

A HOT COMMODITY: I. MICHAEL GREENBERGER

MARIA SHEA

Since joining the faculty last summer, Visiting Professor I. Michael Greenberger has become a media darling, commenting on the Sept. 11 terrorist attacks and their aftermath as well as on the Enron bankruptcy. He has been ubiquitous in national and local media. *The New York Times*, *The Wall Street Journal*, the Associated Press, C-SPAN, talk radio and Internet-based media have been interested in what he has to say.

"I have given a steady stream of interviews to reporters," he relates. But he doesn't mind, he says, because the news reports make the public aware of the issues so they can respond. In turn, the attention brings needed resources to the problems.

He has firsthand experience with counterterrorism efforts and complex financial issues—matters he handled during his tenure with the federal government.

Greenberger came to the School of Law from the Department of Justice, where he served as principal deputy associate attorney general, responsible for civil litigation from 1999 to 2001. He also served as an adviser on counterterrorism to then Attorney General Janet Reno.

He planned a "war game"—a counterterrorism exercise—for the Clinton cabinet, to measure the effectiveness of the government's responses. Over the course of four days in May 2000, biological, chemical and nuclear attacks were simulated in Denver, Portsmouth, N.H., and suburban Maryland, respectively. Resources of

local, state, and federal governments were called into action. Even the Cabinet met several times during the "crisis."

"They tried to make it as realistic as they could," Greenberger explains.

The result? "They did better than expected but not as well as you would hope," he notes. The drill did develop some procedures that were put into place before Sept. 11, he asserts, but the exercises also uncovered shortcomings—how little money was appropriated for things such as crisis management and public health consequences, for instance.

In addition to terrorism, Greenberger also has commented on domestic preparedness. He reports that the United States is much better prepared for another act of terrorism and offers this baseball analogy: "We were sort of playing very low minor league baseball and now we understand we have to be playing on a major-league level. There's a lot of work that needs to be done."

Greenberger explains that the war game helped him understand the broad consequences of terrorist acts. He applied some of those lessons to a five-week course at the School of Law—Homeland Security and the Law of Counterterrorism.

The popular class explored the legal needs of the federal government and the Department of Defense and how governmental agencies, such as intelligence and the military, interrelate. To bolster his lectures, Greenberger called upon old friends like former CIA Director James Woolsey to speak to the class.

The class also analyzed Congress' response to the Sept. 11 attacks—the USA Patriot Act, which passed in October. The antiterrorism bill gives the government more resources for law enforcement but drew criticism on privacy grounds, raising concerns about potential violations of civil liberties and increases in racial profiling.

Greenberger gained his expertise in the financial world as director of the Division of Trading and Markets at the Commodity Futures Trading Commission (CFTC) from 1997 to

1999. While at the CFTC, he served on the steering committee of the President's Working Group on Financial Markets, which included officials from the Treasury Department, the Federal Reserve and the Securities and Exchange Commission.

The group managed economic crises, including the drop of the stock market in October 1997 and the bailout of Long-Term Capital Management, which nearly collapsed in 1998 because of unchecked derivatives trading. He was also a U.S. delegate to an international task force that worked to regulate hedge funds.

Greenberger strongly supports federal regulation of these trading techniques, an issue he has discussed on C-SPAN, ABC, and PBS' "Newshour With Jim Lehrer."

"It's a multitrillion dollar industry that is not well-understood," he says. Derivatives can be likened to an insurance policy—a trader pays a premium for protection against risk and it is generally off the balance sheet.

"There's been a lot of interest in the issue now that Enron has failed," Greenberger notes, adding that if this type of investing had been more regulated, Enron still would be thriving. But Enron operated in a deregulated climate and, through lax accounting principles, didn't have to account for their trading and imprudent investments, he says.

Greenberger was raised in Scranton, Pa., and graduated Phi Beta Kappa from Lafayette College, in Easton, Pa., in 1967. He earned a *juris doctor* degree from the University of Pennsylvania Law School, where he served as editor of the *Law Review*.

He was a clerk for the Hon. Carl McGowan, of the U.S. Court of Appeals for the District of Columbia circuit, was a legal assistant in the U.S. House of Representatives and was an adviser to Attorney General Elliot Richardson.

