Daniel O. Bernstine, president and Chief Executive Officer of the Law School Admissions Council and president emeritus of Portland State University, will speak on “The Continuing Need for Affirmative Action” at 5:10 p.m. on Tuesday, Oct. 30, at the Great Hall.

Bernstine’s address will describe the continuing need for affirmative action in law school admissions and the challenges facing those who continue to support the use of affirmative action to achieve meaningful diversity in law school classrooms.

Bernstine said that, while diversity has improved in the legal profession, it still lags behind other professions.

Part of the problem is in the pipeline, that minorities have a harder time entering and succeeding in college which means a harder time qualifying and succeeding in law school.

Although minorities don’t score as well on the Law School Admissions Test, just as they don’t score as well on the Scholastic Achievement Test required by most colleges, the test is not the problem, Bernstine said.

“The test accurately predicts what happens in law school,” he said. “Or it predicts who will do well in the first year of law school. But it doesn’t predict who will become a successful law.”

His message to law schools: Don’t worry as much about the rankings in U.S. News & World Report, which give great weight to the scores of incoming law students. Instead, look at applications holistically and remember the mission is to train lawyers, not just professors.

In 2003, U.S. Supreme Court Justice Sandra Day O’Connor’s opinion in Grutter v. Bollinger explicitly recognized a current need for affirmative action practices in admission to law schools. She expected that, within 25 years, affirmative action would no longer be necessary, but Bernstine says law schools are far from achieving that goal.

“Her expectation was, in essence a challenge to legal educators to find a way to achieve diversity without the explicit consideration of race or ethnicity, and to do so within a generation,” Bernstine said.

Bernstine served as president of Portland State University in Oregon from 1997 to 2007, and was acknowledged as a highly effective president who helped build the university into the largest in the state, increasing its impact in Oregon, the nation and the world. Before moving to Portland State, Bernstine had been interim dean and professor of law at Howard University School of Law, where he was renowned for his administrative ability, dedication to students, and extraordinary faculty recruitment. He also has been interim dean and professor of law at Howard University School of Law in Washington, D.C., and general counsel for Howard University and Howard University Hospital.

Bernstine began his legal career at the U.S. Department of Labor. An expert on courts and higher education, he is the author of three books, CVLS and numerous scholarly articles. He holds a bachelor’s degree in political science from the University of California at Berkeley, a J.D. from Northwestern University School of Law in Chicago and an M. from the University of Wisconsin Law School, where he did research in civil procedure and jurisdiction of courts.

SUMMER EXPERIENCES

Dara Friedman, 3L, spent the summer volunteering at Chicago Volunteer Legal Services, a private legal-aid organization that has served low-income people for more than 40 years. She was licensed under Illinois Supreme Court Rule 711 to represent clients in court.

The internship gave Friedman hands-on experience in the practice of law, representing clients in domestic relations and guardianship cases, interacting with people who were distressed, emotional and frustrated, providing families with information about resources for after-school clubs, drug-treatment programs and family-support groups.

“It was the most happy when I could provide someone with information in ways to better therapeutically or their situation,” Friedman said. “Overall, my experience was amazing, and it helped solidify my desire to practice law.”

She also participated in her first 3K run, a fundraiser for CVLS called Race Jacalita. The agency’s interns named their team, “The 711s: Saving the world one conversation at a time.”

“Though we didn’t win, we had a great time running along Chicago’s beautiful lakeshore, helping CVLS ensure the law works for everyone, not just those who can afford it,” Friedman said.

La Joya Community High students and Charles Calleros

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Statistics show that most private practitioners work in small- to mid-sized firms with 50 or fewer attorneys. According to Career Services, 57 percent of the Class of 2006 went into private practice and 38 percent of those went to work in small to mid-sized firms. This mirrors national statistics, which show 56 percent going into private practice, 48 percent of those in small- to mid-sized firms.

Because so many students will go to work in small firms, the Career Services Office has organized a series of events this week to help students understand hiring, networking and how to succeed in small firms. The events will focus on relationship building, job-search strategies, hiring tips and specific practice area information.

**Tuesday, Oct. 23 – 4–6 p.m. – Stepoto & Johnson Rotunda**
Speed Networking

Law students will meet one-on-one with attorneys from across the Valley. This event, the second annual, is open to 2Ls and 3Ls on a first-come basis. Advance reservations are required.

**Wednesday, Oct. 24 – 12:15-1:15 p.m. – Room 105**
How to Get a Job with a Small Firm

Panels include: Daniel Ortega, of Roush, McCracken, Guererro, Miller & Ortega, who will speak about hiring entry-level attorneys and application pitfalls; Helen Perry Grinnwood, past-president of the State Bar and member of the Governor’s Commission on the Future of the Legal Profession, PLLC, who will speak about the differences between working at large and small firms; and Robert Sewell and Josh Deere, of Davis Miles, PLLC, who will offer advice from their own job searches.

**Thursday, Oct. 25 – 4–6 p.m. – Stepoto & Johnson Rotunda**
Small Firm Practice Area Career fair

Attorneys from 25 to 30 practice areas will provide information.

**FACULTY NEWS**

**Professor Kenneth Abbott** recently participated in two more workshops leading to global health governance. For the first workshop, at the University of British Columbia in June, he prepared a framework paper mapping the public and private institutions that are engaged in global health governance. For the second, at the London School of Hygiene and Tropical Medicine in October, he commented on a series of papers by younger scholars. The workshops involved scholars from the United States, Canada, England, Germany, India and Ethiopia, as well as officials of the World Health Organization and non-governmental organizations active in global health. The participants agreed on strategies to build a network of global health governance researchers.

