Law School Joins University Campaign

WASHINGTON UNIVERSITY SCHOOL OF LAW has joined the university’s Leading Together: The Campaign for Washington University. The university’s multiyear effort aspires to secure a minimum investment of $2.2 billion toward priorities in the university’s strategic plan.

At the law school, Howard Cayne, JD ’79, and Steven Rappaport, JD ’74, are heading the school’s drive to far exceed a conservative goal of $55 million in resources for the school’s most pressing needs. The two are co-chairing a 30-member committee that is helping to guide the school’s efforts toward becoming a truly global law school. To date, the school has received $28 million in gifts and pledges toward its goal.

Dean Kent Syverud thanked the two chairs and committee members for assuming this important role: “I am deeply grateful to Howard, Steve, and the committee for heading up this most important effort and for all the support we have received to date. The campaign is crucial to our school as we embrace change in a challenging legal environment and continue to position our school as a leader in the transformation of global legal education.”

As the practice of law is facing fundamental change, there is a strong need for law schools to produce graduates who not only develop critical thinking and writing skills, but who also can...

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DURING THE FALL SEMESTER, Professor Scott Baker was serving as a visiting fellow at the Becker-Friedman Institute at the University of Chicago. The institute is considered “an intellectual destination for the world’s best economists and scholars in related fields.”

Named for two Nobel laureates, the primary goal of the institute is to build bridges across disciplines and subfields in economics, while fostering conversations and collaborations that sharpen research and spark new ideas.

Baker’s research interests lie at the intersection of law, economics, and game theory. He tackles a wide range of topics, from judicial behavior to the structure of law firms to problems in patent law. A Treiman Fellow at the law school during 2011–12, he has published broadly in his field, including in the Journal of Law and Economics; Journal of Law, Economics and Organization; Journal of Political Economy; Journal of Legal Analysis; and numerous other law reviews.

Baker holds a law degree from the University of Chicago and a PhD in economics from the University of North Carolina at Chapel Hill.

Campaign CONTINUED FROM PAGE 1

successfully navigate in the new global legal environment. Young lawyers will need the skills, expertise, and connections to thrive in a shifting and highly competitive employment landscape.

The law school’s campaign seeks to support students through expanded and innovative career-placement initiatives; increased scholarships and summer stipends; enhanced clinical, experiential-learning, and career-building opportunities nationally and abroad; and new distance-learning initiatives while leveraging available technology. Faculty support will focus on increased chaired professorships and visiting and adjunct opportunities, as well as development of new models for teaching. The school will also use analytics to enhance its strategic vision.

“The goal will be to bring the brightest students to our campus in St. Louis while opening up to them a world of affordable and innovative practice-ready experiences,” Syverud says. “Our vision is also to create new initiatives that provide flexible opportunities for the world’s best scholars, practitioners, and teachers to engage our community.”

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DEAN KENT SYVERUD
Martin adds that the project is ideal for empirical research studies. "The EEOC Litigation Project allows for sophisticated research into litigation dynamics and the interaction between litigants and judicial decision-making," he says.

The database contains all types of court decisions—published and unpublished, final and non-final, written and summary—as well as all types of outcomes—default, settlement, pretrial adjudication, and judgment after trial. To build the database, Kim, Martin, and Schlanger obtained a list of all federal court cases brought by the EEOC on behalf of individual complainants between 1997 and 2006. They then selected a stratified random sample of cases to be included in the study and used district court docket numbers to search the federal court system’s Public Access to Court Electronic Records (PACER) for details about each case. This data collection effort was supported by a grant from the National Science Foundation’s Law and Social Sciences division.

"The EEOC Litigation Project makes it possible to study the EEOC’s enforcement activities in a systematic and rigorous way," says Kim. "It is just one more way the law school is using technology to stay on the cutting-edge of scholarship."

"We chose to focus on the EEOC because of its important role in enforcing anti-discrimination laws among private employers and because litigation is a primary enforcement tool for the EEOC."
Fall Lectures

The law school’s Center for the Interdisciplinary Study of Work & Social Capital, Whitney R. Harris World Law Institute, and Public Interest Law & Policy Speakers Series hosted a variety of speakers during the fall semester, including (top) the Hon. Goodwin Liu, Supreme Court of California, and (below, from left) Professor Chai Feldblum, EEOC commissioner and Georgetown University; Professor Mariano-Florentino Cuéllar, Stanford University; and the Hon. Kim Prost, United Nations ombudsperson.