He was a partner at Shea & Gardner in Washington, D.C., from 1973 until 1997, handling trial and appellate litigation in a broad array of cases including constitutional, labor, commercial, international

(continued on page 13)

AMERICAN CONSTITUTION SOCIETY FOR LAW AND POLICY HOSTS FORUM ON **COLLAPSE OF ENRON**

JULIET K. CHOI

On Feb. 27, the American Constitution Society for Law and Policy (ACS) hosted a schoolwide forum on the ongoing Enron controversy for a standing-room-only crowd of more than 100. The two-hour forum, "The Enron Collapse: What Went Wrong—A Lesson in Corporate Governance," featured a panel that included Professors Richard Booth, Michael Greenberger, Lisa Fairfax, Michael Van Alstine and Marley Weiss, all School of Law faculty. The panel members addressed various aspects of the controversy and provided students, facul-

ty and staff with an understanding of the implications of Enron's collapse.

Booth, the forum's moderator, offered introductory remarks, including a thumbnail sketch of the broad issues surrounding the collapse. The business law aspects were addressed by Greenberger, who discussed Enron's use of purportedly 'independent' partnerships, and Van Alstine, who explained the impending Enron bankruptcy proceedings and how they would affect the company's creditors and shareholders. Weiss spoke about the implications for workers and explained

the systemic problems of pension funding systems as illustrated by the company's collapse. Fairfax provided insights as to the potential liability and professional responsibility of securities lawyers.

The forum brought this cutting-edge and controversial issue to the forefront of student and faculty discussion, teaching tomorrow's practicing lawyers a valuable lesson in the legal and societal consequences of improper corporate governance.

In its inaugural year, the Maryland Chapter of ACS plans to host additional forums, where moderate and liberal opinions are presented, as well as to provide unique opportunities to bring together students, faculty and staff outside the traditional classroom setting. ACS thanks Deans Karen Rothenberg and Diane Hoffmann for their support of this event, their faculty advisers, Professors Richard Boldt and Tom Pérez, for their guidance, and Del. Sandy Rosenberg for his generous support. ■

FORUM OFFERS TIPS ON **CYBERSAFETY**

BETTY LYNNE LEARY

The Internet offers it all—boundless information on shopping, entertainment, money matters, health care, business, travel, history and literature. Add to that list viruses, theft, pornography, deception and fraud.

In January, the School of Law hosted the forum "Protecting Yourself Online with Day-to-Day Cybersafety," sponsored by the Maryland State Bar Association (MSBA). The forum was moderated by Adam Sean Cohen, co-chair of the MSBA public awareness committee.

"Our goal was to provide the legal community and the general public with tips on how to use the Internet safely while also noting its inherent dangers," Cohen explains.

Panel members included Clifford Stoddard, Anne Arundel

County assistant state's attorney; Lt. Barry Leese, Computer Crimes Division of the State Police; Brian J. Zwit, director of integrity assurance at America Online; and Alan Shapiro, president of Design One Corp.

If the user is knowledgeable, many dangers can be eliminated, according to Zwit. Shapiro advised the audience on security issues surrounding the use of e-mails and the viruses embedded in them. He noted that some e-mails do not require downloading to infect a computer. Simply opening the e-mail triggers the virus. The panel suggested that viruses and hackers are not the only threats to safety online. Other dangers include child predation, identity theft and online auction fraud.

Suggestions to combat these threats include keeping the computer in a common area of the house to monitor a child's online activities. To thwart hackers and viruses, be wary of e-mails from strangers, employ a firewall, update your antivirus software and use strong passwords that are changed frequently. And for those who shop the Internet, panel members suggested using a credit card for purchases so that in the event an item is never received, the charge can be disputed. ■

SUPREME COURT JUSTICE VISITS SCHOOL OF LAW

JENNI ANDERSON

Students in Adjunct Professor Samuel Rosenberg's Legislation class had the rare opportunity to hear the opinions of a U.S. Supreme Court justice firsthand when Justice Antonin Scalia spoke to the class in September.



U.S. Supreme Court Justice Antonin Scalia spoke to a law school class in September.

