on the board of the American Civil Liberties Union and saw that law school could be interesting and socially relevant."

She parlayed her law degree and her commitment to social justice into a career that has been devoted to representing clients who desperately need her help. Focusing primarily on elder law, Hayman has handled guardianships, cases involving nursing home rights, Medicare and Medicaid issues, and Social Security Disability claims and appeals. Elder law, according to Hayman, "turned out to be a good fit."

She recently noted, "An awful lot of what I do is helping people who have serious problems. I don't deal with people with a lot of money. I send them to someone else. I didn't go into the law to get rich."

Hayman's philosophy on life and the law has indeed aided many clients during her career and—in light of her recent planned gift—it will also benefit many future law students.



The simple
problem is
that the mind
is not a video
or digital
recorder; it
neither
perceives all
details nor
retains those
it *did* see in a
pristine,
unalterable
state.

I'll never forget that face ... (But I might not remember it accurately.)

Mistaken eyewitness identification testimony is a leading cause of most wrongful convictions.

By Professor Jules Epstein

Mistaken identification cases are “high profile” in the media. This has resulted in significant part from DNA exonerations. The scientific conclusiveness of DNA as proof of innocence has permitted a retrospective assessment of “what went wrong” in those cases. And “what went wrong” in a substantial proportion of those cases was a reliance on eyewitness identification testimony. According to the Innocence Project, as of November 2006 “over 75% of the 183 post-conviction DNA exonerations in the U.S. involve mistaken eyewitness identification testimony, making it the leading cause of these wrongful convictions.”

But it is not just in 183 cases. For more than a century, every study of wrongful convictions has shown that mistaken identification is the major culprit, usually at a rate of roughly two-thirds of the cases studied. And FBI statistics of DNA examinations in sex offenses show a startlingly high rate of mistaken identifications: in over 10,000 cases where crime scene DNA was tested against suspects’ DNA, the exclusion rate [the rate at which the DNA showed the suspect could *not* have contributed the evidence] was 20 percent.

The numbers show the prevalence of this problem, but not its cause. And the cause has five demonstrable components — problems with perception and memory, improper police evidence gathering, juror over-valuing of eyewitness testimony, bad lawyering, and judicial decisions and practices that are contrary to the known science.

Perception and Memory: The simple problem is that the mind is not a video or digital recorder; it neither perceives all details nor retains those it *did* see in a pristine, unalterable state. How do we know this? In the past three decades, over 2,000 peer-reviewed studies have shown that several factors impede accurate perception and recall:

- **Weapons Focus:** When a firearm or knife is present, crime witnesses look at the weapon, not at the perpetrator’s face.
- **Own-Race Bias:** It remains a sad but true fact that witnesses are better at identifying persons of their own race than of other races.
- **Stress:** Very high levels of stress impair the accuracy of eyewitness testimony. This is true even where the witness is a trained police officer or member of the military.
- **The Memory Drop-Off:** Accurate recall of an event drops sharply after a several hour period.
- **Confidence/Accuracy:** Although many witnesses maintain that they, personally, are “100% sure” of their identification, the correlation between their confidence and the accuracy of their identifications is low.

Police Evidence Gathering: An abundance of studies has shown that when police conduct interviews or lineups, their words or gestures can contribute to mistaken identifications. Asking “did the man have a big mustache” may implant that feature onto the witness’ memory; and telling witnesses to look for “the perpetrator in the lineup” can suggest that the perpetrator *is* in the group being looked at, and thus cause the witness to pick *someone*, not necessarily the right person.

Juror Over-valuing of Eyewitness Testimony: Jurors believe eyewitnesses (usually crime victims), as they seem sincere and have no apparent motive to lie or pick the wrong person. In one mock jury study, 72% of the jurors found the subject

The standard for suppressing eyewitness testimony as unreliable has no regard for how memory works or how police conduct may influence witnesses . . .

guilty when there was one eyewitness. A separate set of jurors were given the same one-witness evidence and were told that the eyewitness was legally blind; the percentage of jurors voting guilty dropped only to 68%.

Bad Lawyering: Too many cases involve lawyers who have not studied the psychology of eyewitness evidence and who use cross-examination techniques designed to expose the *dishonest* witness when what they are confronting is an *honest but mistaken* witness.

Judicial Decisions: The law's development is currently running twenty to thirty years behind the clear science. The standard for suppressing eyewitness testimony as unreliable has no regard for how memory works or how police conduct may influence witnesses. Jury instructions also fail to keep pace with the science, and many jurisdictions prohibit or limit the use of expert witnesses to explain why an eyewitness' claim might be unreliable.

So, where and how are remedies being sought? Many legislatures, police departments, and state agencies have adopted guidelines for police investigation in identification cases, particularly in how to interview witnesses and conduct lineups. New Jersey has adopted these on a statewide basis, including the requirement that lineups be conducted "blind," i.e., by a detective who does not know which person is the suspect.

Advanced training in how to litigate a case of mistaken identification is being provided nationally, and across Pennsylvania, for defense lawyers. In the courts, resources are being amassed to press for better jury instructions, greater acceptance and use of experts, and a more science-based standard for assessing whether eyewitness testimony should be admissible.

Much is occurring, but much more is needed, particularly in terms of education for judges, juries, and police. And until these changes are implemented, we will continue to see headlines like those from Delaware in September 2006 when *two* people were wrongly identified from bank robbery surveillance photos: "Police, again, accuse the wrong man." ■

Jules Epstein is associate professor at Widener's Delaware campus. He joined Widener from the Philadelphia criminal defense firm of Kairys, Rudovsky, Epstein & Messing, and teaches criminal law and evidence courses. He serves as faculty for a National Judicial College program training judges in capital case representation.

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Psychology Eyewitness Expert Resources:

Web site of Professor Gary Wells,

<http://www.psychology.iastate.edu/FACULTY/gwells/homepage.htm>

Web site of Dr. Solomon Fulero, www.fulero.com

Web site of Professor Stephen Penrod,

<http://www.penrods.net/>

Government Publications:

New Jersey State Attorney General Guidelines on Eyewitness Identification, <http://www.psychology.iastate.edu/FACULTY/gwells/njguidelines.pdf>

National Institute of Justice, *Eyewitness Evidence: A Guide for Law Enforcement*, <http://www.ncjrs.gov/pdffiles1/nij/178240.pdf>

Organizations:

The Innocence Project,

<http://www.innocenceproject.org/causes/mistakenid.php>

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ET AL., SUPPLEMENT OF BASIC DOCUMENTS TO INTERNATIONAL LAW AND WORLD ORDER (Thomson West 4th ed. 2006).

Is International Law a Threat to Democracy: Framing the Question, 12 ILSA J. INT'L & COMP. L. 555 (2006).

TAKING DEMOCRACY GLOBAL: ASSESSING THE BENEFITS AND CHALLENGES OF A GLOBAL PARLIAMENTARY ASSEMBLY (One World Trust 2005).

WILLIAMS, SERENA M., *Exploring the Complexities of Environmental Justice*, WIDENER U. SCH. L. MAG., Fall 2005, at 8.



**JOHN
DERNBACH**

PROFESSOR ANN E. CONAWAY made a presentation in Vail, CO, in August 2006 at the Annual Colorado Business Law Institute. The presentation was entitled, "Overtaxing the Concept of 'Good Faith': The Distinction in Contractual Good Faith and Good Faith in the Law of Fiduciaries and Trust Law."

PROFESSOR JOHN DERNBACH has been reappointed Chair of the ABA Committee on Sustainable Development, Ecosystems and Climate Change for 2006-2007.

John, with seven Widener students (Robert Altenburg, Thomas Corcoran, Norman Marden, Allison Rafferty, Christopher Reibsome, Edward Ruud, and David Sunday) in his Seminar on Energy Efficiency, published "Stabilizing and Then Reducing U.S. Energy Consumption: Legal and Policy Tools for Efficiency and Conservation," 37 ENVTL. L. REP. (Envtl. L. Inst.) 10,003 (2007).

John was a panelist for "Federal and State Environmental Issues" at the Environmental Law Forum at the Pennsylvania Bar Institute in Harrisburg on April 5, 2006.

On April 6, John made a presentation on "Sustainability, Climate Change, and Energy Efficiency" at the "Climate Change Challenges: Legal Responses to Environmental Disasters" symposium at the New England School of Law in Boston.

On April 18, John made a presentation on "Taking Energy Efficiency Seriously" at the "Catastrophic Climate Change: The Science, the Costs, and the Race for Remedies" symposium at the Albany School of Law in New York.

In May he was a presenter on "Effective Approaches for Motivating People and Institutions to Adopt More Sustainable Practices and Technologies" at the Roundtable on Science and Technology for Sustainability at the National Academy of Sciences in Washington, D.C.

In August he provided testimony before the House Democratic Policy Committee in Harrisburg on H.B. 2744, which would authorize grants for local climate change action plans.

In September John was a moderator at the Charlestown Citizens Forum on "Energy 101: How Energy Policy Hits Home" in Berwyn, Pennsylvania.



**MICHAEL
DIMINIO**

Ann was the organizer and a panelist on the October 4 roundtable at Widener Law School on "Statutory and Case Law Developments in Good Faith." On October 5, Ann organized the Third Annual Symposium on the Law of Delaware Business Entities, entitled "Good Faith After Disney: The Role of Good Faith in Organizational Relations in Delaware Business Entities," sponsored by the Delaware State Bar Association. She introduced the program by presenting "Context of Good Faith in Delaware Corporate Law." During the afternoon session, Ann presented "Overtaxing Good Faith: The Distinction Among Contractual Good Faith and Good Faith in the Law of Fiduciaries and Trust Law."

JILL FAMILY



**LOREN
PRESCOTT JR.**

PROFESSOR JOHN G. CULHANE has been the Acting Director of the Health Law Institute since January 2006. In addition to the responsibilities that position entails, he continues to work on the Public Health Law Information Project, expected to be completed Spring 2007.

On May 5, 2006, Professor Culhane made two appearances in connection with Philadelphia's Equality Forum: The Global GLBT Event. That morning, he was a featured guest on *Radio Times* (WHYY-FM, Philadelphia); the topic was "Family Matters: Gays and the Law" (available at www.whyy.org/91FM/radiotimes.html). In the afternoon, he participated in a panel entitled "Family Matters."

On April 24, 2006, John participated on the ethics panel for "Custody Reform on the Horizon," a CLE sponsored by the Pennsylvania Bar Institute.

In January, 2007, Professor Culhane spoke at a conference on same-sex marriages and civil unions held at Tulane Law School. The results of the conference are to be published in *LAW AND SEXUALITY: A REVIEW OF LESBIAN, GAY, BISEXUAL AND TRANSGENDER LEGAL ISSUES*, published at Tulane.



**CHRISTOPHER
ROBINETTE**



On October 5, John made a presentation on “Energy Policy and Climate Change” to the Opening Session on Energy Policy Act of 2005, at the 14th Section Fall Meeting of the ABA Section of Environment, Energy and Resources in San Diego.

In November and December, John presented: “Sustainable Development and State and Local Governance,” at the Florida Coastal School of Law, Environmental Summit, Jacksonville, Florida, Nov. 3, 2006; “Sustainable Development, Climate Change, and State Action, Responses to Global Warming: The Law, Economics, and Science of Climate Change,” at the University of Pennsylvania Law Review 2006-2007 Symposium, Philadelphia, Nov. 16, 2006; and “Facing Climate Change in a Sea of Legal Uncertainty,” at the Sixth Annual Great Lakes Water Conference: Climate Change, the Courts, and a Common Water Policy, sponsored by the University of Toledo College of Law, Toledo, Ohio, Dec. 1, 2006.

PROFESSOR MICHAEL DIMINO presented “The Community Caretaking Doctrine and Fourth Amendment Reasonableness” to the Federalist Society Faculty Conference.

PROFESSOR JULES EPSTEIN was a CLE planner and presenter at the 2006 Pennsylvania Bar Institute, Criminal Law Symposium, “Capital Case” training; the Pennsylvania Association of Criminal Defense Lawyers (PACDL), “Mistaken Identification” training (Fall 2006); Bucks County Bar Association Bench Bar CLE, “Hollywood and Cross-Examination” (Fall, 2006); and Philadelphia Bar Association Bench Bar CLE, “And Justice for All - Cross-Examination in the Movies.”

Jules helped plan, and was a presenter on, death penalty issues at the February 9 day-long capital case training sponsored by the Pennsylvania Association of Criminal Defense Lawyers.

Jules is one of four faculty for a National Judicial College capital case training for Pennsylvania judges, to be held in late March in Harrisburg. He will also be one

of four faculty for a four day course on “advanced evidence” for judges from around the nation, sponsored by the National Judicial College at the end of May in Philadelphia.

Professor Epstein has been named one of three Pennsylvania representatives to a national network for the reform of eye-witness identification law, sponsored by the Innocence Project and other organizations. He remains an active member of the committee that drafts jury instructions (criminal) for the Pennsylvania courts.

PROFESSOR JILL E. FAMILY made a presentation on May 5 in Las Vegas at the Immigration Law Teachers’ Workshop on the subject of “The Role of Injunctive and Declaratory Relief in Immigration Cases.”

On October 14, Jill spoke on the subject of “Stripping Judicial Review: Congress in Action” at the Temple Political and Civil Rights Law Review Symposium at Temple University Beasley School of Law in Philadelphia.

PROFESSOR ARLENE RIVERA FINKELSTEIN, working with Professor Judith Ritter, helped organize and lead a group of Widener Law students in their travel to New Orleans in January 2007 to provide assistance to inmates that had been unavailable as a result of the Katrina disaster.

Arlene was also a panelist for “Cross-Ex: The Crossroads of your Case!” at the ABA National Conference for the Minority Lawyer on Thursday, June 22, 2006, in Philadelphia. Panelists included attorneys and a judge who commented on the effectiveness of cross-examination strategies demonstrated in contemporary television shows.

In June and July of 2006, Arlene taught two writing seminars entitled “Real Writing for Real Lawyers” at the Philadelphia Law Department. The seminars were designed to improve the writing skills of new attorneys and summer interns, and to help them shift gears from writing in the academic setting to writing in the high-pressure, high-volume City Solicitor’s Office.

PROFESSOR ALAN E. GARFIELD, as the outgoing Chair of the AALS Section on Mass Communication Law, moderated “Secrecy in the Name of Security” and “A Conversation with Daniel Ellsberg” at the AALS Annual Conference in January 2007.

Alan organized “The First State Celebrates Constitution Day” program, a Web site collection of essays on the Constitution written by Delaware government and community leaders.

On January 19, 2007, Alan presented “Evaluating Copyrights Impact on Speech” at a symposium at the Brennan Center for Justice, sponsored by Hofstra University School of Law and New York University School of Law.

On February 7, 2007, Alan spoke on “Preemption, Local Municipalities and Federal Immigration Law: A Struggle for Balance” at Widener.

Alan made presentations to the Council on American-Islamic Relations on February 11th, entitled, “Civil Liberties During Wartime”; and on “Separation of Church and State” at Easttown Library on February 20.