**Professor Gary Marchant** co-authored a new national report that urges government agencies to accelerate the incorporation of genomic data into risk assessments of chemicals and medicines.

The report, “Applications of Toxicogenomic Technologies to Predictive Toxicology and Risk Assessment,” was published this month by the National Research Council, a division of the National Academy of Sciences. It’s the result of a two-year study conducted by a 16-member panel of scientists and professors from around the country and sponsored by the National Institute of Environmental Health Sciences.

The report pointed out that an individual’s genetic variations can lead to genetically susceptible individuals who may become prone to a wide variety of diseases and disabilities, such as nausea and impaired muscle function when exposed to a common pesticide. Chemicals and drugs often cause health problems by altering gene expression and other cell activity, and research on these processes, called toxicogenomic research, could someday lead to better toxicity tests, the committee concluded. Toxicogenomic tests also can pinpoint individuals with genetic vulnerabilities and help them avoid chemicals or medicines that might make them ill, the study said.

The researchers said a major, coordinated effort, on the scale of the Human Genome Project, is needed to fully develop the technologies and to address the ethical challenges they pose, such as protecting the confidentiality of individuals’ genetic information.

**IN THE NEWS**

**Professor James Weinstein** was quoted in The New York Times in an Oct. 20 article about a dispute between The Phoenix New Times and Maricopa County law enforcement officials.

For an article headlined, “Sheriff’s Fight With a Paper Flares Up Again,” reporter Richard Pérez-Peña interviewed Weinstein about this week’s subpoena obtained by a special prosecutor working for County Attorney Andrew Thomas, in which the names and Internet addresses were sought of all people who’ve visited the New Times’ Web site since Jan. 1, 2004.

“Youthful blood is grossly, shockingly, breathtakingly overbroad,” Weinstein said. “This is a case of harassment of the press.”

Weinstein also questioned the validity of charges county prosecutors brought against the New Times’ owners for publishing an article containing the home address of Sheriff Joe Arpaio.

To read the full article, go to www.nytimes.com/2007/10/20/business/media/01arizona.html.

**DRED SCOTT DECISION 150 YEARS LATER**

Students, faculty and staff have two opportunities to learn more about the 150th anniversary of the Dred Scott case this week, during the American Society of Legal History (ASLH) 2007 conference and at a lecture hosted by Arizona State University’s Department of History.

The court decision, handed down by U.S. Supreme Court Chief Justice Roger Taney in 1857, stated that African-Americans were not citizens. The anniversary offers us the occasion to take note, observe the decision’s significance, and examine its relevance for today.

Paul Finkelman, a professor at Albany Law School, will give a talk, “Was Dred Scott Correctly Decided?” from 4:30-5:30 p.m. Thursday, Oct. 25 at Coor Hall, L174. A reception will follow on the Coor West Patio.

On Friday, Oct. 26 the ASLH will present the program, “The Dred Scott Case at 150: Politics, Law, and the Competing Constitutional Histories of Slavery,” from 10:30-12:15 p.m. at the Tempe Mission Palms Hotel, 60 E. Fifth St. The presentation is among 14 panels and more than 100 papers on United States, English, European, Asian and Latin American legal history from top scholars around the world.

Students can register for $15 to attend the conference and view the rest of the program by going to www.law.asu.edu/aslh07.

**CLINICS MEETING SCHEDULED**

The Clinical Program will hold a meeting for students interested in any of the seven clinics for Spring 2008 at 12:15 p.m. on Tuesday, Oct. 30, in Room 114. Directors from each of the clinics will provide information on their clinic and answer questions. Lunch will be provided.

**GREAT VOLUNTEER OPPORTUNITY**

A few more volunteers are needed Saturday, Oct. 27, to help law students and their friends at the 4th Annual Rock & Roll Paint-a-thon organized by Rebuilding Together Phoenix. The group will sponsor a house for two elderly gentlemen that cannot physically or financially afford to do so. The volunteers will meet at 7 a.m. at the College of Law to caravan to the site, and the work should be completed within three to four hours.

Not interested in physical labor that time of day? Rebuilding Together also accepts monetary donations. To sign up or contribute, contact Tana Fitzpatrick at tana.fitzpatrick@asu or call K Foyal at (480) 727-8579.

**NAVAJO DEPARTMENT OF JUSTICE CLE**

The College of Law is co-sponsoring a Continuing Legal Education program on Nov. 9 at the Window Rock Museum in celebration of the 25th anniversary of the founding of the Navajo Department of Justice and the 10th anniversary of Sutin, Thayer & Browne’s Navajo Law Seminar. The CLE will reflect upon Navajo law and legal practice and its context within both federal and tribal environments.

Other sponsors include the Navajo Nation Department of Justice, Sutin, Thayer & Browne, and the University of New Mexico School of Law. Registration is $110 before Oct. 26; $125 thereafter. For more information, contact Taza Maestas at (505) 881-1396.

**BAR ADMISSIONS MEETING**

Dean Patricia White and Emily Holliday, manager of the Attorney Admissions unit of the Arizona Supreme Court, will give an informational session on Wednesday, Nov. 7 for students with questions about the bar admissions process for the state of Arizona.

The session typically includes a member of each of the committees (Exams, Character and Fitness), presents basic information about what to expect and how to navigate the admissions process. There will also be time for questions from students.

The meeting will be from 12:15-1:15 p.m. in the Great Hall.