Orientation

Small group discussions, mini classes, panels on professionalism, public service projects, social events, and a Matriculation Ceremony were among the highlights of Orientation 2012. (above) First-year law students experience the Socratic method during a mini course on Contracts. (top, right) Dean Kent Syverud, right, and the Hon. Sharon Johnson Coleman, JD ’84, of the Northern District of Illinois, second from right, formally welcome students to the legal profession. (below, right) LLM students practice their networking skills.
Recent Events

law students participated in a variety of service projects throughout St. Louis during Orientation and Service First, including setting up for the International Institute of St. Louis’ Festival of Nations at Tower Grove Park (above), lending a hand to the Wellston Community Garden (right), and sprucing up area schools (far right).

Public Service

Law Alumni Weekend & Reunions

Alumni, along with their families and friends, participated in 2012 Law Alumni Weekend and Reunion activities, including receptions, CLE courses, class dinners, networking opportunities, and festivities celebrating Professor David M. Becker’s 50th year of teaching. (left) Students join alumni at a networking reception. (far left) Sondra Tennessee, JD ’92, and Eric Selig, JD ’92, celebrate at a 20th Reunion class dinner. (below) Members of the class of 1962 gather for their 50th Reunion.
Signs, billboards, and placards are such a familiar part of the landscape that we often don’t notice them. However, even the humblest “on premise” sign is protected by the highest law of the land in the U.S. Constitution’s freedom of speech clause.

Daniel R. Mandelker, the Howard A. Stamper Professor of Law, has set out to help local governments and municipalities appreciate that fact with his new book, *Free Speech Law for On Premises Signs*. Published online this summer at ussc.org and landuselaw.wustl.edu, the book was also released in hard copy this fall by the United States Sign Council. The work draws on Mandelker’s decades of experience consulting for municipalities and cities on sign placement and messaging.

“Signs are an expressive form of free speech protected by the free speech clause of the federal Constitution,” Mandelker writes. “Courts decide how local governments can regulate signs, including on premise signs, in order to ensure that principles of freedom of expression are observed. If free speech requirements are not met, courts will hold an on premise sign law unconstitutional.”

Dubbed “a must-have resource for all land use and municipal lawyers and practitioners,” Mandelker’s book describes the complexities of sign ordinances. The Supreme Court of the United States has ruled on very few cases involving signs specifically, but the court’s free speech rulings on other issues are commonly applied to signs. And while lower courts might rule on aesthetic and other elements of signs, those considerations are always trumped by free speech.

“The free speech issues are paramount,” Mandelker says. “People are often sued over them, and, because of the nature of the lawsuits, they can be very costly.”

After a brief introduction to the book and why it was written, Mandelker establishes the basic principles of free speech law. He helps readers distinguish between commercial and non-commercial speech and also explains the importance of “content neutrality” in sign regulation.

Mandelker then discusses a seminal commercial speech case, *Central Hudson Gas & Elec. Corp. v. Public Service Commission* (1980). *Central Hudson* established “a four-part test for the judicial review of laws affecting commercial speech,” Mandelker writes, such as sign ordinances. He also examines how *Central Hudson’s* tests have been interpreted and applied in subsequent Supreme Court cases before turning to prior restraint doctrine and special rules for on premise sign ordinances.

Finally, the book addresses other kinds of signs—such as digital time and temperature signs and portable signs—before getting into specifics of size, height, and other details of effective sign ordinances.

“I wrote *Free Speech Law for On Premises Signs* to provide clear guidance to help municipalities and other local governments draft ordinances that will protect freedom of expression on one hand and community standards on the other,” he says. “It can be a difficult balancing act, but it can be achieved.”