Alan was the organizer and moderator for “A Conversation with Delaware Valley Muslim Leaders” at Widener University School of Law on March 18, 2007.

PROFESSOR JOHN L. GEDID was the keynote speaker at the annual meeting of the National Association of Administrative Law Judges held in Des Moines, Iowa, in early July. He spoke on the revision of the Model State Administrative Procedure Act, of which John is the reporter for the National Conference of Commissioners on Uniform State Laws.

John served as an organizer of the 9th Annual Administrative Law Symposium held by the Pennsylvania Bar Institute on August 23. He also conducted a CLE session on developments in administrative law at the symposium.

In July John served as Reporter and presented a draft Model State Administrative Procedure Act to the National Conference of Commissioners on Uniform State Laws at the annual meeting of the National Conference in North Carolina.

John was appointed by PBA vice chair of the PBA statutory law committee, and chair-elect for the following year.

PROFESSOR MICHAEL GOLDBERG won a significant victory in August in the 3d Circuit in a union democracy case brought on behalf of four reformers in the International Longshoremen's Association. The case strengthened the statutory free speech and due process rights union members have within their unions, and also enforced a statutory requirement that unions inform their members about the "union members bill of rights" contained in the Labor-Management Reporting & Disclosure Act. The case, now on remand to determine remedies, is reported at 457 F.3d 331.

PROFESSOR LAWRENCE A. HAMERMESH presented a paper, "The Policy Foundations of Delaware Corporate Law," to the 12th Annual Institute for Law and Economic Policy (Nassau, symposium on federal and state regulation of corporate governance) on May 5, 2006; the paper was accepted for the symposium issue of the COLUMBIA LAW REVIEW. On May 10, he made a presentation in Chicago to the ABA Section of Business Law's Committee on State and Local Business Bar Leaders, on majority voting issues and their treatment in pending amendments to the Model Business Corporation Act.

Larry presented his working paper (co-authored with Prof. Michael Wachter at Penn), "The Short and Puzzling History of the Implicit Minority Discount in Delaware Appraisal Law," to the advanced business law seminar at Fordham Law School on January 16, 2007. On December 8, he presented this paper at a roundtable at the Institute for Law and Economics at the University of Pennsylvania.

In December Larry was appointed by the Delaware Insurance Commissioner as the hearing officer on the application for

approval of the proposed acquisition of Royal Indemnity Company and other Delaware affiliates. The acquisition is challenged by General Motors, DaimlerChrysler, the owners of the World Trade Center, and many other significant policyholders. The hearing on the application was held on January 19, 2007.

Larry spoke in Washington, DC, on December 1, on a panel at the fall meeting of the ABA Section of Business Law's Committee on Federal Securities Litigation, on the subject of institutional investor activism. Co-panelists included the Executive Director of the Council of Federal Securities Litigation, the Executive Director of the Council of Institutional Investors, the head of corporate governance affairs for TIAA-CREF, and the Chief Justice of the Delaware Supreme Court.

The Securities and Exchange Commission approved for public notice and comment Larry's proposed plan of distribution in the Columbia Funds mutual fund market timing settlement. The plan is available at <http://www.sec.gov/litigation/admin/2006/34-54175-pdp.pdf>.

Larry was a panelist on the October 4 roundtable at Widener Law School on "Statutory and Case Law Developments in Good Faith." On October 5, he was moderator of a panel on "Good Faith in Delaware Corporate Law," as part of Delaware State Bar Association's program on good faith in business entity law.

On October 13, Professor Hamermesh presented the paper previously described, "The Policy Foundations of Delaware Corporate Law," as part of a panel on evolving rules of corporate governance, during a day-long symposium at the University of Maryland Law School on the interplay of state and federal law in corporate governance.

PROFESSOR DANA HARRINGTON CONNER presented a work in progress on "Child Visitation Determinations for Incarcerated Perpetrators of Extreme Acts of Violence Against Women" at the Update for Feminist Law Professors at Temple Law School on February 3, 2007.

PROFESSOR STEPHEN HENDERSON

has been named Reporter for a new set of ABA Criminal Justice Standards regarding government access to third-party information.

Stephen made the following presentations: “Criminal Defense in the Age of Terrorism,” to the Criminal Justice Section of the Pennsylvania Bar in Philadelphia on September 26; “Personal Technology & Free Speech: The Truth About FaceBook, MySpace, and File Sharing,” at Widener University on September 21; “Where Science, Technology and the Law Intersect,” at a Planning Engagement Workshop for the Florida Judiciary’s Long-Range Strategic Plan, Orlando, FL on May 18; and “New Technologies and Their Impact on the Fourth Amendment,” at the Pennsylvania Association of Criminal Defense Lawyers (PACDL) Search & Seizure Seminar, in King of Prussia, PA, on February 3.

PROFESSOR DAVID HODAS chaired the Planning Committee and moderated the overall conference and final session of the 34th American Bar Association National Spring Conference on the Environment, “Ecosystems, Infrastructure and the Environment: Reconciling Law, Policy and Nature,” held at the University of Maryland Law School, June 9, 2006.

David presented a paper, “Ecosystems and Energy,” at *The Law and Policy of Ecosystem Services: A Symposium*, Florida State University College of Law, April 7 - 8, 2006 (to be published Spring 2007).

David was the Issue Editor, Transboundary Conflicts Issue, 21 *NATURAL RESOURCES & ENVIRONMENT* (Summ. 2006).

PROFESSOR PATRICK KELLY presented a paper, “Democratic Constitutionalism and the Reception of International Law into Domestic Legal Orders,” at the Temple University School of Law’s Annual Delaware Valley International Day symposium on October 21, 2006.

PROFESSOR ROBERT JUSTIN

LIPKIN accepted an invitation to be a guest blogger at Ratio Juris: Empirical and Mathematical Analysis of Legal Decisionmaking: A Member of the Jurisdynamics Network. Bobby has subsequently established his own blog entitled Essentially Contested America.

Bobby was interviewed by the *SUNDAY NEWS JOURNAL* on August 20, 2006, on “Middletown Grants, Loans: Unethical or Just Generous?”; by *WILM RADIO* August 18, 2006, on “District Court Decision to Overturn the Administration’s Warrantless Wiretaps”; by the *DELAWARE STATE NEWS* on May 30, 2006, on “DSU Meeting Questioned; Board Session Behind Doors Called Violation”; and by the *WILMINGTON NEWS JOURNAL* on May 12, 2006, on “Bush Faces Outrage on Phone Records”.

PROFESSOR JAMES R. MAY was also appointed to the Council of the ABA Section on Environment, Energy and Resources, to its Education Service Group, and as Vice Chair of its Strategic Response Committee, and served as Chair of its Committee on Constitutional Law.

Jim spent his sabbatical as Visiting Scholar at the Environmental Law Institute in Washington, D.C. During his sabbatical, Jim spoke at conferences sponsored by the American Law Institute (citizen enforcement), the American Bar Association (water quality policy and the environmental effects of Hurricane Katrina and other national disasters), and Oregon Law School (constitutional law). He also spoke about Justice Rehnquist’s legacy at three law schools and the Environmental Law Institute.

Jim also traveled to South Africa, where he lectured about the intersection of Constitutional and Environmental Law.

PROFESSOR DORETTA MCGINNIS has been selected to serve on the Upper Level Writing Committee of the Legal Writing Institute. Among other things, the Committee will compile nationwide information regarding law school upper level writing curricula and develop Web site content for interested faculty.

PROFESSOR NICHOLAS MIRKAY

presented “Tax Exempt Challenges” at the Lorman Seminar on “Tax Exempt Organizations in Delaware” in Newark, Delaware on May 31, 2006.

Nick presented “2006 Developments in Federal Income Taxation” at the annual Delaware Tax Institute on November 14, 2006.

Professor Nicholas Mirkay was elected Vice Chair of the Food Bank of Delaware Board of Directors in May 2006. Professor Mirkay was also elected Secretary of the Delaware HIV Consortium Board of Trustees in May 2006.

PROFESSOR JULIET MORINGIELLO was named Co-Chair of the International Coordinating Committee of the ABA Business Law Section.

Juliet was appointed to the Editorial Board of “Business Law Today,” the magazine of the ABA Business Law Section.

Juliet made a presentation on September 12 at the Pennsylvania Bar Institute’s Eleventh Annual Bankruptcy Institute entitled “Ethics for the Consumer Practitioner.”

As Chair of the Uniform Commercial Code Committee of the Pennsylvania Bar Association Business Law Section, she and her committee prepared the “Report on the Uniform Commercial Code Modernization Act of 2007” which recommends the enactment of Revised Articles 1 and 7 of the UCC in Pennsylvania. The Report was approved by the Business Law Section Council on January 10, 2007 and will be considered by the PBA House of Delegates at its next meeting.

PROFESSOR WESLEY OLIVER made a presentation in September at NYU Law School on material witness detention in the nineteenth century.

Wes made a presentation entitled *Magistrates’ Examinations, Police Interrogations and Miranda-Like Warnings in Nineteenth Century New York* at Harvard Law School as part of the Harvard Legal History Colloquium, on October 16.

In October, Wes made a presentation on the origins of Miranda-like warnings at the University of Colorado School of Law symposium entitled "Cautions and Confessions: Miranda vs. Arizona After 40 Years," commemorating the fortieth anniversary of the Miranda decision. The symposium included keynote speaker Yale Kamisar and presentations by Albert Alschuler, Margareth Etienne, Mark Godsey, Judge Morris Hoffman, Richard Leo, John Parry, Jacqueline Ross, Bruce Smith, George Thomas III, and Melissa Waters. Wes' presentation will be forthcoming as an article in the *TULANE LAW REVIEW*.

Wes has recently appeared twice (and will likely appear at least a third time) on the CBS affiliate offering commentary on the local Kevin Eckenrode murder trial.

PROFESSOR ROBERT POWER made a presentation in May at the Middle District of Pennsylvania's Bankruptcy Law Conference on the subject of "Constitutional Issues in the 2005 Bankruptcy Act."

Bob also made a presentation on the "Pinochet Case" and the increasing globalization of criminal law at the Law and Society Association Conference in July.

PROFESSOR CHRISTOPHER ROBINETTE is currently working with Jeffrey O'Connell as co-author on a book on tort reform to be published by Carolina Academic Press.

PROFESSOR JUDITH RITTER, working with Professor Arlene Rivera Finkelstein, helped organize and lead a group of Widener Law students in their travel to New Orleans in January 2007 to provide assistance to inmates that had been unavailable as a result of the Katrina disaster.

PROFESSOR ANDREW STRAUSS gave the Henry Osborne Memorial Lecture on March 8, 2006, to members of the British Parliament in the Houses of Parliament in London. The title of his speech was, "Taking Democracy Global." Then, on March 10, Andy presented "Are Present Global Institutions Still Relevant?" in Athens, Greece, at the New School of Athens Conference entitled "Beyond the Millennium Declaration: Embracing Democracy and Good Governance."

On March 31, Andy presented "Pursuing International Trade Remedies for the Problem of Global Warming" on a panel at the Annual Meeting of the American Society of International Law.

On April 6-8 Andy chaired the Widener University School of Law Symposium, "Envisioning a More Democratic Global System."

On December 5, 2006, Andy lectured at Yale Law School on "Toward a More Democratic Global System."

PROFESSOR CATHERINE WASSON was elected to serve a second four-year term on the editorial board of the *JOURNAL OF THE LEGAL WRITING INSTITUTE*. She was also appointed chair of the newly-created Teaching Resources Committee of the Legal Writing Institute and has been invited to serve on the Membership Task Force for the Association of Legal Writing Directors.

Law School Launches Online Constitution Day Project



www.law.widener.edu/constitution/2006

Widener University School of Law—the only law school in America’s “First State” of Delaware—launched a new online project this fall in observance of Constitution Day. The result was a resource for all Americans looking to better understand what the nation celebrates every Sept. 17.

The project, the brainchild of Professor Alan E. Garfield, the H. Albert Young Fellow in Constitutional Law, capitalized on Delaware’s role as the first

state to ratify the Constitution. It was intended to bring *everyone* a deeper meaning of this national observance, by drawing out the thoughts of Delaware’s political, legal, and civic leaders.

Garfield asked Delaware leaders to reflect upon the meaning of the Constitution and to explain their roles in ensuring our democracy’s ongoing vitality. He amassed a collection of pieces from an array of people including the Delaware governor, both U.S. senators and Delaware’s lone representative in the U.S. House, state legislative leaders, state and federal judges, local clergy, and legal and business leaders.

Garfield began the project with an eye for enlightening the public about what it is we should celebrate on Constitution Day. The result was an essay package beautifully displayed

at the law school Web site, where readers from all walks of life can peruse the statements, comment on them, or submit their own thoughts about what we should celebrate on Constitution Day.

“The Constitution is not perfect,” Garfield says, “and neither are Supreme Court decisions interpreting it. But it has come to symbolize our societal commitment to respecting the dignity and humanity of every individual.”

Garfield said he hopes the project will kick-start a process that continues to make Constitution Day a meaningful event as Americans grow accustomed to the observance.

“As Delaware’s only law school, Widener Law is poised to be a central figure in future observances, and I look forward to enhancing the celebration we have started this year,” he says.

Honoring King



Ann Lyon

The faculty, students and staff on both campuses of Widener University School of Law took time in January to honor the memory of Dr. Martin Luther King Jr.

In Harrisburg, about 100 people gathered on Jan. 25 in the administration building to hear retired educator Ann Lyon speak about history and her family’s connections to the civil rights movement. Lyon, 79, grew up the daughter of privileged, white Southern parents who stood out for their support of equal treatment for African Americans. Her parents, along with activist E.D. Nixon, helped bail Rosa Parks—a family friend who helped Lyon’s mother with her sewing—out of jail and convinced her to become a test case.

Lyon, the niece of the late U.S. Supreme Court Justice Hugo Black, recalled the days of the Montgomery bus boycott, in which she talked of King’s commitment to peaceful demonstrations. “He said if there’s any kind of violence, the cause is lost and we are doomed.”

In Delaware, about 100 people gathered Thursday, Jan. 18 in the Ruby R. Vale Moot Courtroom for a panel discussion of civil rights issues and a keynote address by Dr. Mary Frances Berry, the Geraldine R. Segal Professor of American Social Thought and Professor of History at the University of Pennsylvania. Other panelists included Widener Law faculty members Serena M. Williams,

Arlene Rivera Finkelstein, Andrew L. Strauss, Robert J. Lipkin, Robert L. Hayman Jr., and Drewry Nash Fennell, executive director of the ACLU-Delaware.

King, Berry said, was going to be a preacher and could have had a long, potentially lucrative career in the church.

“He wasn’t born a leader. It wasn’t on his belly button when he was born. He became a leader. So can you,” she told the students.

After the talk, Berry signed copies of her book, *My Face is Black Is True: Callie House and the Struggle for Ex-Slave Reparations*.