Rosenberg, a state delegate who has taught Legislation for the past six years, is a longtime friend of Scalia's, and they frequently enjoy going to Baltimore Orioles games together. Last summer, while attending a game, Rosenberg was posing a few questions to Scalia about a future class, when Scalia unexpectedly volunteered to speak to the class. Rosenberg was thrilled at the offer and accepted without hesitation.

On the evening of Sept. 24, a faculty reception was held at Westminster Hall to welcome the justice to the School of

Law. He answered questions from faculty members before speaking to the students.

Once in the classroom, Scalia spoke about the study of legislation. He believes students need to look to the text of a document—and its dictionary definition—to find the meaning, as opposed to referring to legislative history or documents written by legislative staff and/or lobbyists. Scalia considers those documents to be “manufactured” legislative history.

There was a lively dialogue between Scalia and the students, and Rosenberg notes that Scalia, “is clearly still a teacher. He used to teach at the University of Virginia and at the University of Chicago before he was appointed to the bench. He really enjoyed being in front of a class again.”

After Scalia spoke, Assistant Attorney General Jack Schwartz presented an opposing point of view. Schwartz believes there is a need to look beyond the text of legislation. He feels strongly that documents, such as those proponents and sponsors have written, as well as committee reports, can be useful tools to understanding the meaning of legislation.

Rosenberg was pleased that Scalia and Schwartz volunteered their time to speak to his class. “It was very worthwhile, and the class was certainly honored to have someone of Justice Scalia's stature there. It isn't often we are able to hear a member of the U.S. Supreme Court speak in a classroom setting,” he says. ■



Faculty welcomed Justice Scalia at a reception in Westminster Hall.

SUPREME COURT JUSTICE **TEACHES** LEGISLATION **FOR A DAY**

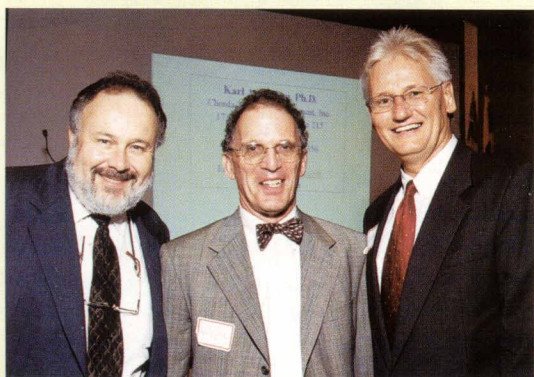


Students in Adjunct Professor Samuel Rosenberg's Legislation class pose with Justice Antonin Scalia, during his visit to campus in September.

FOSTERING USE OF **ADR** IN HEALTH CARE

ROGER C. WOLF

The U.S. health care delivery system is fraught with thousands of day-to-day



Conference presenters included (from left) Harvard Professor Leonard Marcus, Maryland Professor Roger C. Wolf and consultant Kevin Slaikeu.

problems creating huge numbers of conflicts. Overcrowding, limited resources, staffing shortages and compliance with government regulations all contribute to the volatile landscape.

Although, historically, litigation has been the primary method of dispute resolution in health care, it rarely gets at the heart of many conflicts. Medical personnel, administrators, insurers or patients often remain unheard and their concerns unsettled in litigation.

On Sept. 25, participants in the "MEDispute: Resolving Conflicts in Health Care" conference explored alternative dispute resolution (ADR) as part of a new pattern for settling conflicts in health care. The conference was sponsored by the School of Law's Law and Health Care Program and the Center for Dispute Resolution at the University of Maryland.

In his opening remarks, the Hon. Robert M. Bell, chief judge of the Maryland Court of Appeals, expressed hope that ADR will contribute to "build-

ing a culture of conflict mediation" rather than a culture in which problems are settled in court. Throughout the morning plenary sessions, a number of panelists fleshed out the realities of such a model in health care settings.

During the first plenary session, "A Culture of Conflict: Lessons From Renegotiating Health Care," Leonard Marcus, of the Harvard School of Public Health, asserted that, in the rush to resolve the perceived problem, traditional remedies frequently miss the areas of real discord. Those unsettled disagreements lie dormant until the next triggering event, resulting in an endless cycle of conflicts.

