MEET THE CLASS

This is one in a series of profiles of first-year law students.

Michael Donovan was born in Detroit and raised in a neighboring suburb, Grose Pointe, Mich. He earned his B.S. in microbiology at the University of Michigan, where he was fortunate enough to see the Wolverines win a National Championship at the 1998 Rose Bowl. He was president and treasurer of his fraternity, Chi Psi.

After deciding that a career in scientific research was more appealing than going to medical school, Donovan enrolled at the University of Alabama at Birmingham to pursue a doctorate in microbiology. He subsequently transferred to the University of Notre Dame, where in a few (five) short years he earned his doctorate in immunology and parasitology. The topic of his dissertation was the role of the immune system in the response to both Plasmodium (which causes malaria) and Leishmania (which causes Baghdad Bld and Kala Azar).

After earning his degree, scientific research no longer interested him, and after much thinking he decided law would be a good career, with intellectual property and patent law being his main interests.

SUMMER EXPERIENCES

This is one in a series of reports on how students, faculty and staff spent their summer. Please send information on your summer experiences to DL.WG.LAW.

Communications

Professor David Kaye and his family traveled to Nepal in May and June to explore the Gokyo and Everest valleys. The trek was organized by Arlene Blum, the leader of the first American women’s expedition to Annapurna. Kaye met Blum while climbing Mount Rush in Washington.

The trek included talks on the history of Himalayan mountaineering by the author of a forthcoming book on the subject: the Kayes left a prayer flag on the 17,999-foot summit of Gokyo Ri to commemorate the death of a friend’s mother. They crossed the Zonigung Glacier, went over the Cho La pass, and walked to the Everest base camp. Their high point was Kala Pathar, at 18,192 feet.

Kaye said that the route is usually heavily traveled but was not too crowded while he was there, during the transition to the monsoon season.

“The pace of the group was absurdly slow,” Kaye said, but by the time he returned to Kathmandu, he had lost 10 pounds and acquired a respiratory infection. His daughter, Miranda, a Ph.D. student in sports psychology and a former Ivy League champion runner, complained she was not getting enough exercise and gained weight.

The rest of the family had no comment.

LAW SCHOOL LURES HARVARD FELLOW TO FACULTY

A young attorney with an impressive Ivy League resume and extensive experience as a researcher, writer and lecturer in sentencing law and policy has joined the faculty of the Sandra Day O’Connor College of Law.

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Associate Professor Carissa Byrne Hesekis is teaching Criminal Procedure and Criminal Law this year and will lead a sentencing seminar in April. Also accepting a post at the College of Law, as a visiting professor, is Hesekis’s husband, Andy, who teaches Civil Procedure and Administrative Law.

The Hesekises, who moved to Arizona from Boston in June, met at Yale Law School, where they served as editors of the Yale Law Journal and earned their Juris Doctor degrees in 2002. Although she’s lived mostly on the East Coast, moving West was appealing for a variety of reasons, from the good word on the College of Law put in by its namesake to the opportunity to work with some of the best scholars in their fields to a desire to live in a place with more open space and less road rage.

“I can’t tell you how happy I am to drive here,” said Hesekis. “I don’t think of this as traffic.”

A telephone message left one morning last spring by retired U.S. Supreme Court Justice Sandra Day O’Connor on Hesekis’s phone helped persuade her to accept Dean Patricia White’s offer. Hesekis said she also was influenced by the presence of Jeffrey Murphy, Regents Professor of Law, Philosophy & Religious Studies, on the College of Law faculty.

“His approach is very accessible,” Hesekis said. “He’s a giant in the criminal law field, and I feel extremely lucky to have access to someone as intelligent and insightful as he,” she said.

Just weeks into her first faculty appointment, Hesekis said she has come to realize how much the position will enable her to maximize her skills and fulfill her interests, in ways that practicing law could not.