Delaware Supreme Court Hears Arguments at Widener Law



The Delaware Supreme Court came to Widener University School of Law to hear oral arguments in two cases on March 14. The court sat en banc before a packed Ruby R. Vale Moot Courtroom. It was the first time since 2002 that the court

visited the law school to hear oral arguments and the crowd was so large that some watched from an overflow classroom equipped with a live video feed.

“We were thrilled to welcome the Delaware Supreme Court back to campus. Their presence enriches the legal education experience for our students and the cases of the day were especially meaningful for everyone affiliated with our Institute of Delaware Corporate & Business Law,” Law Dean Linda L. Ammons said. “We are grateful to the Court for giving us this rare and valuable access, and we are especially proud of our alumni who

attended in their professional capacity. They are an example for our students.”

The court heard two cases: *Trenwick v. Billett*, which originated in the Court of Chancery; and *AT&T v. Clarendon*, which came from the Superior Court. Delaware counsel in the second case included three Widener Law alumni, David A. Denham '02, Mary B. Matterer '88, and Kevin F. Brady '82.

The Law School hosted members of the court, their staff and court administrators for lunch after the hearings. Ammons said the day was so successful she hopes to welcome the justices back again next year.

Widener Law Takes a Seat



By *Sandy Smith*

When asked who helped him win his hard-won victory over incumbent Mike Fitzpatrick in Pennsylvania's Eighth Congressional District, Patrick Murphy '99 credits his family. His Widener family, that is.

“The individual attention I received at Widener Law and the family atmosphere that Widener provided helped me a great deal in launching my career and my campaign,” says Murphy. “I was lucky that I served on the Trial Advocacy Honor Society, where you learn to develop the skills to be a litigator. I applied that skill set first as a prosecutor, then as a professor, then in running for Congress.

Widener connections also helped as Murphy's campaign to unseat Fitzpatrick progressed. “I approached President Harris and David Hoskins, a trustee—both were very helpful with strategic advice—and my fellow classmates from as far away as West Virginia,” he says. Two classmates, Keith Gamble '99 and Melissa Foley '99, joined his campaign as field operatives, as did undergraduate student Ryan Riley '07. He also received advice from former Vice President for Government and Community Relations Marcus Lingenfelder.

The first Iraq War veteran to be elected to Congress, Murphy joined the Army in 1993 and is currently a captain in the Army Reserve. After graduating from Widener Law, he became first a prosecuting attorney, then a professor of constitutional law at the United States Military Academy. He was teaching at West Point when the American-led coalition invaded Iraq in 2002 to topple Saddam

Hussein, and he soon found himself called to serve with his unit, the 86th Airborne Division.

The conditions Murphy found on his tour of duty with the 86th—including the 19 men in his unit who lost their lives there—led him to conclude that a change of direction was needed both there and back home. That conclusion, in turn, launched his congressional campaign.

Even though Murphy has never held elective office before, he will head to Washington knowing something about how the legislative process, thanks in part to another Widener connection. “I was lucky that I worked in constituent services for State Representative Tom Tangretti [D-Westmoreland]. I got a good exposure to public service that way.” Murphy got that job through another Widener Law alumna, Mary Peters '00.

Widener Law and Thomas Jefferson University announce partnership

The Health Law Institute at Widener University School of Law and Thomas Jefferson University in Philadelphia are now offering two joint-program degrees. The schools finalized the exciting agreement in March. This fall, students can begin working toward either juris doctor/master of science in public health degrees or master of jurisprudence in health law/master of science in public health.

John G. Culhane, acting director of the Health Law Institute, said the typical track will have students beginning their studies at Widener for a year,

moving on to Jefferson for another year or two and then finishing at Widener.

"These joint programs will be an exciting step forward for our law school and our Health Law Institute. With the ever-increasing interest in, and awareness of, public health issues, the time has never been better for collaboration with one of the nation's leading medical and health education universities. Thomas Jefferson and Widener Law will both benefit immensely from these programs and from the cross-pollination of the disciplines of law and public health."

At Thomas Jefferson, the program will be run through the university's College of Graduate Studies, which was established in 1969. The university's master of science program in public health is designed for part-time students with the option of full-time study. Graduates are able to pursue careers in public health administration, health insurance organization leadership, health consulting, international programs and the pharmaceutical industry.

Law Dean Linda L. Ammons said combining the new joint degree programs will add to

the already nationally and internationally recognized Health Law Institute and the other quality degrees the school offers in this area, including the LLM, MJ, SJD, and DL. Combining a Widener law degree with a Jefferson public health degree will surely make the program's graduates sought-after in the marketplace, Ammons said.

"A joint degree from two such reputable schools is going to bring fantastic opportunities for students who choose this path," she said.

Sports and Entertainment Law Association Hosts Second Symposium

About 75 people spent a day on the Widener Law Delaware campus learning about the latest developments in sports and entertainment law, including new legal issues that have accompanied the worldwide explosion in personalized ring tones.

More ring tones than full-length songs are now downloaded online, 21 percent of U.S. wireless subscribers have a downloaded ring tone, and Billboard has begun carrying a Top-40 ring tone chart, speaker Terence W. Camp, Esq., told the crowd gathered in the Ruby R. Vale Moot Courtroom on Nov. 17.

For a recording industry looking to preserve revenue in an increasingly digital music age, an October decision by the U.S. Copyright Office may have provided the answer, Camp said. The office decided that

most ring tones are subject to royalties under the copyright law licensing system, but the decision could be appealed. "It may be a battle won in a war yet to be resolved," Camp said.

Eleven speakers made presentations during the second annual conference, put on by the law school and its Sports and Entertainment Law Association. Other topics of the day included the release of films and television shows on the Internet, NFL contract negotiations, and the ethical concerns that face entertainment attorneys.

"We are excited to bring you such a unique learning opportunity through these timely topics that affect all of our lives, in some way, *each day*," Dean Linda L. Ammons said during her welcome remarks.



Sports and Entertainment Law Association students who helped plan the event stand with their faculty advisor. From left, Isha Mehta, Ivan Lee, adjunct faculty member Alexander Murphy, Benjamin Cline, David Iannucci, Kevin Pulley, Chris EgoVILLE.

Dean's Leadership Forum Kicks Off With Alumnus George Miller '81

Great leaders are not the people who come into a room and start telling people how wonderful they are, a standing-room-only crowd in the Ruby R. Vale Moot Courtroom was told in November.

"At the end of the day what you want to try to do is lead through accomplishment, lead through service, lead through example," said George K. Miller, a successful attorney, businessman, and community leader. Miller was interviewed for the inaugural Dean's Leadership Forum that took place Nov. 15 on the Delaware campus.

The forum is an engaging new program for the entire law school community that focuses primarily on the experiences of Widener Law alumni and provides an opportunity for

students, in a conversational setting, to learn about what it takes to be a leader in legal and other communities. Dean Linda L. Ammons chatted with Miller in front of about 250 students and faculty, who were then allowed to pose their own questions.

Miller is a 1981 Widener Law grad who has his own practice in Atlantic City and serves on the law school Board of Overseers. He has been involved in business ventures with Harrah's Entertainment, the Philadelphia Stars franchise, United States Football League, and the Shore Cable Company of New Jersey.

Miller talked about his work ethic—and how he secured his first job as an attorney by starting the day early, working late, and willingly making

coffee and driving his superiors when needed—and how today he balances time for his family and himself. "In every business, if you don't put your foot down, the business will eat you up," Miller says. "You really have to think about what you want from life."

He mixed anecdotes about representing the infamous Donald Trump in Atlantic City with sage advice on the importance of networking and building a name in the legal field.

"George was a fantastic interview for our inaugural forum," Ammons says. "He struck a wonderful balance between words of wisdom and entertaining stories. He got our program off to a great start, and I look forward to bringing it back with another outstanding speaker."

Widener Hosts Discussion on Hot-Button Immigration Issues

Widener Law hosted a timely discussion of immigration issues Oct. 23 on the Harrisburg campus. The school's student chapter of the ACLU sponsored the event with support from the Black and Minority Law Students Association. The program stemmed from headline-making legislation passed in Hazleton, PA.

The controversial Hazleton Illegal Immigration Act ordinance would have obligated Hazleton landlords and business owners to confirm that tenants

and customers were legal residents before providing them with any services. The city agreed not to enforce the ordinance, but is working on a new version.

The afternoon featured two important speakers.

Elena Park, an immigration attorney who practices with Cozen O'Connor in West Conshohocken, PA, where she heads the firm's immigration practice, discussed federal agency policy and legislative trends involving immigration. She focused on how these trends have impacted Pennsylvania residents, including a brief explanation of what has been happening with the Hazleton Illegal Immigration Act ordinance.

Park concentrates on business and employment immigration

matters. As part of her practice she also trains employers on I-9 (employment verification) compliance and defends employers in the event of Department of Labor or Department of Homeland Security investigations. Park is co-counsel to the coalition that is opposing the Hazleton Illegal Immigration Act in federal court. She is a member of the American Immigration Lawyers Association. Park holds an undergraduate degree from the University of Toronto and a law degree from Temple University James E. Beasley School of Law.

Dr. Agapito Lopez, a retired ophthalmologist who represents Luzerne and Lackawanna Counties on the Pennsylvania Governor's Advisory Commission on Latino Affairs, spoke about the history of migration



The inaugural Dean's Leadership Forum on the Delaware campus was a huge success. George K. Miller '81 took questions from Law Dean Linda L. Ammons.

into the United States, including the changing immigration laws, Hazleton's immigration history, the new immigrant wave there, and possible political and social motives affecting immigration policies.

Lopez has been a regular spokesman for the Latino community in Hazleton and has been in the forefront of opposition to the Hazleton Illegal Immigration Act. Lopez holds an undergraduate degree from the University of Puerto Rico in Rio Piedras. He earned a medical degree from the University of Puerto Rico School of Medicine in 1971. His wife, Sandra L. Medina-Lopez, is a social worker who has directed the Migrant Education Program in Hazleton for the last 14 years.

Widener Welcomes U.S. District Judge John Jones

Presided over “Intelligent Design” case

Widener Law's Harrisburg campus welcomed U.S. District Judge John Jones to a packed moot courtroom for a talk on judicial independence on October 24.

“We must never forget that the rule of law is not a conservative or liberal value. It is an American value.”

More than 200 people, predominately students, filled the room for the hour-long discussion. Jones explained how the high-profile “intelligent design” case of *Kitzmiller v. Dover*, over which he presided last year, ignited a passion in him for matters pertaining to judicial independence. He said that case and the firestorm of attention it got from special interest groups, the media, and pundits, taught him the public has no real grasp on how judges operate.

“When necessary, the public believes judges will, or should, throw one for the home team,” Jones said. “It does exist and it is quite real.”

Jones decided the *Kitzmiller* case in December 2005, ruling in favor of the 11 Dover, PA, parents who sued their local school district claiming intelligent design is a form of creationism—something that cannot legally be taught in public schools. Jones agreed, finding intelligent design to be a religious belief, not a scientific theory. He ruled that teaching it in public classrooms violated the U.S. Constitution. He and his family lived under the protection of the United States Marshals Service during the trial, held in Harrisburg.

Jones suggested to the Widener students that judges and attorneys must do more to speak to the process of law and how the courts operate, with an eye for educating the public. “We must never forget that the rule of law is not a conservative or liberal value. It is an American value,” he said.

President George W. Bush appointed Jones to the U.S. District Court in 2002. The U.S. Senate unanimously confirmed him in July of that year.

His talk aired on C-SPAN's “America & the Courts” program Saturday, Oct. 28, and is available through www.c-span.org, by clicking on “America & the Courts.”



Hometown Boy Makes News

Running *The Philadelphia Inquirer* and *Daily News* is a labor of love for Brian Tierney '87.

By Sandy Smith

Brian Tierney '87, the man who made James Earl Jones the voice of Verizon, would like *The Philadelphia Inquirer* to get its voice back too. And as chairman and chief executive officer of Philadelphia Media Holdings and publisher of the *Inquirer*, he is now in a position to make that happen.

Tierney is the public face of the group of local investors that purchased the *Inquirer* and its sister paper, the *Philadelphia Daily News*, from the McClatchy Company for \$515 million last summer. "My family has read the *Inquirer* for three generations," he says, so he is familiar with both its past and its present. And if the *Inquirer* can regain a sense of purpose, he said in an interview not long after the sale, it could have a future as great as its past.

Tierney offers the *Daily News* as an example of what he meant when he spoke of the paper finding its voice. "The *Daily News* has a clear sense of what it is and what it wants to be," he says. "The *Inquirer*, which is still a terrific paper, sometimes has some uncertainty about what it is and what it wants to do.

"It's like seeing an old friend who keeps changing the part in her hair every so often."

Running Philadelphia Newspapers, Inc., which is still the region's dominant news organization, has required Tierney to use both the right-brain creativity he acquired in the course of a career in advertising and public relations and the left-brain rigor he developed while studying law at Widener.

He embarked on both his PR career and his legal studies at about the same time, not long after graduating from the University of Pennsylvania in 1979. "When I first got out of college, I was going to go right into law school, but I decided I wanted to try other things first," he says.

So he started a public relations firm, in his words, "as a day job to pay my bills while I worked my way through law school. Here I was, going to be a lawyer, and I had a family and bills to pay, so I started the PR firm thinking it was something I would do while I studied to become a lawyer. But the firm took off; it became really successful."

The success didn't stop him from enrolling in law school anyway. Brian followed his older brother Kevin '82 to Widener Law, where he would be followed by his younger brother, Michael '93.

Running Philadelphia Newspapers, Inc., which is still the region's dominant news organization, has required Tierney to use both the right-brain creativity he acquired in the course of a career in advertising and public relations and the left-brain rigor he developed while studying law at Widener.

The law school years were a hectic time for Tierney. "I was dealing with major clients during the day, then jumping in my car and driving down to law school at night," he recalls. "I knew that I wasn't going to practice law, but I found it stimulating still. It was something that I thought would be useful, and it has proved a useful tool as a businessperson to have the law degree."

When asked to provide examples, he continues, "I think it's helpful in negotiations, obviously. But what is particularly helpful for me is on the creative side.

"Many times, creativity is about connecting things in illogical ways, seeing patterns that aren't necessarily obvious at first glance. Law tends to build on logic—this leads to this leads to that—and that has made me successful as a businessperson.

"I also enjoyed the intellectual stimulation that law school offered. I found sitting in constitutional law classes almost a tonic after the end of a long day."

Tierney offered praise for his Widener Law instructors. "I had some terrific professors when I was at Widener," he says. "I can honestly say that the professors I had at Widener were on a caliber with those I had at Penn.

"There was Ruth Gansky, who taught me contracts and procurement issues; Chuck Peruto on criminal law; Fairfax Leary, a constitutional law professor who had taught at Penn; and the real-world folks who were members of the Delaware Supreme Court—a real strong group of professors."