ADR can give voice to more of those involved, while a mediator facilitates. Mediation allows people to participate in spite of systemic barriers and power differentials. The process provides a greater range of solutions, not just those created by top-down leadership. In the end, according to Marcus, the overall quality of the decisions improves.

Organizational psychologist Kevin Slaikeu, PhD, echoed these findings. In his session, "Structured Workplace Dispute Resolution: Best Practices From Corporate America," he noted that mediation is most valuable when tailored to the individual organization as a regular part of its decision-making process. As part of routine procedure, ADR allows for earlier intervention in a dispute, which often can allay fractured business relationships, staff defections and lagging productivity. Further, many corporations have found that mediation has a direct impact on the bottom line: litigation expenses and insurance premiums were significantly reduced.

The plenary addresses were followed by sessions on resolving conflicts in the man-

aged care setting and providers as problem-solvers. Kevin Gerold, MD '00, of the Centers for Medicare and Medicaid Services, was among the speakers. A luncheon presentation, "Lessons From the Magic Kingdom: Conflict Prevention in Health Care," by Robert Hartmann, vice president for communications, development and international programs, and Deborah M. Lewis, assistant vice president of human resources and customer service, both of the National Rehabilitation Hospital, discussed their "people-intensive" approach to conflict prevention, modeled after the one used by the Disney Corp.

In the afternoon, participants attended two of eight breakout sessions, one of which, "Caregiver-Caregiver Conflicts," was facilitated by Rachel Wohl '88, executive director of the Maryland Mediation and Conflict Resolution Organization.



Chief Judge Robert M. Bell, of the Maryland Court of Appeals

The workshop participants developed both ideas and relationships aimed at beginning the important dialogue on using mediation in the health care system. Professor Roger C. Wolf aims even higher for the future role of mediation in this arena. "We must create a new culture," stated Wolf, "not of blame and punishment, but 'what can we do outside of the court system?'"

More information on these topics were published in the symposium issue of the *Journal of Health Care Law and Policy*. ■



HELPING FAMILIES COMBAT CONFLICT

JANA SINGER

On Nov. 20, the School of Law co-sponsored the conference "Family Conflict Resolution & Mediation: Understanding Conflict and Strengthening Family Interactions," which brought together more than 150 academics, attorneys, judges, mediators and mental health professionals engaged in helping families resolve and transform conflict.

The interdisciplinary event, held at Sheppard Pratt Conference Center, was co-sponsored by the law school's Dispute Resolution Program, the Family Conflict Resolution and Mediation Initiative of the Maryland Mediation and Conflict Resolution Office (MACRO) and Sheppard Pratt Family Mediation Services. MACRO is a multidisciplinary, court-connected agency that enhances public understanding of alternative dispute resolution (ADR) procedures and expands the availability of ADR services across Maryland. The Family Conflict Resolution and Mediation Initiative is one of seven statewide initiatives coordinated by MACRO.

The Family Conflict Resolution conference began with a welcome by the Hon. Robert M. Bell, chief judge of the Maryland Court of Appeals. The keynote address was presented by Professor Robert A. Baruch Bush, the Rains Distinguished Professor of Alternative Dispute Resolution Law at Hofstra Law School and a founder of the Institute for the Study of Conflict Transformation. Bush's address was followed by a panel discussion, "Conflict as a Growth Experience," moderated by radio talk show host Marc Steiner. After a working lunch, conference participants attended a variety of afternoon workshops including "Family Business Mediation," "Court-Connected Parent Education," "Domestic Abuse and Custody Mediation," "ADR in Child Welfare Cases," and "Families and Community Conflict."

Organizers and participants were delighted with the success of the conference, and several follow-up projects are in the works. The law school plans to publish a monograph on family conflict resolution later this year, featuring essays by a number of conference presenters. A second family conflict resolution conference is being planned for 2002-2003. Professor Jana Singer, a family law scholar and member of the conference planning committee, calls the collaboration between MACRO and the School of Law a "win-win undertaking. Partnering with MACRO enables the law school to enhance its dispute resolution curriculum, in order to meet the growing demand for lawyers with broad conflict resolution skills. The partnership also enhances MACRO's mission by involving future lawyers and exposing them to ADR at an early stage in their legal careers." ■

Editor's Note: These conferences are but two examples of the type of activities sponsored by the new Center for Dispute Resolution at the University of Maryland. Read about the center and its upcoming initiatives in a future issue of *JD*.