“Being a lawyer is much more isolating, because you’re in your office all day, reading and preparing for trial,” said Hesekis, who has worked at the New York City law firm of Wachtell, Lipton, Rosen & Katz. “People become professors because they loved law school, and they really like the law.

“What I love about this job at the law school is, while there’s still a whole bunch of ‘me in my office,’ preparing for class, I also have a lot of time to talk to people. I enjoy talking about issues, and not just what the rule of law is, but how did we get this rule and how good a rule is it?”

“And the students here are very good at it. They are quick to question the rules.”

While in high school, Hesekis discovered a passion and aptitude for debate. She honed those skills at Columbia University, where she was a national champion in the American Parliamentary Debate Association, and earned a bachelor of arts in linguistics.

At Yale, she won the Potter Stewart Prize in the Morris Tyler Moot Court of Appeals, for best written and oral argument, did an externship at the New Haven State’s Attorney Office, and published her first article, “The Right of Publicity in Digitally Produced Images: How the First Amendment is Being Used to Pick Celebrities’ Pockets.”

Steven Duke, a Yale professor for whom Hesekis was a research assistant on several criminal cases, called her “unpretentious and seemingly lacking even competitiveness, yet she always ends up on top.

“I once said something to her that I have never said to any other student, before or since: ‘You are a teacher’s delight,’ ” said Duke, an AMU alumnus and former visiting professor at the Sandra Day O’Connor College of Law. “I was referring to the fact that she was undeterred by concerns about how she might appear to other students and freely questioned anything and everything that she found unclear or unpersuasive. She will do the same as a teacher and scholar. I can think of no greater predictor of scholarly success than her approach to learning.”

Hesekis clerked for Judge A. Raymond Randolph of the U.S. Court of Appeals for the D.C. Circuit, and for Judge Barbara S. Jones of the U.S. District Court for the Southern District of New York. While working for Judge Jones, she became intrigued by criminal law and the inequities of sentencing guidelines.

She has since published four other articles, in addition to a work in progress titled, “Considering Prior Good and Bad Acts at Sentencing.”

It was always Hesekis’s plan, though, to practice law for a few years, and then move away from the courtroom and into the classroom. The plan moved toward fruition when she was appointed a Climenko Fellow and Lecturer on Law at Harvard Law School from 2005-2007.

“I was so lucky to get picked for this program,” she said. “It’s difficult for young lawyers who are trying to make the transition from practicing to teaching. You spend all your time thinking and writing about complex legal issues, and you have few teaching experiences and research opportunities.

Hesekis is thrilled to be taking on a role over a sentencing workshop from longtime law professor Gary Lowenthal, who retired in May and has met with her to assist with her organization.

“State and federal sentencing guidelines are so different, and this gives me a chance to not only learn how things are done in Arizona, but also to have a great workshop where we bring in judges to talk about actual cases,” she said. Hesekis, who was born in Chicago, earned her B.A. from ASU’s Parking and Transit Services and had to flex some professorial muscle to obtain her parking pass, said she hopes to pass along her passion for criminal cases to her students.

“The most important thing in my class is to show students how interesting this stuff can be,” she said. “If they think so, too, my job is largely done.”

ANOTHER NEW FACE

Jay Koehler is a visiting professor from the University of Texas at Austin where he is a University Distinguished Teaching Professor in the McCombs School of Business. He has a doctorate in behavioral sciences from the University of Chicago. He studies quantitative reasoning in the law, jury decision biases and behavioral decision making, more generally. At ASU he divides his time between the College of Law and W.P. Carey School of Business. He teaches Probability and Science in the Courtroom at the law school and Business Statistics at the business school with his wife, Melly Mercer, an associate professor at the business school.