The recent drama surrounding negotiations with the newspapers' unions and the layoffs of some 70 *Inquirer* reporters have not dampened his enthusiasm nor deflected him

from his goal of restoring the paper to prominence. "We want to be in a position where a year or two from now, if you ask someone, 'What is the best media company in serving its community?' they will say, 'You ought to go to Philadelphia and check out what they're doing there.'"

He is also well aware of the role the *Inquirer* and *Daily News* play in setting the region's news agenda. Tierney and his partners have received tons of e-mail from readers and media professionals and have conducted focus groups and informal discussions to learn how Philadelphians view the papers. "One thing that comes through is that this is the most important media site for the region," he says of the papers and their joint Web site, philly.com.

"There's great affection for the product," he notes. "And there's a lot of pride in the fact that in Philadelphia, we've been able to do something that no one else has been able to do, and that's have local control of the papers again.

"*The New York Times* and the national media are talking about the Philadelphia experiment. We've had people calling in from other cities—L.A., Baltimore—asking about what we're up to."

It's definitely a high-wire act, and so far, Tierney has managed to keep his balance on the tightrope as he works to get the papers back on a growth trajectory. In a recent interview, he described some of the underbrush he had to clear. "We bought a company with a lot of challenges that was owned by one of the worst run media companies in the country," he said. "Part of the problem was the labor contracts. *Fortune* magazine described them in December as the most archaic contracts of any in the United States.

"But with a lot of conversation, working in partnership with our unions, we were able to change just about every work rule we wanted to change. . . . What I learned in law school was that negotiating is not about splitting the difference," he said. "The end result has to be something that works for both sides." While Tierney was not directly involved in the labor negotiations, the negotiating team he assembled kept this in mind.

"I also enjoyed the intellectual stimulation that law school offered. I found sitting in constitutional law classes almost a tonic after the end of a long day."

Tierney has also put muscle back into the papers' marketing efforts, which have already begun to produce results. "In November and December, *Inquirer* circulation was up for the first time in two years. *Daily News* circulation was up for the first time in four years"—a stark contrast to the papers' recent performance under Knight Ridder management.

It's all in keeping with the ultimate goal of becoming the region's preeminent news source. "The goal of an enterprise is to grow, to serve the community, and to hire the right people to do the job," he said.

The Philadelphia Story:

The term “Philadelphia lawyer” has always held a certain cachet—and still does. Traditionally, Philadelphia attorneys have been viewed as aggressive and top-notch in the profession, with courtroom skills that complement their razor-sharp legal minds.

Recently, we asked some Widener Law alumni, who rank among the city’s most respected civil litigators, to comment on the highlights and challenges of courtroom practice in one of America’s toughest legal towns.

SHARON L. CAFFREY ’87, a partner with Duane Morris, concentrates her practice in the areas of mass tort, product liability, and toxic tort litigation, from the defense side. She has also handled numerous asbestos cases and medical malpractice cases. Her extensive litigation experience includes more than 75 cases brought to trial, with 25 of those being tried to verdict. Caffrey is a frequent speaker on the topic of eDiscovery issues and serves as vice chair of the Toxic Tort and Environmental Law Committee of the American Bar Association.

What do you love about being in the courtroom?

It takes a great deal of effort and preparation to be an effective trial attorney. Once you are prepared for trial and begin opening arguments, a trial is like a chess match—you have to think three steps ahead of your adversary and the witnesses you are cross-examining. It is exciting and mentally stimulating to try to outwit your adversary and their witnesses.

What is the most difficult part of trying a case?

There are many challenges to trying a case, including the seemingly mundane, like scheduling experts who have conflicting schedules, getting all of your exhibits ready, and so on. However, the most difficult aspect of trial for me is waiting for a jury to return a verdict and sitting while the verdict is read. At that point there is nothing else the trial lawyer can do to affect the outcome of the case: You simply have to wait and have confidence that you did the best you could for your client.

What advice do you give to beginning attorneys with regard to courtroom skills, demeanor, or tactics?

One of my partners recently told me that 80 percent of a person’s impression of you is based upon your appearance. While I am not certain of the accuracy of the statistic, a trial lawyer needs to look and act like a trial lawyer at all times while in the courtroom. If you exude confidence and professionalism, the jury will pick up on that. Similarly, if you exude arrogance or indifference, the jury will pick up on that as well. The jury needs to see that you believe in your clients and their cause and that you have confidence and conviction in what you say. They also need to believe you and, to some extent, like you as a person.

I also advise against greed and deception before a jury, such as overreaching, stretching the truth, trying to bury bad evidence, or otherwise appearing that you have something to hide. Juries almost always pick up on these tactics and will punish a client for the lawyer’s behavior.

Are there any particular courtroom moments that stand out in your mind as career highlights or are simply unforgettable?

There is one moment I will not forget from my first few years of practice. A senior member of the bar, who was sitting next to me in the courtroom while we were each waiting to argue motions, leaned over and said, “Honey, don’t worry. Someone will come along and marry you, and you won’t have to do this anymore.”

On a more positive note, a number of years ago I defended a large corporation in a tough wrongful death case. I surprised even myself by winning the case outright. The case was tried very cleanly, so the plaintiff did not have much of an appeal and, in fact, did not appeal after the post-trial motions were denied. I recently had a deposition with the same attorney, but he did not recognize me, as I had married in the interim and practice under my married name. He mentioned that I looked a lot like another lawyer who had out-manuevered him in trial, and I had to hide a smile.

What do you think it means these days to be a “Philadelphia attorney?”

I have tried cases all over the country and still believe Philadelphia attorneys earn their reputations as being among the most skilled and clever adversaries. Philadelphia attorneys have the rare combination of intellect, courtroom skills, and street smarts, which makes them formidable adversaries. Because Philadelphia attorneys are often pitted against other Philadelphia attorneys in the courtroom, they learn from the best on a daily basis.

Litigators in the City



SHARON L. CAFFREY '87

EUGENE D. MCGURK JR. '78, a partner at *Raynes McCarty*, has represented claimants in medical malpractice cases, products liability, and all forms of personal injury involving catastrophic injuries and deaths, from the trial courts to the highest courts of Pennsylvania and New Jersey, since joining the firm in 1981. An experienced lecturer, he has spoken at the University of Pennsylvania, Temple University School of Law, Thomas Jefferson University Medical School, the Medical College of Pennsylvania, and at numerous continuing legal education seminars. He is also an adjunct faculty member in Widener's Health Law program. McGurk is Chair of the Board of Overseers of Widener Law, and he is a member of the Board of Trustees of Widener University. In addition, McGurk serves on the Philadelphia State Civil Procedures Committee of the Philadelphia Bar Association. He has also been a board member of the Center City Proprietors' Association and at present serves as an advisory board member.

What do you love about being in the courtroom?

It is such a dynamic process that is all about relating to and engaging people. It demands your best and can be exhilarating.

What is the most difficult part of trying a case for you?

Getting everyone in the right place at the right time. Without a doubt scheduling witnesses is every lawyer's biggest dilemma.

What advice do you give beginning attorneys with regard to courtroom skills, demeanor, or tactics?

Be yourself and be prepared. There are no substitutes for preparation. If you try to be something you're not, or put a spin on things, the jury will see right through it.

Are there any particular courtroom moments that stand out in your mind as career highlights or as something that you will just never forget?

I especially enjoy trying cases with a colleague. You know the old adage, a load divided between two is more than halved in weight.

As to moments I will never forget, I vividly remember a case in which there was some difficult economic analysis which the jury was asked to make. I told them in closing that they may need a calculator when they come to the question of damages. Needless to say, I was thrilled when a note was sent to the judge stating that they "were ready for that calculator."

What do you think it means these days to be a "Philadelphia attorney?"

Pretty much what the dictionary says: "A knowledgeable lawyer who pays attention to detail." I think that rings true for my fellow lawyers and judges in the Philadelphia Bar.

JAMES D. GOLKOW '86, a partner at *Cozen O'Connor*, where he serves as chair of the firm's *Workers' Compensation Subrogation & Recovery Group*, has tried numerous cases in both state and federal courts, including those in Delaware, Pennsylvania, New York, New Jersey, Virginia, Vermont, and Puerto Rico. His litigation experience includes prosecuting and defending cases involving complex product liability, particularly those involving medical devices and medical equipment, construction accidents, and premises liability, and he has been a frequent speaker and author on tort-related topics.

What do you love about being in the courtroom?

The spontaneity. No matter how much preparation is performed, there will be moments when the unexpected or unanticipated happens and a trial lawyer needs to react instantly in front of the judge and jury. It may be that a witness says something unexpected, or a new document surfaces. That challenge is what I enjoy the most.

What, for you, is the most difficult part of trying a case?

Jury selection. It is very difficult to determine if a potential juror will be sympathetic to your side of the case based upon some brief questions. In some jurisdictions the Court conducts the juror's examination (*voir dire*), making it even more difficult.



EUGENE D. MCGURK JR. '78



JAMES D. GOLKOW '86

The Philadelphia Story:

What advice do you give to beginning attorneys with regard to courtroom skills, demeanor, or tactics?

Be yourself, first and foremost. Many young attorneys try to copy another lawyer's style, demeanor, etc., which usually doesn't work. The most effective attorneys act in a manner most natural to them, which usually comes across with sincerity.

Are there any particular courtroom moments that stand out in your mind as career highlights or as something that you will just never forget?

I was trying a high profile case in Puerto Rico. I got my adversary's expert on cross-examination to admit his theory "didn't fit," but lost the case anyway. A valuable lesson. It taught me that juries look at the big picture—not just an isolated courtroom battle.

What do you think it means these days to be a "Philadelphia attorney?"

Tough, aggressive, but at all times, scrupulous and trustworthy.

BERNARD W. SMALLEY '80 *concentrates his practice in the areas of medical negligence, pharmaceutical liability, defamation, class actions, products liability, and other personal injury matters from the plaintiff's side. A shareholder at Anapol Schwartz, Smalley's extensive trial experience has earned him a place as a fellow in both the International Academy of Trial Lawyers and the American College of Trial Lawyers. He sits on the Board of Governors of the Association of Trial Lawyers of America and has served as president of the Philadelphia Trial Lawyers Association.*

What do you love about being in the courtroom?

The absolute electricity that comes with cross-examination of the target defendant. It brings together the knowledge that you've acquired based upon your preparation as well as the agility of mind that is required when the answers to your questions come back not quite as you anticipated.

What, for you, is the most difficult part of trying a case?

Before the trial, it is the arduous and painstaking preparation to try the case by making sure that you have left no stone unturned. Afterwards, it is waiting for the verdict.

What advice do you give to beginning attorneys with regard to courtroom skills, demeanor, or tactics?

Observe the good, the bad, and the "downright" ugly from everyone but develop your own style, one that you are comfortable with. Your style, however, must include both inwardly and outwardly the fact that you are in control.

Are there any particular courtroom moments that stand out in your mind as career highlights or as something that you will just never forget?

The first case that I tried to verdict as a new associate in my current firm was one in which I was up against one of my mentors. After a two-week trial, I got a chance to respond on rebuttal to my mentor's closing argument that his medical expert simply could not have misrepresented the truth given his extensive training, experience, and his eighty-five page resume; I reminded the jury on rebuttal that our former President, Richard M. Nixon, probably had a resume just as extensive, and we all know what he did. It was a spontaneous remark, but it helped to carry the day. The jury returned a substantial verdict for my client.

Litigators in the City



BERNARD W. SMALLEY '80

What do you think it means these days to be a “Philadelphia attorney?”

A while back, I had the privilege of meeting and being asked a series of questions by acclaimed actor Denzel Washington in preparation for his role as the attorney who represented Tom Hanks in the movie *Philadelphia*. Mr. Washington said it best: he wanted to make sure he acted in the finest tradition of a Philadelphia attorney, one who effectively and with passion and zeal, represents those whose rights would be snuffed out by the powerful for their own gain.

LARRY BENDESKY '87 is a shareholder at Saltz, Mongeluzzi, Barrett & Bendesky. Bendesky represents plaintiffs in product liability cases, including those involving the operation of motor vehicles, elevators, power tools, and industrial and manufacturing equipment, and he also handles claims involving catastrophic construction accidents. He has served as lead counsel or co-counsel in numerous complex cases involving verdicts or settlements exceeding \$1 million. Bendesky serves on the Board of Governors of the Pennsylvania Trial Lawyers Association and is a frequent lecturer on the topics of product liability and construction litigation.



LARRY BENDESKY '87

What do you love about being in the courtroom?

So much of life involves uncertainty and shades of grey. Trying a case is one of the few areas where this is a winner and a loser. It is all or nothing. Everything is magnified. It is fun to be on your feet, questioning the witness, giving an opening or giving a closing, knowing that a decision will be made, one way or the other, with certainty.

What is the most difficult part of trying a case?

Preparing for it. The vast majority of cases settle. Because you don't know which cases will settle or will try, it is necessary to prepare every case as if you are going to trial. After you have completed discovery, turned over expert reports and (in some jurisdictions) completed expert depositions, you must prepare the case for trial. It is a tedious, time-consuming process. You have to painstakingly review the file, mark the portions of the depositions that you want read in, prepare and respond to motions in limine, notice and schedule witnesses, and prepare a proposed jury charge and voir dire questions. It is painstaking, but must be done if you are going to be an effective advocate in the courtroom.

What advice do you give to beginning attorneys with regard to courtroom skills, demeanor, or tactics?

We try to tell all of our young attorneys to soak up as much information as they can from all available sources. We encourage our attorneys to come to court with us, even if they are not involved in the case, to watch trials. We also pay for any continuing

education course on evidence or courtroom skills that they would like to attend. I am particularly proud of the fact that eight of our attorneys have received an LLM in Trial Advocacy. With all of the training that we encourage our young lawyers to obtain, we emphasize that they must be themselves in and out of the courtroom. Jurors recognize an act. We also encourage our lawyers to be courteous and respectful to the court, the court staff, and opposing counsel. Trial lawyers have, I believe, a poor and unfair reputation in the public at large. Poor public perception of trial lawyers should not be compounded by discourtesy to those in the courtroom.

Are there any particular courtroom moments that stand out in your mind as career highlights or as something that you will just never forget?

The most exciting moment in the courtroom is when a jury comes back and you are waiting for the verdict. The career highlight of mine is receiving an \$8.3 million verdict for a client who was rendered deaf when a utility pole struck him on the head.

What do you think it means these days to be a “Philadelphia attorney?”

The term “Philadelphia attorney” means someone who is sharp, savvy, industrious, and hard-working. To be a “Philadelphia lawyer” means knowing your way around the courtroom and how to get things done in a practical and efficient manner.



David Sunday with Elizabeth Simcox at the United Nations in New York City.

International Intrigue

Intern acts as Widener ambassador in the peace-keeping world.

Harrisburg third-year law student David Sunday knows how to follow a dream.

The 31-year-old spent the summer of 2006 interning at the United Nations in New York City, under an ultra-competitive program where he was one of only 10 American law students selected to participate. Sunday was one of 3,000 applicants from around the world. A total of 170 interns from 70 countries took part in the 10-week program.