A FIRM NIGHT TO REMEMBER

The Career Development Office thanks the 13 firms listed below for participating in its annual Firm Night Program. The program, presented in the spring, introduces first-year day and second-year evening division students to attorneys at local law firms. Nearly 190 students attended small receptions at the firms, where they spoke with School of Law alumni and other attorneys about their legal careers.

- Ballard Spahr Andrews & Ingersoll
- Gallagher, Evelius & Jones
- Gordon, Feinblatt, Rothman, Hoffberger & Hollander
- Hogan & Hartson
- Kramon & Graham
- McGuireWoods
- Miles & Stockbridge
- Ober, Kaler, Grimes & Shriver

- Piper Rudnick
- Saul Ewing, LLP
- Venable, Baetjer & Howard
- Whiteford, Taylor & Preston
- Wilmer, Cutler & Pickering

STUDENTS FACE TAX CHALLENGE

Third-year students Michael Lloyd and Amy Devadas won second place in the ABA's Section of Taxation Law Student Tax Challenge held at the Section's mid-year conference in New Orleans, in January. The competition is a joint written/oral competition involving a complex tax-planning problem.

WHAT'S IN STORE FOR WELFARE REFORM?

BETTY LYNNE LEARY

When Congress passed the Welfare Reform Act in 1996, lawmakers hoped to cure what they perceived to be the ills of the old system, including long-term dependency on benefits, lack of two-parent families and out-of-wedlock pregnancies. As part of welfare reform, the Temporary Assistance to Needy Families program was designed to promote job preparation and work.

Now, experts are reviewing how welfare reform has affected families as they tried to move up the economic scale. Last October, the School of Law, with sponsorship from the Gerber Memorial Lecture Fund, presented "Welfare Reform Ends in 2002: What's Ahead for Low-Income and No-Income Families?" The two-day conference brought together academics, legal experts, sociologists, social workers, public administrators, community activists, policy researchers and welfare recipients.

"We had a very diverse group," says Karen S. Czapanskiy, professor at the School of Law and coordinator of the conference. "We had more than 200 people attend over both days, and they were a very energetic and active group."

On the first day, several scholars presented the results of research studies, followed by guest commentators who led discussions to explore the findings.

Czapanskiy says the first question of the day cut right to the heart of the matter—"So what are you going to do about it?" The imperative was there to get something done, not just think about it. And that question was asked all day."

Under the new welfare system, beneficiaries are required to

be in a work-related activity within 24 months of receiving assistance, and there is a 60-month lifetime limit on assistance. Christine N. Cimini, assistant professor at the University of Denver College of Law, related that in 1994, 5 million families received assistance nationwide, but, by June 2000, the number had dropped to 2.2 million. Cimini noted that while these numbers seem to indicate the overwhelming success of welfare reform, the analysis is incomplete because it lacks a full review of philosophical, political, social and legal questions.

Czapanskiy, who is currently the William J. Maier Visiting Chair at West Virginia University College of Law, considered where children fit into welfare reform. Her paper noted that the "work-first welfare reform program too often requires parents to ignore their parenting roles and imperils the connections children need to have with a parent." In considering the reauthorization of welfare

reform, Czapanskiy says that Congress must recognize that every adult who is eligible for benefits also is raising a minor child. Jobs must be family-friendly and offer a balance for mothers and their children.

The first day ended with a presentation by U.S. Rep. Benjamin Cardin '67, the ranking minority member of the Human Resources Subcommittee. He provided an overview of major

changes in a reauthorization bill and predicted where the Bush administration will stand on certain policy issues.

The second day's events focused on Maryland communities. After a short briefing on the progress and problems of welfare reform, participants gathered in small discussion groups to brainstorm possible solutions.