**Law and Economics Scholarship**

Professor Jeffrey Stake, Indiana University Maurer School of Law, at podium, discusses his research on “Law School Admissions” at the Annual Midwestern Law and Economics Conference, hosted by the law school’s Center on Law, Innovation & Economic Growth (CLIEG). More than 60 scholars presented on cutting-edge issues at the conference, which was organized by Gerrit De Geest, professor of law and CLIEG director.
Law Students Honored for Excellence in Legal Practice Sections

Twelve second-year law students recently received the 2012 Carmody MacDonald Legal Practice Excellence Awards for outstanding performance in their Legal Practice sections during their first year of law school.

The recipients are Joseph Boylan, Natalie Chan, Jessica Courtway, Aaron Davidowitz, Andrew Davitt, David Dean, Devin Dippold, Michael Gallagher, Jessie Goins, Stephen Hirsch, Elizabeth Miller, and Rebecca Morton. The students were recognized for consistently drafting high-quality memoranda and briefs and for otherwise significantly contributing to the class as first-year law students.

Jo Ellen Lewis, professor of practice and director of the Legal Practice Program, welcomed the group and congratulated the students on their significant achievements. Dean Kent Syverud, the Ethan A.H. Shepley Distinguished University Professor, also congratulated the recipients and thanked the St. Louis firm of Carmody MacDonald PC for its sponsorship of the award. Syverud then stressed the importance of excellence in writing and clear communication in the legal profession.

Gregory Willard, a partner at Carmody MacDonald who specializes in bankruptcy and corporate reorganizations, gave the award address. Willard discussed not only the importance of oral and written communication in the practice of law but also focused on the art of “writing for the spoken word.” He gave telling examples of strong oratory and recounted several anecdotes illustrating the importance of word choice pulled from his decades-long association with President Gerald R. Ford, including serving as his White House staff assistant and personal lawyer.

Willard noted that while good lawyers have strong technical, research, and client-service skills, “great lawyers have a particular skill—they are phenomenal communicators.”

Appellate Clinic Wins Victory for Inmate in Civil Rights Case

Two students in the law school’s Appellate Clinic recently helped earn a favorable “reverse and remand” order from the U.S. Court of Appeals for the Eighth Circuit in a case involving an inmate’s civil rights.

Now recent graduates, Nick Rasmussen and William Osberghaus, both JD ’12, had briefed the case with Appellate Clinic alumnus John Schoemehl, JD ’08, an associate at Bryan Cave LLP; Adjunct Professor Brian C. Walsh, a partner at Bryan Cave LLP; and Bruce La Pierre, professor of law, who runs the Appellate Clinic.

“This case involved significant constitutional issues—whether a prisoner has a right to food and whether it’s cruel and unusual punishment to refuse to feed prisoners,” says Schoemehl, who argued the case. “This win is an important step toward addressing a troubling constitutional violation, and the willingness of the Appellate Clinic to take on this work demonstrates the essential service it provides.”

The clinic fought the case, Taylor v. Dormire, on behalf of Arthur Taylor, a prisoner at the Jefferson City Correctional Center who was denied food for the better part of six days while “restrained” on a metal bench outside of his cell. Prison officials shackled Taylor to the bench, in accordance with prison policy, after he notified his jailers that he feared violence from his cellmate.

Under prison policy, inmates are restrained to the bench until new cells can be found. But in Taylor’s case, the policy was carried to distressing lengths—with hours turning into days and with the prisoner ultimately missing 12 meals.

Taylor sued, charging that prison officials had violated his constitutional rights under the Eighth and Fourteenth Amendments. When the jury ruled in favor of the prison officials, Taylor appealed, arguing that the trial court had failed to give them the proper instructions. The appellate court agreed and sent the case back to the district court for another trial.
50 YEARS OF TEACHING

Frederick O. Hanser, JD ’66, right, vice chairman of the St. Louis Cardinals, presents David M. Becker, associate dean for external relations and the Joseph H. Zumbalen Professor Emeritus of the Law of Property, with a personalized “50” Cardinals jersey during a gala honoring Becker’s 50th year of teaching. More than 1,100 law school alumni and friends returned to campus October 26–27 for Alumni Weekend and the Becker events, coordinated by a steering committee and more than 200 alumni volunteers. Full coverage of the celebration will appear in the Spring 2013 issue of the Washington University Law Magazine. To view the celebration website, visit: law.wustl.edu/becker50/.