"The entire summer I was an ambassador for Widener," Sunday said, explaining he told his colleagues about the school and its programs and always strived to do his best, so it would reflect positively on the school.

Sunday was assigned to a very high-profile department: peacekeeping operations. He performed legal research, wrote memos, and did some finance work. His main project was drafting a manual on the handling of third-party claims filed against the UN as a result of peacekeeping missions.

The unpaid summer experience took an unexpected turn in the final weeks, when Israeli forces attacked Lebanon, and Sunday was tapped—because of prior military experience—to help staff a New York-based UN crisis center, which was the nerve center for peacekeeping operations.

The Harrisburg native enlisted in the Navy after high school, where he spent six years traveling the world, working in counter-narcotics in the Caribbean and South America and enforcing UN sanctions in the Persian Gulf. He earned a degree in finance from Penn State University after leaving the Navy and then became a finance analyst for UPS. He left

the job to concentrate on his law studies full time and expects to graduate in May.

Sunday had always had an interest in the UN after witnessing its peacekeeping missions during his time in the Navy. While researching summer work options, he went online and learned about the UN program. His acceptance came after Sunday had already secured other summer work. He turned to Dean of Students Elizabeth G. Simcox for advice.

"I told him that I did not ever want him to look back and wish that he had taken this opportunity if he had turned it down," Simcox recalled.

The two stayed in close touch over the summer, and Simcox visited him in New York.

"The work he did, friends he met, interactions he made were incredible for him. He volunteered for special assignments as often as possible, and his enthusiasm was boundless. On the site visit I made, his supervisors and co-workers all spoke highly of him," she says. "In my mind, this was a pivotal experience for David. He went into it with little preparation, made the arrangements, traveled a distance every day to get to work, learned the city, participated in substantive projects in his department, and learned how to deal with a very diverse group of people from all over the world. I can safely say this was something he will remember for a lifetime."

Sunday said he enjoyed getting a global perspective on things, which he missed from his time in the military.

"I think it's important for people to see there are a lot of opportunities out there. You have to be creative and build on your own personal experiences that are unique to your background," he says.

Mission Accomplished

Santino Ceccotti gets by with hard work—and a little help from his friends.

If you congratulate Santino Ceccotti about his December 2006 law school graduation, he will modestly deflect praise for his accomplishments, and instead, talk about his gratitude to the law school community for assisting him in achieving his goal of a law school education.

“It’s been very easy here with all the assistance the university has provided,” he says. “I wouldn’t have been able to do this without the law school being so willing and accommodating.” The Widener Law graduate, although confined to a wheelchair, has an enthusiasm for his law school experience that transcends physical barriers.

After earning a degree in finance from the University of Delaware, Ceccotti enrolled as an evening division student and fully embraced life at Widener Law, participating in moot court programs, in the bankruptcy clinic, in the pro-bono partnership program, and in the environmental law

clinic and serving in leadership roles with the Moot Court Honor Society, the Business Law Society, and the Association of Latin American and Hispanic Students. He recently commented, though, that a judicial externship with Vice Chancellor Donald F. Parsons Jr. at the Delaware Court of Chancery “has been the highlight of my law school career.” Ceccotti worked on judicial opinions in the areas of corporations, estates, and guardianships over the course of a year.

“It’s been very easy here with all the assistance the university has provided,” he says. “I wouldn’t have been able to do this without the law school being so willing and accommodating.”

Ceccotti emphasizes that the welcoming and accommodating nature of the faculty, administration, staff, and students helped him to achieve his goals. Unable to take notes himself, Ceccotti recorded his law school classes and also utilized a fellow student “note-taker.” His mother, Liliana, drove Ceccotti to campus for all of his classes and has been a familiar face at the law school. She says that her son’s time at Widener Law “has been a wonderful experience because I can see the making of ‘my esquire.’ We’ve always been proud of him; he always accomplished everything he set out to do.”

Associate Dean for Student Affairs Susan Goldberg also has great regard for Ceccotti’s determination and accomplishments, saying, “Santino has been a delight to work with during his time at Widener. I really enjoyed getting to know him. Despite his physical limitations, he has excelled in his classes and has taken advantage of many learning opportunities available at the law school. He is bright, capable, articulate, and dedicated and enthusiastic about embarking on his legal career.”

Ceccotti is not resting on his laurels, though. As this publication goes to press, he is awaiting the results of the February Pennsylvania bar examination, with plans to take the Delaware bar exam in July. His job search has also begun. Ceccotti hopes to land a position in the corporate or bankruptcy fields and has embarked upon his quest for a legal job with the enthusiasm and determination typical of his Widener Law career.



Santino and Liliana Ceccotti

Third-year Harrisburg students gain courtroom experience on both sides of the aisle.

MICHAEL GIBSON, 29, grew up in southern New Jersey, just outside of Ocean City, in Linwood. He is a 2000 graduate of Villanova University and hopes to graduate in May from Widener Law. He is an extern with the Dauphin County District Attorney's office.

Why did you choose Widener Harrisburg?

I chose Widener Harrisburg for several reasons. First, because of its recognition in the South Jersey area—where I grew up and planned to practice—and because my brother is a graduate of the Delaware campus, and my father was an adjunct professor at the Delaware campus. Both my brother and father were able to give me first-hand feedback of their experiences in the Widener community, which made me feel extremely comfortable with the law school. Second, I chose Harrisburg because I thought it would provide me with some new experiences. I had already gone to undergraduate school and worked for several years in the Philadelphia area and thought Harrisburg would be a nice change.

Describe your experience at the DA's office.

I have always been interested in criminal law but never seriously considered it as a field of practice. However, after my experience at the DA's office, it is definitely something that I am considering. It has not only exposed me to the nuances of the life of an

attorney in a criminal law office, but also allowed me to get some courtroom experience. At the DA's offices I was involved in everything from case research to conducting detention hearings in both adult and juvenile court.

Did any specific case open your eyes to an issue or injustice in the criminal justice system?

I cannot recall a case where I felt that I witnessed any injustice, but I do recall one discouraging issue that seemed to underline all the cases: drugs. I was somewhat surprised and discouraged to see just how big the drug problem is in the criminal world. No matter what issue was being tried or what charge had been filed, it

seemed almost every case involved drugs. My experiences in these cases really opened my eyes to the significance of this problem and how it leads to additional criminal activity.

How will your extern experience help you as an attorney?

One of the areas that I am really interested in is litigation, and my experience at the DA's office provided me with several opportunities to participate in the courtroom and interact with the judges and other attorneys. By taking advantage of this opportunity, I now have foundation, my "sea legs" if you will, to enter a courtroom and have a general comfort level that other students may not have.

A Tale of



Two Externs



DAMIAN DESTEFANO, 26, hails from Easton, PA, and attended Northeastern University in Boston. He is externing at the Dauphin County Public Defender's office and will graduate from Widener Law in May.

Why did you choose Widener Harrisburg?

I got into the Trial Admission Program and it was close to home.

Describe your experience at the PD's office.

I obtained my interest in criminal law by working through Widener's Law Clinic. During the summer '06 semester, I was able to work on actual criminal files under an amazing staff attorney, Monica D. Cliatt '99. The clinic introduced me to criminal procedure. I would interview defendants and take them through the preliminary hearing, formal arraignment, and disposition stages.

This gave me valuable experience for the PD's office; I was able to jump right in. On the first day of working at the PD's office, I was asked to sit in on an interview with two attorneys from the PD's office and a defendant for a first-degree murder charge before the preliminary hearing held at Central Court at DCP. I attended preliminary hearings with supervising attorneys and was handed "simple assault" files. I was to interview the client and present the matter to the District Justice so that the charges could be dismissed instead of the client being bound over for trial. I was asked to lift *capias* and reinstate bails under unique circumstances. I drafted a lot of continuances and guilty plea colloquies. I was also able to sit on initial interviews for individuals that were applying for PD's assistance.

The approach to criminal practice within Dauphin County is hands on. I was able to meet judges and attorneys from all over the county. I was asked to wear a suit every day, and my office was basically the Dauphin County Courthouse. Lastly, I was able to attend Juvenile Detention Hearings.

Did any specific cases affect you or open your eyes to an issue or injustice in the criminal justice system?

All the cases affect me and they all opened my eyes. Every defendant has a story and every one has a version of the facts. We barter with people's liberty. That is the nature of the criminal system, but it leaves no room to miss details.

How will your extern experience help you when you become an attorney?

I would not be a complete attorney without this externship. This is courtroom experience every day. I learned how to interact in a courtroom between fellow attorneys and judges. Plus, I learned where to file any kind of document at the courthouse.

What are your career goals?

I plan to stay in criminal practice for a while at the public defender's office and get practical experience in the courtroom. The number of attorneys that have actual courtroom experience is low, and I already have that before graduating law school. Later, I hope to join a private criminal practice.

What are your career goals?

My exact career goals are somewhat undefined at this point. However, I plan to return to the South Jersey area and begin my practice. It is most likely that I will enter into a civil litigation practice or get involved with some casino work, but I am always looking for new interests. Furthermore, since both my brother (a partner in a firm in Cape May County) and father (a retired Superior Court Judge, now in mediation and arbitration) are practicing in the area, it would be nice if one day the three of us could join forces.

I have secured a clerkship following graduation with Judge Perskie in Atlantic City,

which I am very excited about. Working alongside Judge Perskie will provide me with a tremendous learning experience and lay a strong foundation for my legal career.

How has Widener played a part?

Not only has the school taught me how to think and analyze situations like a lawyer, but it has also provided me with external opportunities, such as my externship and trial workshops, that have helped put my learning to the test. In addition, I feel that I matured during my years at Widener. Despite being one of the older first-year students when I began school, I still feel that my experience at Widener helped me grow as a person.

Dual Threat

For stand-out student Meghan Adams, success is par for the course.

Whether she is on the golf course or in the classroom, third-year law student Meghan Adams strives for perfection. Adams won the Delaware Women's Golf Association state amateur tournament in June 2006. She also was the tourney champ in '03 and '05, and came in second in 2004.

An exemplary student, Adams is in the top 10 percent of her class. She serves as articles editor for the *Delaware Journal of Corporate Law*, and is active in the Student Bar Association. Additionally, Adams clerks for the Delaware Supreme Court's Chief Justice Myron T. Steele through Widener Law's judicial externship program.

From the age of 11, when she took lessons offered to members of her swim team, Adams has been hooked on golf. Her parents saw her enthusiasm for the sport and bought her first set of clubs that Christmas. By the time she was 13, she was involved in a junior golf program through Hartefeld National Golf Club in Avondale, PA, and was participating in tournaments. At



Dover High School, she played on the men's team and shot from the men's tees.

According to Adams, "Dover High was a golf powerhouse," and the competition with her male teammates improved her game. During her senior year, she finished ninth in the boys' state tournament, playing from the men's tees. After two years at James Madison University, sports scholarships were cut and Adams transferred to the University of North Carolina. There, she was captain of the golf team, leading the squad to qualify for the NCAA nationals—its best finish in five years.

Despite her talent for the sport, Adams made the decision not to turn pro. Instead, she golfs for pleasure and works with a golf teacher who is based in Florida. "I just want to go out there and have fun," she explains. "I really like to go

out with my male law school classmates who think they can beat me!"

Adams' success this year in golf and in law school is bitter-sweet, however. Her father, Michael, her inspiration and biggest cheerleader, died suddenly of heart disease in September. Not only was he a golfer who attended her tournaments and shuttled her to golf activities as a youngster, but according to Adams, "My dad always wanted to go to law school and didn't have the opportunity. He encouraged me to go. I didn't know if I would really like it, but I love it."

The week before he died, Adams shared with her father the news that she had been offered a position after graduation with the Wilmington firm of Chimicles & Tikellis, where she will focus on corporate law from the plaintiff's side.

Congratulations!

Widener
University
School of Law
and Dean Linda
L. Ammons
congratulate
these Widener
Law alumni who
have recently
passed state bar
examinations.*

*This list reflects only those alumni for whom the law school has received notification of bar passage.

CALIFORNIA

Michael Brandon Smith

DELAWARE

Theodore W. Annos
Katie W. Arrington
Sara E. Auerbach
Gary D. Berg
Allyson M. Britton
Justin P. Callaway
Kevin M. Carroll
Jimmy C. Chong
Sandra F. Clark
Matthew P. D'Emilio
Timothy W. Davenport
David W. DeBruin
John J. Ellis
Keith J. Feigenbaum
Samuel C. Fiechter
Erin K. Fitzgerald
Matthew B. Frawley
Kristi N. Frazer
Michael B. Galbraith
Vicki L. Goodman
Robin M. Grogan
Rochelle L. Gumapac
Tara E. Hafer
Peter K. Janczyk
Leonard Kingsley
Nicholas M. Krayner
Vince R. Melone
Marcus E. Montejo
Jennifer A. Murphy
Penelope B. O'Connell
Andrea C. Panico
Mona A. Parikh
Kristen W. Poff
Pamela D. Politis
Ciro C. Poppiti
Chandra J. Rudloff
Michael G. Rushe
Heather A. Schwenger
Raymond N. Scott
Anne K. Seelaus
Chakaravarthi R. Srivatsan
William R. Stewart III
Jennifer L. Story
Dana L. Vinograd
Raeann C. Warner
Matthew M. Warren
Steven G. Weiler
Rachelle R. Wells

MARYLAND

Elizabeth Eremita
Kathleen Mari Feely
Bryan Stephen Flood
Adam Paul Frank
Thomas J. Harrison
Bret Keisling
Frank Joseph Mazurek III
Vivek Sawhney
Andrew Schwartz