"We couldn't get them to stop," says Czapanskiy, laughing. Recommendations included simplifying access to benefits and precertifying families for childcare benefits so care could be arranged before jobs actually begin. Czapanskiy explains that a bill is already working its way through the Maryland legislature that would streamline eligibility procedures and that policy changes to childcare benefits also are being considered.



(continued on page 10)

STUDENTS LAUDED FOR FORUM ON ISLAM

JENNI ANDERSON

On Jan. 22, three School of Law students—Mary Schaefer, Mustafa Kamal and Tracy Steedman—were presented with a Diversity Recognition Award at the University of Maryland, Baltimore's program commemorating Martin Luther King Jr. The award was presented for the trio's effort to plan a forum so that fellow students could gain an understanding of the religion and culture of Islam.

The Diversity Recognition Awards are bestowed upon those in the University community who promote diversity on campus. The award represents equality, justice and opportunity for all people, and the recipients epitomize the ideals of Dr. King's life and work.

Schaefer, Kamal and Steedman worked together in a tireless effort to plan the forum, "In the Wake of September 11th: Islam in America," which was held on Nov. 13.

The forum, which was sponsored by the Student Bar Association (SBA) and the Muslim Students and Scholars Association (MSSA), featured three panelists who discussed the politics of Islam and the struggle of being a Muslim in America today. More than 100 people attended the forum, held in the Medical School Teaching Facility.

Al-Hajj Ghazi Khanhan, executive director of the Council of American-Islamic Relations (CAIR) in New York, introduced a video that offered background information on Islam's history. Jason Erb, the director of governmental relations for Washington, D.C.'s CAIR office, discussed historical perspectives on Islamic-American relations. Imam Siraj

Wahhaj, vice president of the Islamic Society of North America, discussed the struggle of Muslims before and after the events of Sept. 11. A question-and-answer period followed the forum and continued for more than an hour.

As president of the SBA, third-year student Schaefer has tried to re-evaluate the organization's place in the law school. "The SBA is the umbrella organization for all of the other student organizations at the School. That gives us the opportunity, and, in my opinion, the obligation, to be aware of the climate around us and to be there for students when we are needed," she states. When Schaefer saw how deeply many of the students were affected by the tragedies of Sept. 11, she was put in touch with Kamal, who had also expressed an interest in reaching out to the students.

Kamal, originally from Pakistan and a first-year law student, is involved in the MSSA. A practicing Muslim, he has a strong desire to inform his fellow students about Islam. "Until recently, peo-

ple's interest in Islam and Muslims was very limited, but recent tragedies have jolted us to go beyond stereotypes and generalizations. As members of the legal community, we have an important role in shaping public policy. Regardless of what position we take, we cannot do this if our understanding of people and issues is superficial. I hope this event helped generate a dialogue that will continue."

Steedman, a second-year law student and vice president of the SBA, was inspired to take action and help educate her fellow students after she learned of an attack on a Jordanian acquaintance living in Nashville, Tenn. He was attacked in the cafe he owns shortly after Sept. 11. "I realized that education about Islam was very important, along with an open discussion, especially considering the large Muslim population that attends the professional schools in this area. Education allays fear, and I feel privileged that I was part of the program and was able to work closely with the MSSA." ■

STUDENTS RECEIVE **DIVERSITY** RECOGNITION **AWARD**



(From left) Tracy Steedman, Mary Schaefer and Mustafa Kamal receive a Diversity Recognition Award from University President David J. Ramsay.

HIGH SCHOOLERS LEARN TO BE PROBLEM-SOLVING LEADERS

MARIA SHEA

In addition to algebra, English and social studies, some Baltimore high school students are tackling larger issues like child abuse and the limited amount of recreational opportunities available to urban youth.

Juniors from Patterson and Northwestern high schools participate in the Community Advocacy Clinic of the School of Law's Community Law in Action (CLIA) organization.

CLIA, an advocacy-oriented youth leadership development group, was founded in 1997 by law student Terry Hickey '98. Hickey, who now serves as its director, created CLIA "to assist urban youth to become self-empowered, problem-solving leaders and advocates for positive social change."

The Northwestern and Patterson students came to the law school weekly to meet with law students, who instruct the class as part of their clinic requirement. The 11th-graders debate and select a topic before developing a strategy. "Everything is really steeped in the creation of problem-solving skills," Hickey explains.