CLE SEMINARS SCHEDULED

The Alumni Association of the College of Law has organized two CLE seminars to be held during the fall semester. The seminars will be presented at the College of Law on Tuesday, September 11, and the 11th Annual DUI XXII, scheduled for a 8 a.m. to 10:30 p.m., Sept. 7 in the Great Hall.
is the state’s longest-running annual DUIL seminar. It will again cover the most current topics, issues and controversies in our state. The faculty, comprised of former prosecutors, defense attorneys and experts, will update you on new legislation, ignition interlocks, blood testing, MVD revocation reinstatements, field sobriety testing and the latest forensic issues. Learn about the motions, strategies, research and appellate cases you’ll need to remain current with DUIL litigation.

The seminar offers 2.25 hours of CLE credit, none in ethics. Fees are $150 for attorneys, $125 for College of Law Alumni and $100 for the public/contact attorneys. Registration fees include admission, refreshments and handout materials prepared by the speakers. Register by Sept. 5 at law.asu.edu/duckle. Walk-in registrations will be processed for an additional $25 charge.

The Chapter 13 Bankruptcy CLE Seminar, scheduled for noon to 4:30 p.m. on Sept. 28 at ASU’s Downtown Facility, is designed specifically for Chapter 13 practitioners. It will feature a variety of viewpoints from the following presenters:

The Honorable Redfield Baum, U.S. Bankruptcy Judge, District of Arizona
Edward Maney, Chapter 13 Trustee, District of Arizona
Dianne Kerns, Chapter 13 Trustee, District of Arizona
Randy Nussbaum, Jaburg & Will, P.C., partner and State Bar of Arizona Certified Specialist in bankruptcy law
Kevin Rattay, Jaburg & Will, P.C., partner and State Bar of Arizona Certified Specialist in bankruptcy law
Allan NewDelman, attorney, Allan NewDelman, P.C.

The program offers four hours of CLE credit, including one hour of ethics credit. The fee is $310 before Sept. 21. Register at law.asu.edu/bankruptcy2.

Students can attend either session at no charge ($35 if they want the materials), but they must pre-register with Erica Sudac at erica.sudac@asu.edu.

An article in the Aug. 19, 2007 edition of The Arizona Republic about the expected boom of the fake-document trade in Arizona featured comments from Associate Professor Ordo Felix Krittrie.

In the article, headlined “New hiring law spurs ID-theft fears,” reporter Daniel González quoted Krittrie as saying the nation’s broken immigration system is to blame for the increased interest among undocumented workers for fraudulent green cards, Social Security cards and driver’s licenses. Most are made with bogus numbers, but as migrants look for ways to circumvent Arizona’s new employer sanctions law and a new federal crackdown on illegal workers, authorities fear the push for more documents will drive more identity theft.

“The risk is that experts in ID theft can turn around and use that skill to drain people’s bank accounts and ruin their credit,” Krittrie told González. “They can also turn around and sell fake IDs to underage drinkers, unqualified drivers or even terrorists.”

Read the article at law.asu.edu.

Michael Saks, professor of law and psychology and faculty fellow at the Center for the Study of Law, Science, & Technology recently was quoted in the Los Angeles Times in an article written by Peter Y. Hong and headlined “Forensics key in Spector trial.”

The article explores the validity of expert witness testimony in the second-degree murder trial of singer-songwriter and producer Phil Spector who is charged with the 2003 shooting death of Lana Clarkson in his home. The conflicting testimony given by defense and prosecuting team expert forensic witnesses has led to questions being raised about how impartial forensic experts are.

“Defense lawyers interview the experts in advance,” Saks told the Times. “If their views are not compatible with the defense’s take, that’s the end of that expert as far as the case is concerned.”

The same goes for the prosecution’s side, which is supported by police crime labs, manned by scientists who often “know the prosecutors and become friends.”

Saks’ view is that the justice system may be better served by independent government crime laboratories providing findings, rather than by expert witnesses that have been selected to support either the defense’s or prosecution’s case.

Read the article at law.asu.edu.

An article in the Aug. 17 edition of the Arizona Republic about the expected boom of the fake-document trade in Arizona featured comments from Associate Professor Ordo Felix Krittrie.