Benjamin Chapman
Stevens
Frank D. Thompson II
Shannon Marie Weaver

NEW JERSEY

Michael R. Abbott
Erik R. Anderson
Richard C. Andrien
Chandra M. Arkema
Sara E. Auerbach
James Anthony Augustine
Mitchell R. Ayes
Rahat N. Babar
Sandra L. Battista
Zlata Berman
Justin M. Bieber
Seth T. Black
Robert Bondar
Rita J. Bonner
Kevin T. Bright
Beth A. Brockson
Megan E. Brown
Lauren E. Bucksner
Andrea J. Bullock
Michael L. Burns
Jill A. Cantor
Kevin M. Carroll
Michael S. Chuvén
Lisa B. Cohen
Michael S. Cohen
Kyle F. Colin
Brian P. Corcoran
Jennifer E. Cranston
Anna M. Darpino
Daphne A. Demourtzidis
Christine A. DePetris
Kathleen B. Duffy
Mazin I. Elias
John J. Ellis
Christina A. Eunson
Keith J. Feigenbaum
Matthew M. Fisher
Erin K. Fitzgerald
Corinne M. Foley
Samuel E. Friedman
Gretchen E. Fry
Melissa A. Fry
Joseph Galea
Nicola F. Gammon
Jacquelyn S. Goffney
Kevin M. Gogots
David E. Goldberg
Justin L. Groen
Andrea E. Hammel
Matthew G. Hauber
Christian G. Heesters
Andrew J. Hennessy
David J. Jablonski
Richard Jahn
Joshua A. Janis
Melissa D. Karabulut
Christina M. Keating
Michele L. Kluk
Justin L. Krik
Daniel M. Kurkowski
Ian F. Landman
Brandon J. Lauria
Richard Lee
Melissa A. Lentz
Anthony J. Leonard
Michael D. Leva
Joshua A. Levin
Jeffrey R. Lindsay
Evan Y. Liu
John R. Logan
Anne M. Lombardo
Edward M. Louka
Dan A. Lovin
Megan L. Malavolta
Nicholas W. Mattiacci
Mary McClellan
Alyson J. McDonald
Kevin G. McDonald
Brian P. McEntee
Jeffrey H. McGovern
Daniel B. McMeen
Ryan F. Michaleski
Jarrod M. Miller
Suzanne D. Montgomery
Justin S. Moriconi
Michael P. Murphy
John Mylan
Shawn C. Newman
Marybeth O'Connor
Christopher D. Olszyk
Luciano N. Patruno
Andrew M. Peoples
Colette M. Perri
Arthur W. Petersen
Bryan M. Remington
Sarah K. Resch
Milena Rodionov
Trisha L. Romano
Summer Rose-Rich
Matthew A. Ross
Lawrence B. Rowe
Terence P. Ruf
Michael G. Rushe
Mark A. Rushnak
Joseph J. Russo
Matthew I. Sack
Mathew L. Sampson
Neil Sarker
Geoffrey F. Sasso
Dawn M. Schwartz
Justin J. Serianni
Steven Shakhnevich
James R. Shamy
Catharine E. Sibel
Michael J. Sileski
Holly E. Smith
Kristen K. Stoker
Jennifer L. Story
Franklin R. Strokoff
Joshua E. Tebay
Christopher J. Tellner

Marguerite L. Thomas
Jennifer J. Thompson
Marc R. Tilney
Brett N. Tishler
Matthew T. Tranter
Robert A. Turco
James Turner
Jeremiah J. Underhill
Amy A. Underwood
Lauren A. VanEmbden
Nicholas J. Wachinski
Vanessa L. Walters
Raeann C. Warner
Patrick J. Wesner
Laura R. Westfall
Lisa A. Wood

NEW YORK

Travis Arrindell
Mitchell Ayes
Tanya Bridges
Ryan Briskin
Michael Chuyen
Sean Newell
John Eric Olsson
Corey Adam Ruggiero
Mark Rushnak
Carolina Salvia
Steven Shakhnevich

PENNSYLVANIA

Michael R. Abbott
Robert J. Albanese
Laurie A. Anderson
Theodore W. Annos
Chandra M. Arkema
Rahat N. Babar
Amy L. Bennecoff
Zlata Berman
Justin M. Bieber
Thomas D. Bielli
Seth N. Boer
John M. Bollinger
Patrick J. Bradley
Sarah S. Brase-Davis
Kevin T. Bright
Beth A. Brockson
Eric M. Brown
Megan E. Brown
Lauren E. Bucksner
Zeljka U. Budisavljevic
Andrea J. Bullock
Michael L. Burns
Jill Alison Cantor
Marie C. Cespuglio
Ayesha S. Chacko
Jimmy C. Chong
Douglas S. Cinoman
Michael J. Clark
Sandra F. Clark
Brian P. Cleghorn
Christopher A. Clouse
Lisa B. Cohen
Kyle F. Colin

Patrick J. Collins
Edwin J. Colon
Brian P. Corcoran
Jennifer E. Cranston
Stewart C. Crawford
Bryan D. Cutler
Anna M. Darpino
Daphne Ahtaridis
Demourtzidis
Leanne M. Deptula
David C. DiDonna
Carmen C. DiMario
Tina M. DiNicola
Daniel M. Dixon
Stuart B. Doctorovitz
Erin F. Downing
Linda B. Drezja
Kathleen B. Duffy
Miles P. Dumack
Leonid Eberman
Christina A. Eunson
Islanda L. Finamore
Matthew M. Fisher
Robert C. Fisher III
Corinne Michele Foley
Kristi A. Fredericks
Samuel E. Friedman
Melissa A. Fry
Nicola F. Gammon
Jacquelyn S. Goffney
David E. Goldberg
Michael B. Goldberg
Justin L. Groen
Tara E. Hafer
Andrea E. Hammel
Matthew G. Hauber
Roger C. Hay
Melissa L. Heckman
Melissa M. Heesters
Katherine L. Heintzelman
Andrew J. Hennessy
Justin Highlands
Sara M. Hudock
Christopher A. Iacono
Sasha C. Intriago-Rodrigues
David J. Jablonski
Richard Jahn
Miranda G. James
Joshua A. Janis
Ingrid Jean-Baptiste
Amanda Joachim
Christopher R. Johnson
Jennifer A. Juchniewicz
Melissa D. Karabulut
Richard A. Kates
Christina M. Keating
Matthew B. Keener
Lucas A. Kelleher
K. Scott Kennedy
Scott H. Kerr
Lisa M. Klein
Justin L. Krik

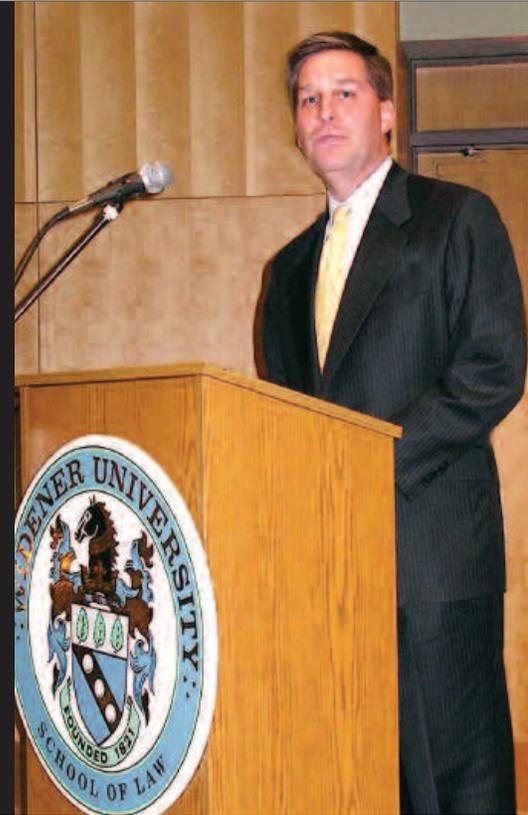
Christin C. Kubacke
Susan K. Kubinsky
Andrew C. Laird
Jeanna L. Lam
Ian F. Landman
Mary Ruth Lasota
Elizabeth G. Latorre
Brandon J. Lauria
Mrs. Julie A. Lavan
Melissa A. Lentz
Anthony J. Leonard
Joshua A. Levin
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Edward M. Louka
Dan A. Lovin
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Kathleen A. Maloles
Jason I. Manus
Jason P. Marmon
Andre Martino
Nicholas W. Mattiacci
Frank T. McCabe
Mary McClellan
Kevin G. McDonald
Lindsay A. McDonald
Brian P. McEntee
Jeffrey H. McGovern
Daniel B. McMeen
Joshua T. McNamara
William A. McNeal
Stephen M. McVey
Kimberly A. Meany
Elizabeth A. Meredith
Ryan F. Michaleski
Antonio D. Michetti
Shannon P. Miller
Jarrod M. Miller
Christa M. Miller
Steven R. Mills
Suzanne D. Montgomery
Thomas W. Moore
Justin S. Moriconi
Andrew R. Morris
Karen P. Muroski
Mark J. Mustin
David A. Ney
Margaret D. Nikolis
Marybeth O'Connor
Christopher D. Olszyk
Michael P. Opacki
Ryan A. Palmer
Luciano N. Patruno
Lisa M. Pectol
Gustine J. Pelagatti
Andrew M. Peoples
Colette M. Perri
Arthur W. Petersen
Joseph W. Petka
Christine M. Pierangeli
Mark T. Pilon
Pamela D. Politis
Tracey L. Potere
Kimberly V. Pranton

Brett P. Preston
Kenneth R. Pyle
Nina G. Qureshi
Krista M. Reale
Bryan M. Remington
Matthew J. Rifino
John M. Roberts
Milena Ilevska Rodionov
Andrew S. Rosenbloom
Mrs. Summer Rose-Rich
Lawrence B. Rowe
Chandra J. Rudloff
Terence P. Ruf
Joseph J. Russo
John E. Sabo
Matthew I. Sack
Mathew L. Sampson
Neiladree Sarker
Geoffrey F. Sasso
Shannon T. Schlott
Heather A. Schwenzer
Michael J. Sechrist
Korab R. Sejdiu
Justin J. Serianni
Jacqueline J. Shafer
Catharine E. Sibel
Michael J. Sileski
Sarah B. Silver
Jesse S. Silverman
Holly E. Smith
Virginia J. Speicher
Aimee Spelman
Casey O. Srogoncik
Amir Stark
Angela M. Stehle
Charles W. Stinson
Kristen K. Stoker
Franklin R. Strokoff
Melissa A. Szydlak
Christopher M. Tallarico
Charlene A. Taylor
Damon T. Taylor
Joshua E. Tebay
Christopher J. Tellner
Marguerite L. Thomas
Toby C. Thomas
Brett N. Tishler
Matthew T. Tranter
Elizabeth A. Tucker
Robert A. Turco
Amy A. Underwood
J'aime L. Walker
Rachelle R. Wells
Patrick Joseph Wesner
Suzanne West
Laura R. Westfall
Pamela Whitney
Charles T. Williams
Kristen N. Winsko
Lisa A. Wood
James D. Wood
Tawnya M. Yetter

Events

OUTSTANDING ALUMNUS OF THE YEAR AWARD

The Outstanding Alumnus of the Year Award was given on December 11 on the Wilmington campus to Brian J. Preski '92 of Philadelphia. The award is presented to an alumnus or alumna who, through service to his or her community or profession, or other accomplishments, has brought honor, recognition, and distinction to the Widener University School of Law. Preski, a graduate of the Wilmington campus, is the former chief of staff to the Speaker of the Pennsylvania House of Representatives. In that role, he served as the key advisor to members of the Pennsylvania House leadership team and helped to develop and author legislation aimed at improving the quality of life and well-being of Pennsylvania residents. Preski recently joined the Philadelphia law firm of Wolf, Block, Schorr and Solis-Cohen, LLP.



NEW LAWYERS JOIN THE PENNSYLVANIA BAR

On Nov. 13, 2006, 14 Widener Law graduates were admitted to the practice of law at a ceremony that was held in Harrisburg at the Dauphin County Court House (below). Pennsylvania Supreme Court Justice Thomas G. Saylor presided with The Honorable Richard A. Lewis, President Judge, Dauphin County Court of Common Pleas.



In addition, a ceremony was held on Nov. 14 at Philadelphia City Hall. Twenty-eight new lawyers were admitted during this event. Pennsylvania Supreme Court Justice Sandra Schultz Newman presided over the ceremony with The Honorable Robert S. Blasi '75, Supervising Judge, Philadelphia County, Municipal Court, Civil Division, The Honorable C. Darnell Jones II, President Judge, Philadelphia County, Court of Common Pleas, The Honorable Charles P. Mirarchi Jr., Administrative Judge Emeritus, Philadelphia County, Court of Common Pleas, Trial Division, and The Honorable Margaret T. Murphy '77, Supervising Judge, Philadelphia County, Court of Common Pleas, Domestic Relations.

The Widener-unique events allow the Law School graduates to be admitted to the bar alongside their friends and classmates. A reception that welcomed the family and friends to celebrate with the graduates followed each ceremony.



2006 ALUMNI AWARD WINNERS

Seated from left, William J. Higgins Jr. '99 (Outstanding Recent Alumni Award), Yvonne Takvorian Saville '95 (Outstanding Service Award). Standing from left, Law Dean Linda L. Ammons, Robert J. Sander '98 (Outstanding Recent Alumni Award), Brian J. Preski '92 (Alumnus of the Year Award), Scott E. Blissman '97 (Outstanding Service Award), Steven P. Barsamian '75, president of the Widener Law Alumni Association.

JUDGES' RECEPTION

The Honorable Paul Panepinto '76 hosted a reception in Philadelphia City Hall on Dec. 18 for Judges of the First Judicial District to welcome Dean Linda Ammons to the region. Shown, *left to right*, are Hon. James J. Fitzgerald III, A.J., Hon. Paul P. Panepinto '76, Dean Linda Ammons, Hon. George Overton '86, and Hon. C. Darnell Jones, P.J.



HARRISBURG CLASS OF '96 REUNION

Alumni from Harrisburg Campus Class of '96 and guests reconnected at Scott's Grille in downtown Harrisburg on Nov. 4. Pictured are: *Front row, left to right: Jack Marino '96, Stephanie Hoover '96; Back row, left to right: Dan Clough '96, Emily Clough, Paul Zimmerman '96, John Coyle '96, Amy Wolfberg, Doug Wolfberg '96, Carrie Carroll '96, John Zimmerman '96, Robin Hensinger Grenoble '96, Angie Ioannou '96, Julie Coyle '96, Cheryl Brown '96, and Mike Wanagiris '96.* Also attending but not shown were Erin Hennessey '96, Caryn Green '96, Chris Preate '96, Jim Carroll '95, and Scott Grenoble '94.

WASHINGTON, D.C. AALS RECEPTION

On Jan. 3, Dean Linda Ammons greeted Washington, D.C. area alumni and students, as well as faculty members, at a special reception held in conjunction with the annual meeting of the Association of American Law Schools.



Events

WIDENER LAW HOSTS DISTINGUISHED LECTURE IN HEALTH LAW

More than 100 people heard New Jersey attorney George W. Conk, Esq., deliver the second annual Raynes McCarty Distinguished Lecture in Health Law on Widener's Delaware campus and at the Union League in Philadelphia.

The lecture, delivered at both of the locations on Oct. 11, was titled "Will the post 9/11 world be a post-tort world?" Conk is managing partner at Tulipan and Conk, PC, in South Orange, NJ, and is an adjunct faculty member at Fordham Law School.

The event was made possible through the generosity of the Raynes McCarty law firm, based in Philadelphia. Raynes McCarty attorneys represent the catastrophically injured. It is one of the country's most philanthropic and civic-minded firms.

At the McCarty lecture, *seated from left*, Regina M. Foley '92, David F. Binder, and Martina W. McLaughlin, all of Raynes McCarty. *Standing from left*, Eugene D. McGurk Jr. '78, chairman of the Widener Law Board of Overseers and an attorney with Raynes McCarty; Martin K. Brigham of Raynes McCarty; George W. Conk, of Tulipan and Conk, PC, the attorney who delivered the 2006 Raynes McCarty Distinguished Lecture in Health Law; Gerald A. McHugh Jr. of Raynes McCarty; Widener Law Dean Linda L. Ammons; Dr. Andrew Newman, associate director of Widener's Health Law Institute; and Raynes McCarty attorneys Timothy R. Lawn '89, Stephen E. Raynes, Dr. Daniel M. Finelli, Lois DeAntonio, and Daniel Bencivenga.