Patterson students chose to counsel younger kids about child abuse and neglect. The law students looked into the laws of disclosure and explained the legal liability for providing advice.

For 12 weeks, the law school and Patterson students developed an interactive workshop with role playing, and then presented it to sixth-graders at six nearby middle schools. They role played several abuse situations; a question-and-answer session followed.

"The reaction was mixed—it was interesting," Hickey notes. The sixth-graders were interested to know if any of the Patterson students had been abused.

The audience members took pre- and post-tests to determine what they learned from the presentation. Each student also was given a pamphlet designed by the high

school students, which included contact information for agencies assisting abuse victims and Web sites for more information. The pamphlets were also distributed to those agencies.

Hickey also found interesting the ways in which the high school students dealt with the issues. The Patterson students had reasonable objectives and accomplished their goal. The Northwestern students took three approaches to their problem and had mixed results.

The Northwestern clinic sought to resolve the lack of recreational opportunities for young people. They also wanted to create an after-school support group to discuss different issues and to open a rec center program right in the school.

The "there's nothing to do" syndrome is part problem, part myth, they discovered. Officials at the Department of Recreation and Parks argue that with 46 centers in the city, there's plenty to do, kids just don't take advantage of the opportunities.

The Northwestern students surveyed 300 youths who used the centers, then interviewed kids who don't. Minimal funding and inadequate staffing, problems at all

the centers, cause the centers to limit their hours of operation. The students devised a plan to recruit college-age volunteers so that the centers could stay open later.

The students took their recommendations to the Department of Recreation and Parks and even met with the department's deputy director, Donna Hooper. "They were incredibly open to the students' suggestions," Hickey recalls.

The city and Baltimore Youth Congress, a youth-operated outgrowth of CLIA (see related story on next page), have taken up the issue and will develop the outreach program.

The drive to establish a rec center program at Northwestern was stalled due to changes planned for the school, but the students gained support from the principal and the student body. The principal also agreed to allow a youth support group to meet after school, but the students need to follow up with this part of their project.

In December the students from both schools presented the results of their projects at a forum at the law school. About 30 community leaders, public officials, law school faculty and staff, family and friends attended.

This semester's high school clinic students presented projects on May 1. One group investigated youth access to tobacco products. The other studied check cashing and pawn shops and predatory lending institutions in urban communities. ■



GOVERNOR'S VISIT

Kate McManus, manager of construction and facilities, describes various features of the new School of Law building complex to Gov. Parris N. Glendening during his visit to campus in the fall.

YOUTH EXPLOSION CONGRESS GIVES VOICE TO URBAN YOUTH

KAREN PEAIRS

Juveniles. Urban youth. Generation Y. In the minds of many adults, these descriptions conjure up images that rarely include teenaged advocates and agents of positive change. Yet, on Nov. 3, 800 young people from Baltimore City, Baltimore County, Virginia and New York assembled at the Baltimore Convention Center for the Youth Explosion Congress 2001. Their goal is to change the current public policy environment in which young people are the objects of legislation and government programs, but rarely active participants in the programs' development.

The conference was hosted by the Baltimore Youth Congress, which is an outgrowth of the Community Law in Action (CLIA) Clinic at the School of Law. Terry Hickey, executive director of CLIA, credits former clients from the Park Heights community with the initial idea of the youth-led advocacy organization. He says that community residents challenged the clinic to "stop representing our kids; have them be a part of the solution." In the two years since the Baltimore Youth Congress' inception, law students and faculty have helped the organization work toward that objective. The congress has grown to become one of the nation's two strongest youth-run advocacy groups.

While hosting Youth Explosion Congress 2001, the Baltimore delegates conducted two of the 15 workshops. The first was an advocacy workshop designed to define youth leadership and its effectiveness in alleviating community problems.



The second workshop featured an interactive forum between police officers and youth attendees. Through role reversals and skits, young people and police officers began the necessary dialogue for improved police-youth relations. Ultimately, the goal was for delegates to research solutions and develop plans of action to implement in their communities.