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Read the article at law.asu.edu.

Laurie Ralston, director of information technology, was quoted recently in an article on the use of technology in law schools.


Reporter Mike Sunnucks wrote that although the legal profession is traditionally slow to adopt new technologies, more law schools, law firms and courts are going digital.

Ralston discussed the College’s efforts to podcast classes, integrate Google Educational Applications into courses and to use text messaging to communicate with students.

“We offer a class in which students learn how to use the high-tech court-room’s equipment in the context of a real case,” Ralston told Sunnucks. “We want students to be able to function in a technology-based world.”

Read the article at law.asu.edu.

MENTORSHIP PROGRAM

The student ASU Bar Association would like to create a comprehensive, unified mentorship program, and wants to know if other student organizations would join the effort. If a student organization co-sponsors with ASUBA, the association would direct mentees to appropriate programs. Those interested should e-mail Erin Lister at Erin.Lister@asu.edu.

DEADLINES

Spring 2008 Exchange Programs
Check out the College’s exchange programs with the Universidad Torcato Di Tella School of Law in Buenos Aires, Argentina, the University of Victoria School of Law in British Columbia, Canada, the National University of Singapore and Universite Rene Descartes, Paris V University. The programs offer not only cultural and educational benefits, but also financial benefits because participating law students pay ASU tuition and fees only, not those of the exchange institutions. Program space is limited, so interested students should submit a letter of interest, law school transcript and recommendation letter from a College of Law faculty member to Leslie Maghami (Room 100) by 5 p.m., Fri., Sept. 7.

December graduation check
If you plan to graduate in December and have not yet submitted a graduation check-out form, please see Sue Callahan in Student Services (Room 101D) by Fri., Sept. 7, to ensure you will have completed all requirements necessary for graduation.

PRO BONO OPPORTUNITIES

The Arizona State University Wills for Heroes program enables students to gain practical experience with estate planning and client counseling while acting as witnesses and shadowing Valley attorneys. The new campus chapter assists the nationwide Wills for Heroes, a non-profit organization, draft wills, living wills and powers of attorney for first responders in Arizona. This is a great opportunity to help our state’s firefighters, policemen and other service personnel, while working with and meeting law students at social and other events.

Upcoming events include:
Sept. 15: Phoenix Fire Department
Sept. 23: Lake Havasu City Fire and Police Department
Oct. 20: Portal Fire Department.
For more information, e-mail Brandon Batt at Brandon.Batt@asu.edu.

The Pro Bono Board has given up the popular dunk tank in favor of a challenge to the faculty, staff and administration to match the efforts of the students a penny for every pro bono hour. Last year, students contributed more than $7,000 pro bono hours. That would equal a contribution of $777. The money would help increase sponsorship of public interest summer fellowships and other outreach efforts. Hours for 2007 would be tallied in early 2008. If you would like to accept the challenge, contact K Royal at kroyal@asu.edu.

CAREER SERVICES EVENTS

Sept. 5: Mock Interviews (2L & 3L students must be pre-registered). Conducted by the Young Lawyers Division of the Maricopa County Bar Association, 1-7 p.m., Roso-Blackey Law Library, second floor.
Sept. 6: Interviewing for a Judicial Clerkship Workshop, 12:15 p.m., Room 114.
For more information, call (480) 965-5808.

WLSA T-SHIRTS ON SALE

The Women Law Students’ Association (WLSA) is selling t-shirts all this week during the lunch hour in Armstrong Hall. The shirts come in three styles and many colors and this quote from retired U.S. Supreme Court Justice Sandra Day O’Connor printed on the back: “The power I exert on the court depends on the power of my arguments, not on my gender.” Priced at $20 each, $15 for two and $50 for three, the shirts will be sold from 11:30 a.m. - 1:30 p.m. daily in the Rotunda.

Contributions welcome – Please send news about student organizations, lectures or other events, or suggestions about interesting people to profile to DL.WG.LAW.Communications.