DEAN'S WELCOME RECEPTION, WILMINGTON

Well-wishers, including, *front row from left*, Mrs. Mary Wagner (Dean Ammons' mother), Widener University President James T. Harris III, Delaware Supreme Court Chief Justice Myron T. Steele, New Castle County Executive Chris Coons, Wilmington Mayor James M. Baker, Dean of Ohio State University-Moritz College of Law Nancy H. Rogers, and Widener University Provost Jo Allen, congratulated Dean Linda L. Ammons at a welcome reception on the Wilmington campus on Sept. 26.

Dean Linda L. Ammons shows off a key to the city of Wilmington given to her by Mayor James M. Baker at the Dean's Welcome Reception, Wilmington.

IOWA PROFESSOR DELIVERS WIDENER LAW'S 2006 FRANCIS G. PILEGGI DISTINGUISHED LECTURE IN LAW

Hillary A. Sale, the F. Arnold Daum professor of corporate finance and law at the University of Iowa College of Law, delivered the 2006 annual Francis G. Pileggi Distinguished Lecture in Law to a packed du Barry Room at the Hotel du Pont in Wilmington on Oct. 20.

Sale's presentation "Caremark: A Tale of Two Fiduciaries" came on the 10th anniversary of the Court of Chancery decision by retired Chancellor William T. Allen titled *In re Caremark International Inc. Derivative Litigation*. The famous decision dramatically focused attention on directors' roles in implementing corporate compliance programs.

Sale said she teaches the opinion every year in her classes and she reached out to students, too, during her trip to Widener. After giving her lecture to an audience of more than 100 members of the legal community in downtown Wilmington, including four members of the Delaware Supreme Court, she traveled to the School of Law campus and addressed about 100 students.

The event was made possible by the generosity of Francis G. Pileggi, a founding attorney of Pileggi & Pileggi and father of Widener Law alumnus Francis G.X. Pileggi '86, who conceived of the idea to create a corporate law forum for practitioners, judges, and academics.

Sale's lecture was presented by the law school and the *Delaware Journal of Corporate Law*, the school's prestigious law review. The lecture series has attracted many renowned speakers in the area of corporate law since the first Pileggi lecture in 1986.



At the Pileggi lecture: Delaware Chief Justice Myron T. Steele; Hillary A. Sale, the F. Arnold Daum professor of corporate finance and law at University of Iowa College of Law; Francis G. Pileggi, whose generosity made the lecture possible; and Widener Law Dean Linda L. Ammons.

DEAN'S WELCOME RECEPTION, HARRISBURG

Law Dean Linda L. Ammons mingles with students at the welcome ceremony in her honor on Sept. 20. From left: Vaneskha Hyacinthe, Melissa Vega, Dean Linda L. Ammons, Elizabeth Schwartz, and Prince Holloway.



Class Notes

1975

The Honorable Howard Sherman, in December 2006, was sworn in as a Justice of the New York State Supreme Court, Bronx County.

Pennsylvania have received this prestigious award. He practices law in Broomall, Delaware County, and is the owner of Industrial Valley Abstract Company.

1976

The Honorable Paul P. Panepinto is a candidate for the GOP nomination as Justice of the State of Pennsylvania Supreme Court. He has been a member of the Court of Common Pleas of Philadelphia since 1990.

1977



Greg Jacobs has retired from his position as Senior Chief Intelligence Specialist, United States Navy Reserve, Reserve Intelligence Area Six, Naval Air Station—Joint Reserve Base, Fort Worth, TX.

Charles W. Proctor III recently received the designation of Certified Land Title Professional from the Pennsylvania Land Title Association. Only 49 individuals in

1979

Roy Alan Cohen is a senior litigation principal of Porzio, Bromberg & Newman, PC, in Morristown, NJ, and has been named chair of the Toxic and Hazardous Substances Litigation Committee of the International Association of Defense Counsel.

professionalism and integrity throughout his career, and made a difference in the lives of victims. Honecker, who joined the Monmouth County Prosecutor's Office in 1981, is the first assistant prosecutor from Monmouth County to receive this award.

Honecker has served for over 25 years with the Monmouth County Prosecutor's Office, having held the positions of Director of the Child Abuse Unit, Director of the Environmental Crimes Unit, Second Assistant Prosecutor, First Assistant Prosecutor, and Acting Prosecutor for Monmouth County. One of eight assistant district attorneys and prosecutors in the United States who sit on the National District Attorneys Association's Board of Directors, Honecker is a certified criminal trial attorney in the state of New Jersey and resides in Shrewsbury with his wife and three children.

1980

James M. Matour of Hangley Aronchick Segal & Pudlin has been selected for inclusion in the 2007 edition of Best Lawyers in America.

1981



Robert A. Honecker received the Outstanding Career Advocacy Award on September 15, 2006, from the County Prosecutors Association of New Jersey at the annual State of New Jersey County Prosecutors Association meeting, held in Atlantic City. The award is given to a career assistant prosecutor who has demonstrated leadership that has inspired his colleagues to become better prosecutors, conveyed

David Moneymaker reports that he is alive and well despite a report in the Fall 2006 issue of the *Widener Law* magazine to the contrary. Commenting on the error, Moneymaker noted, "As strange as it may sound, a lot of good has come from that mistake. I was able to catch up with individuals with whom I haven't spoken in a very long time."

Coming Soon!

Looking for a better way to connect and reconnect with fellow alumni from Widener Law?

Widener University School of Law will soon introduce an online community. Here are some of the exciting, interactive features you'll be able to enjoy:

- Find classmates and colleagues in the online alumni directory
 - Update your personal information
 - Check out upcoming events and register online
 - Post class notes and photos or read about news from other Widener Law graduates
 - Make a credit card gift or a pledge to the Widener Law Fund
- Look for more information to follow in the mail and online.

1982

Kevin F. Brady, partner in the corporate and commercial litigation group of the Wilmington office of Connolly Bove Lodge & Hutz, received the Andrew D. Christie Pro Bono Publico Award.

1983

Joseph W. Oxley was sworn in as president of the American Jail Association in May 2006 and received the Sheriff of the Year Award from the National Sheriffs Association in June 2006.

Mary E. Sherlock of Mary E. Sherlock, PA in Dover, DE, is the new vice president/president of the Community Legal Aid Society Inc. in Dover.

1985

Kevin J. Barnes married Nadine E. Rotondo, who holds a bachelor's and a master's degree in social work from Widener University, on June 2, 2006, in Ocean City, NJ. They are expecting their first child in April 2007. The family resides in Ocean City, NJ, where Kevin owns a law practice, The Law Offices of Kevin J. Barnes, LLC.

Scott E. Diamond has joined Stark & Stark as a shareholder and practices from the Princeton and Marlton, NJ, offices.

1987

Jill Fisher has joined the Philadelphia-based law firm of Zarwin Baum DeVito Kaplan Schaer Toddy PC. She will head the firm's Employment Department. Prior to joining Zarwin Baum DeVito Kaplan Schaer Toddy PC, Fisher headed her own practice specializing in the full spectrum of employment law and human resources management. She has drafted numerous employment handbooks and personnel policies, conducted custom in-house seminars, and developed training programs for managers and supervisors. A well-known lecturer in her field, her speaking engagements have included the World Affairs Council, the Council on Education in Management and Lorman Education Services. Fisher is a member of the Employment Law and Human Resource sections of the Philadelphia Bar Association and is a member of the Society for Human Resource Management.



Derek R. Layser was recently named a Pennsylvania "Super Lawyer" by the publishers of *Law & Politics* and *Philadelphia* magazine for plaintiff's personal injury-medical malpractice. A "Super Lawyer" designation represents the top five percent of practicing attorneys in Pennsylvania, and selection is by an extensive peer nomination and polling process. This is the third consecutive year Layser has received this honor. Layser is a founding shareholder of Layser & Freiwald, PC, with offices in Philadelphia, PA, and Westmont, NJ, and has an active trial practice in both states.

Donald L. Logan is the principal at the newly formed Logan & Associates, LLC, in Wilmington, DE.

Joseph J. McGovern announced the release of his first book *The Kyoto Protocol*. He has also authored a second book, *The Lazarus Witness*.

1989

Alexander Bowie II has joined the Commercial Litigation Practice of Day, Berry & Howard in their New York City office.

1990

Emmanuel J. Argentieri has been elected to the Executive Committee of New Jersey business law firm Parker McCay.

Mary Ann Plankinton has joined MacElree Harvey in West Chester, PA, as a partner and will practice out of the firm's Kennett Square, PA, office. Plankinton, of Landenberg, PA, is a graduate of St. Joseph's University. She concentrates her practice in family law. She has served on several civic boards of directors, including the Kennett Square YMCA and Chester County Futures, the Kennett Township Planning Commission, and the Chester County Bar Association. She is appointed as a guardian ad litem through the Delaware family courts. Licensed by both the Pennsylvania and Delaware bars, she is a member of the American, Pennsylvania, Delaware, and Chester County Bar Associations.

Class Notes



Kevin D. Sheehan has been promoted to shareholder at the New Jersey law firm of Parker McCay where he focuses on real estate development, local government law, affordable housing, redevelopment, and environmental issues.

1991

Michael A. Brown, a managing partner with the Washington, D.C., office of consulting firm Alcalde & Fay, is a candidate for the District of Columbia City Council. A special election will be held in May to fill the Ward 4 seat. Brown also serves as a Democratic commentator for Fox News.



Claire M. DeMatteis, director of Stradley Ronon's Wilmington, DE, office, was recently presented with the Women's Leadership Award from the Delaware State Bar Association. DeMatteis was selected for this award as a member of the Delaware Bar whose

character, strength, personality, achievement, and activities in matters affecting women lawyers have served as an inspiration for women lawyers in their professional careers. In addition to overseeing the firm's Delaware office, DeMatteis serves as counsel in the firm's government and public affairs practice, focusing her practice in legislative and regulatory lobbying and business development in Delaware and Washington, D.C. She also chairs the firm's gaming practice group. DeMatteis currently serves as chair of the Delaware Commission for Women.

1992

A. Kyle Berman has joined Fox Rothschild LLP in Lansdale, PA.

Donald J. Detweiler has joined Greenberg Traurig, LLP, Wilmington, DE, office as a shareholder in the reorganization and bankruptcy department.



Lisa Goldstein, President of Rainmaker Trainers, recently spoke at the Hadassah Attorneys' Council. The lunch and

learn seminar entitled "Business Development for Women Lawyers: Addressing the Gender Factor" focused on how acknowledging communication differences between men and women can help women lawyers to succeed in business development. Goldstein was also appointed advisor to the ABA Women Rainmakers this year. Her company, Rainmaker Trainers, coaches lawyers to help them increase law firm revenues.

1993

Lisa Hunn Barber, associate general counsel for Brandywine Realty Trust, has been named leadership executive by the Delaware Valley chapter of the National MS Society. Barber was presented with the Multiple Sclerosis Leadership Award at a reception held recently at the Pyramid Club in Philadelphia. She was elected for the award for her outstanding contribution to the civic, business, and cultural betterment of the Greater Delaware Valley. She has raised over \$4,000 in a special gifts campaign for the chapter.

William O. Krekstein, partner at Nelson Levine de Luca & Horst, LLC, was a featured speaker at the International Association of Special Investigative

Units 21st Annual Seminar and Expo on Insurance Fraud.

Richard L. Morris Jr. was awarded, by NameProtect, the Trademark Insider Award for #1 Miami Law Firm for U.S. Trademark Filings and #4 Top U.S. Trademark Filer for 2005.

1994

Jill (Moyer) Mayer was promoted to Supervising Deputy Attorney General of the Organized Crime & Racketeering Bureau of the New Jersey Division of Criminal Justice. She resides in Cherry Hill, NJ, with her husband, Joel Mayer, Esq., and their two children.

David J. Shannon of Marshall, Dennehey, Warner, Coleman & Goggin, Philadelphia, PA, spoke on understanding copyright, trademark, and trade secret law as a faculty member of the continuing legal education seminar entitled "Technology Law in Pennsylvania: The Fundamentals and More."



Gina Rubel, president of Furia Rubel Communications, Inc., along with Jeffrey B.

Albert, Esquire, of McKissock & Hoffman, PC, presented a two-hour CLE at the Bucks County Bar Association sponsored by the Women Lawyers' Committee on November 21, 2006. The program addressed "Tips and Tricks for Marketing Your Law Firm Ethically and Effectively." Rubel is an attorney with 15 years of integrated communications experience. After practicing law for several years, she now focuses on her passion for proactive, integrated communication for law firms and legal organizations. Rubel has developed and executed integrated communications plans for large and small law firms and supervised crisis communications, risk management, and media relations for internationally publicized death penalty trials. She served on a Supreme Court of Pennsylvania Disciplinary Board Hearing Committee for six years, acting as the chairperson for three years.

1995

Suzanne Spencer Abel has opened a private practice. She handles workers' compensation and family law cases in Cumberland and Dauphin counties, PA.

Joseph M. Ariyan and his wife, Susan, welcomed their son, Joseph Leon, on October 12, 2006. In August, Ariyan was named

to a five-year term on the Northeast Bergen County Utilities Authority for Bergen County, NJ.

Charles F. Gfeller has been promoted to partner at Edwards Angell Palmer & Dodge where he is a member of the Insurance & Reinsurance Department. He practices primarily in the areas of complex civil and commercial litigation, products liability, and risk management. Gfeller has tried cases in both state and federal courts, has argued before the Connecticut Appellate Court, and has participated in arbitrations, mediations, and other alternative dispute resolution proceedings.

Robert C. Trichilo has joined the law firm of Post & Post in its Berwyn, PA, office and concentrates in the area of medical malpractice defense litigation. Prior to joining Post & Post, Robert served as an assistant district attorney in both Luzerne and Monroe counties.

1996

Eric R. Augustine has been named an associate at Keefer Wood Allen & Rahal where he will concentrate his practice in civil litigation.

George T. Lees III has joined Rawle & Henderson, LLP, as counsel in the firm's Wilmington, DE, office.

Jack Marino has joined Rhoads & Sinon, LLP, in Harrisburg, PA.

Ronald J. Reybitz was named a "Rising Star" in the 2005 edition of Pennsylvania Super Lawyers. Reybitz is currently in-house counsel with PPL Corporation in Allentown, PA.

Patrick J. Sweeney was named to the Board of Directors of DRI—The Voice of the Defense Bar, a national organization of more than 22,000 defense trial lawyers and corporate counsel. At the recent annual meeting of DRI, Sweeney, partner at the Philadelphia office of the law firm Sweeney & Sheehan, was named Atlantic Regional Director of the nation's largest civil defense bar organization. As a member of DRI's Board of Directors, Sweeney will oversee programs for Delaware, New Jersey, New York, and Pennsylvania. Sweeney practices in the areas of transportation, premises liability, consumer protection, and matters of general liability. His service record with DRI includes three years as state representative for Pennsylvania and vice chair of DRI's Technology Committee.

1997



Joan M. Bergman has joined the Greensboro, NC, office of Nexsen Pruet Adams Kleemeier and will work as an associate in the firm's real estate practice group. Previously, Bergman practiced at a Greensboro law firm, representing clients—primarily developers—in land acquisitions and construction of commercial and multi-family residential sites. She has experience in numerous areas of real estate, including conducting due diligence and title searches, reviewing loan documents, and drafting easements and closing statements. Prior to that, Bergman worked at a large regional law firm in the products liability practice group. She also has experience in employment, corporate, and construction law.



Leslie K. Gross has been named Director of Communications in Saul Ewing's marketing department. In

Class Notes

this newly created position, Gross will oversee the firm's communications initiatives, including public relations, all marketing materials, and the advertising campaign. Prior to joining Saul Ewing, Gross was an attorney with the Philadelphia firm of Fell & Spalding, where she concentrated her litigation practice in the areas of defamation, healthcare, professional malpractice, and employment. She also oversaw the firm's marketing efforts. Prior to her legal career, Gross worked in Comcast Corporation's marketing department, where she focused on marketing collateral, advertising, and public relations.



Maureen Mackay Nacey has joined the Chester County, PA, law firm Gawthrop Greenwood. Nacey's practice concentrates in domestic law, including divorce, equitable distribution, property settlement agreements, spousal support, child custody, child support, and adoptions. Prior to joining Gawthrop Greenwood, Nacey was an associate in a private practice. She previously served as law clerk to the Hon. Judge James P. MacElree II of the

Court of Common Pleas of Chester County. She has been an active member of the Chester County Bar Association, where she chaired the Law Related Education Committee, and served as a member of the Board of Directors of the Chester County Bar Foundation.



Jack Rosenbloom of the Jenkintown firm Semanoff Ormsby Greenberg & Torchia, LLC, has been named a Pennsylvania "Rising Star" by Pennsylvania Super Lawyers for the second year in a row. Only 2.5 percent of Pennsylvania attorneys receive this honor every year. "Rising Stars" are chosen by their peers as being among the top up-and-coming lawyers in the state.

John Sabatina was elected to the Pennsylvania House of Representatives, 174th Legislative District, in March of 2006 and sworn in during April 2006.

Ellen B. Wilber, an associate in the firm Dickie, McCamey & Chilcote, PC, Philadelphia, PA, has been named a "Rising Star" for 2006 by *Philadelphia Magazine*

and *Pennsylvania Super Lawyers Magazine*—Rising Stars 2006.

1998

John J. Flynn III recently accepted a new position as the Executive Director of the Maryland Republican Party in Annapolis, MD.

Kara A. Kaczynski has joined WolfBlock in the firm's Roseland office. Kaczynski, an associate in the firm's Real Estate practice group, most recently served as in-house counsel to the Kushner Companies in Florham Park, NJ. She previously was the lead Land-Use associate at Scarinci and Hollenbeck, LLC, in Lyndhurst, NJ.



Amy Parsons and Robert C. Fisher III '06 were married on July 28, 2006. Claudia Guglielmo '98 and Cari Weitzman Raymond '98 were bridesmaids. Amy recently accepted a new position with Schering-Plough in Kenilworth, NJ, and the couple purchased a new home in Burlington, NJ.

Ari D. Weitzman joined Abom & Kutulakis in Carlisle, PA.

1999

Ninette Byelich-Jackson and husband, Marc, announce the birth of their third child, a girl, Keturah Elizabeth, on Sept. 29, 2006. She joins sister Abigail, who was born on Sept. 11, 2005, and 4-year-old brother Benjamin.



Randall Hurst has been appointed to the Sewage Management and Treatment Task Force advisory committee. The task force, which serves as a legislative advisory committee to the Joint Legislative Air and Water Pollution Control and Conservation Committee of the General Assembly, advises Pennsylvania lawmakers on pollution, conservation, and infrastructure issues. Hurst is an associate with Mette, Evans & Woodside and focuses his practice in the environmental law and land use area. Hurst holds a Master of Science in Environmental Pollution Control from Penn State, is certified by the Institute of Professional Environmental Practice as a senior Qualified Environment Professional (QEP), and holds a Class A-1 State Wastewater Treatment Plant operator's license.



Christopher A. Ward has joined Klehr, Harrison, Harvey, Branzburg & Ellers as an associate. Ward concentrates his practice in bankruptcy, reorganizations, workouts and restructurings, and debtor-in-possession financing.

2000

Elysa Bergenfeld has joined the law firm of Stark & Stark as an associate.

Lorraine Bohanske Possanza has joined Sunstein Murphy & Associates, PC, in West Chester, PA, as an associate in the practice of health law.

Michael T. Hollister has joined Logan & Associates, LLC, in Wilmington, DE, as an associate.

Christina (Maycen) Thompson and her husband Jim welcomed their daughter, Avery Juliana, on May 23, 2006. Christina is an associate in the Business Law Group at Connolly Bove Lodge & Hutz LLP in Wilmington, DE.

2001

Bryan McQuillan has become a partner in the firm of Mancke Wagner Spreha & McQuillan. McQuillan is the former Dauphin County chief deputy public defender.

Victoria K. Petrone has joined Logan & Associates, LLC, in Wilmington, DE, as an associate.

Mark Schiavo, an attorney with Dilworth Paxson, LLP, concentrates his practice in the area of complex commercial litigation in the state and federal courts of Pennsylvania and New Jersey. He routinely represents clients in a wide variety of litigation matters, including commercial breach of contract claims and tort defense litigation. Schiavo resides in Mt. Laurel, NJ.

Daniel W. Scialpi has entered the Army Judge Advocate General Corps as a First Lieutenant. After completion of training, he, his wife Mervi, and their two sons, Erik and William, will be stationed at Fort Hood, TX.

Chad Toms has joined the firm of Bifferato Gentilotti Biden & Balick, Wilmington, DE.

2002

Teri Calloway, husband Matt, and daughter Keely Clarke welcomed Kaitlin Janet Calloway on Aug. 1, 2006.

Tabatha L. Castro of Rapposelli Castro and Gonzales in Wilmington, DE, was honored on Oct. 4, 2006, receiving the Wilmington Award. The program acknowledges Wilmington citizens who exemplify excellence in areas such as the arts, athletics, business, community service, education, faith, government, health and science, heroism, seniors, volunteerism, and human and/or civil rights.

Geoffrey Christ and wife Debra welcomed their first child, son Owen, in November of 2004, and their second child, a son, Spencer, in January. Christ was just appointed by Governor Minner to a three-year term on the Delaware State Board of Pharmacy as a professional member. In addition to his real estate practice, he is a practicing pharmacist in the Bethany Beach area.

Shaun H. Day has accepted the position of assistant general counsel with RL Corporation, an accounting and financial consulting company in West Chester, PA.

Eugene DePasquale, a Democrat, took office in January as a member of the Pennsylvania State House of Representatives. He represents the York City-based 95th State House District. Before running for office, he worked for a variety of government institutions and elected officials, including a stint as legislative director for State Senator (now Congresswoman) Allyson Schwartz. He also served as director of economic development for the City of York, as well as a deputy secretary for the State Department of Environmental Protection under Governor Ed Rendell. He is a former chair of the York County Democratic Party.

Tanya Pino Jefferis has returned to Prickett Jones & Elliott, PA, to practice with their litigation group. She focuses her practice on product & premises liability and toxic tort. Jefferis also practices corporate and business litigation.



Leda Pojman is working as an assistant attorney general in the Wyoming Attorney General's office, Criminal Division, Appellate Section.

Class Notes



Scott W. Reid, an associate with Cozen O'Connor, was recently elected president-elect of the Barristers' Association of Philadelphia.

2003

Robert J. Foley Jr., an associate with the Foley Law Firm since December 2003, appeared in the Pennsylvania Super Lawyers 2006, Rising Stars Edition. In addition to his legal work, Foley sits on the Board of Directors of the Lackawanna County Bar Association, Young Lawyers Division.

Robert King received the Master of Laws (LLM) degree in Trial Advocacy, with Honors, from Temple University in Philadelphia in recent ceremonies. King was selected by his fellow trial attorneys in the program as "Best Oral Advocate." King focuses his practice on litigation and healthcare law. He also serves as a national mediator and arbitrator for the American Health Lawyers Association in Washington, D.C.

Nancy Lewis, who serves as an attorney with the Judge Advocate General Corps, was the official Army escort for the United States Supreme Court at the funeral of former President Gerald R. Ford.

2004

Suzanne N. Canning has joined the Associate Chief Counsel's Office of U.S. Customs and Border Protection as in-house counsel under the Department of Homeland Security.

Harrison E. Cherney was named chief operating officer of 1st Republic Mortgage Bankers, a national mortgage bank with its headquarters located in Floral Park, NY. Cherney is also a member of the board of directors of Global Group Holdings, Inc., and the Little Peoples Children's Theater of New York.

Tim Daly, appointed by the Borough Council of Phoenixville, PA, to the planning commission last July, recently accepted a new appointment as member of Council from the middle ward. He and his wife have two children and have resided in the borough for four years.

Lori E. Hood has joined Drinker Biddle & Reath, LLP in Philadelphia, PA, as an associate in the environmental law practice group of the firm's litigation department.

Abbegael M. Pacuska has joined the Pennsylvania Office of Attorney General recently in the litigation section based in Harrisburg. Pacuska practiced in a private law firm until her recent appointment. She is a member of the Pennsylvania Trial Lawyers Association and serves on the Board of Directors for Heinz-Menaker Senior Center.

Michelle L. Sommer has joined Abom & Kutulakis in Carlisle, PA.

2005

Thomas D. Bielli has joined Harvey, Pennington Ltd. in Philadelphia, PA.

Seth N. Boer has joined the District Attorney's Office in Berks County, PA, as an assistant district attorney.

Tricia Cruz is an assistant public defender for Adams County, PA, and she resides in Gettysburg.

James G. Lare has joined Cozen O'Connor's Philadelphia office as an associate, practicing in the firm's general litigation department.

Jennifer Stonerod has joined Parker McCay's Medical Malpractice Group in Marlton, NJ, as an associate. Stonerod will concentrate her practice in the area of medical malpractice. Prior to joining Parker McCay, Ms. Stonerod served as law clerk to the Honorable Michael J. Hogan, in the Superior Court of New Jersey, Burlington County, Civil Division. She also served as a clerk in the Division of Law in the Office of the New Jersey Attorney General.

Jay C. Whittle has opened a solo practice and specializes in immigration and naturalization.

2006

Robert C. Fisher III married **Amy Parsons '98** on July 28, 2006.

John R. Logan of Susquehanna Township, PA, has been appointed vice president and general counsel of The Vartan Group Inc.

Deceased

1981 Nancy E. Davitt

1985 Patricia Jeanne Chalfont

Widener Law Fund

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100 percent of Widener Law Alumni at Young Conaway Stargatt & Taylor give to the Widener Law Fund! Dean Linda L. Ammons congratulated Widener Law Alumni at a reception to celebrate five consecutive years of 100-percent participation by Widener Law graduates and to thank Administrative Partner Richard Levine for the firm's sponsorship of a Public Interest Student Fellowship. Twenty-two Widener Law alumni are employed at Young Conaway.

Gifts to the Widener Law Fund expand financial aid, enhance student programs, support clinics, improve library resources and services, and allow the school to attract and retain a world class faculty.



(Left to right, first row) Linda Ammons, Richard Levine, Lisa Goodman '94, Patricia A. Widdoss '98, Jennifer Noel '00, student fellow Megan Kneisel, Michael W. McDermott '03; *(left to right, second row)* Edwin Harron '95, Richard DiLiberto '86, Eugene DiPrinzio '80, Timothy Snyder '81, Scott Holt '95, and Monte Squire '05.

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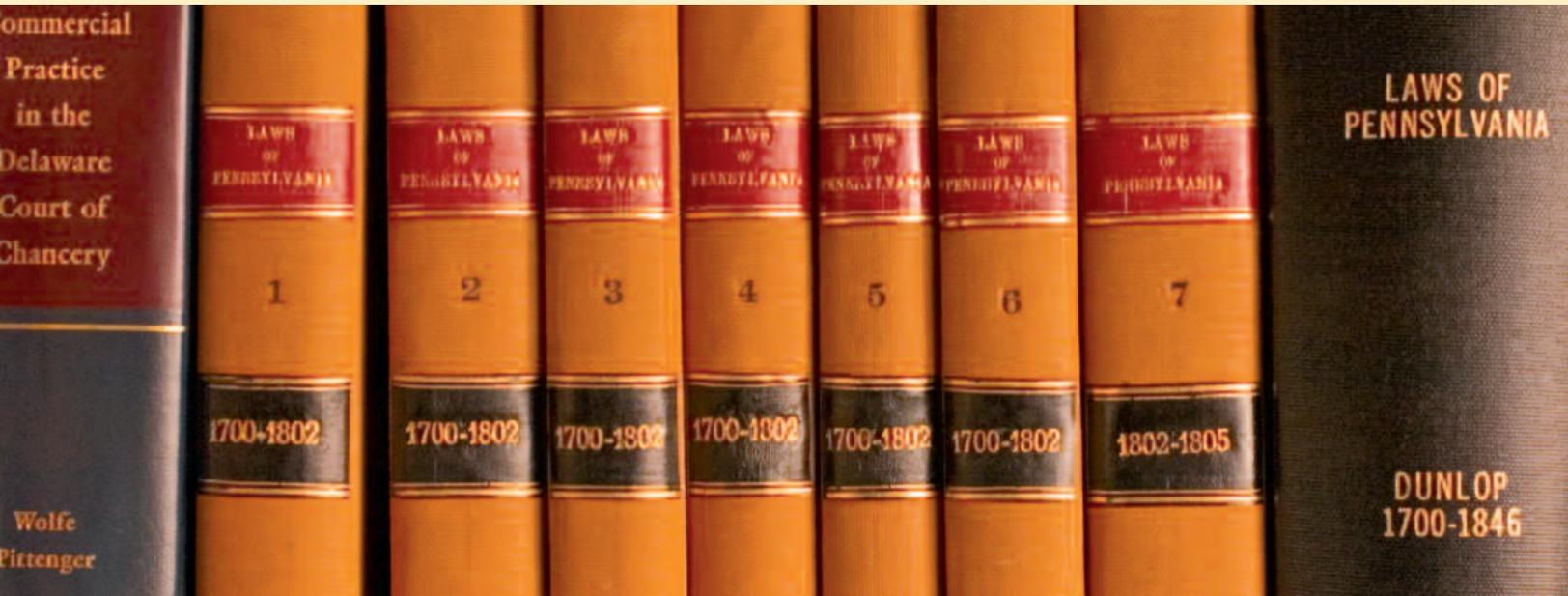
Calendar

JUNE 2007

- 4 Widener Law Alumni Reception, Scranton
- 14 Widener Women's Network Event, Philadelphia

AUGUST 2007

- 4 Widener Alumni Night at Harrisburg Senators Baseball Game



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