The culmination of Youth Explosion Congress 2001 was a peace march and rally at the War Memorial in front of Baltimore's City Hall. Four hundred march participants looked on as local Youth Congress President Christina Johnson presented a 10-point resolution to Baltimore Mayor Martin O'Malley '88. The resolution delineated the rights and responsibilities of Baltimore youth to be involved in policy decisions that affect them. O'Malley agreed to the terms of the resolution and Jamaal Moses, from the Mayor's Office of Children, Youth & Families, has asked to meet with the executive board to discuss next steps in securing the terms of the resolution.

During its short existence, the Baltimore Youth Congress has worked diligently to create an organized voice on issues that affect young people throughout the greater metropolitan area. The School of Law's CLIA program remains an ally and supporter of its efforts. The law faculty and students from CLIA, and now, some of the criminal law and juvenile justice classes will continue to inform members of the Youth Congress. Ultimately a cohesive youth voice is developing in the Baltimore area, and they are saying, "Hear us, don't fear us." ■

WELFARE REFORM

(continued from page 7)

Czapanskiy sees these as critical steps in the right direction.

"I think there have been some successes in welfare reform," she notes. "Because of the focus on work, government agencies have tried to connect impoverished women and children to both jobs and resources, and that's been an enormous boon." She describes the

biggest failure of welfare reform as measuring success by the number of people on the rolls as opposed to the number of self-supporting families. She and other welfare reform activists hope to convince lawmakers that families need adequate resources and training to participate in the workforce and cash assistance until they at least reach the poverty level. The conference provided vital connections for these activists, scholars and public policy-makers to strategize for the coming year.

The conference also provided connections for those interested in the subject matter but unable to attend. The conference was broadcast live, worldwide, over the Internet. Papers from the conference also were published in the symposium issue of *Maryland Law Review*.

"We put enormous energy into letting people know about this conference, and we had this huge outpouring from a diverse group that was very eager to learn," says Czapanskiy. "We were incredibly blessed." ■

SCHOOL OF LAW ESTABLISHES LEGAL RESOURCE CENTERS

MARIA SHEA

Continuing its long tradition of public service, the School of Law has opened two new legal resource centers, a pair of unique partnerships with outside organizations.

The Maryland Intellectual Property Legal Resource Center is a collaboration between the School of Law and the Montgomery County Department of Economic Development to provide legal assistance to start-up technology companies.

Established in February, the center is located in the Maryland Technology Development Center in Rockville, where primarily biotechnology and information technology businesses are nurtured.

The center's main focus is education, explains Mary Webster, assistant professor and director of the center. Since all of the businesses are developing new ideas, the entrepreneurs need to learn how to protect their patents, trade secrets, domain space or trademarks.

"We're very excited about it. The support has been overwhelming to give this a go," Webster says.

Businesses can find or request information through the center's Web site (www.miplrc.org) or stop by the center's office to complete an intake form, which also allows the staff to track services.

In the fall, Webster plans to begin the

center's clinic, in which law students will provide services such as filing trademark applications and registrations for copyright protection, overseeing confidentiality agreements, and drafting intellectual property licensing agreements.

"This is an ideal location for the students and the entrepreneurs to work together," Webster says.

In fact, Montgomery County hopes that this is the first of many business incubators. Once the companies outgrow their space, they can move on to bigger and better things, Webster notes. The technology development center has about a 20 percent graduation rate, she says.

Webster says the center has the unusual task of providing low-cost legal services to for-profit businesses. But, she says, they are helping entrepreneurs who are doing potentially groundbreaking research, while contributing to the state's economic development.

"If they thrive it will benefit everybody," she asserts.

PATENT ATTORNEY HEADS MARYLAND INTELLECTUAL PROPERTY LEGAL RESOURCE CENTER

MARIA SHEA

Mary Webster's first career as a molecular virologist paved the way for her current career as director of the School of Law's new Maryland Intellectual Property Legal Resource Center.

"I understand their technology very quickly," she says of the center's clients, entrepreneurs who need legal assistance for their technology-based start-up companies.

Webster, an assistant professor at the School and a registered patent attorney, has specialized in biotech patent law for the past 10 years and worked most recently as of counsel for McKenna & Cuneo,

LLP, Washington, D.C.

Webster received a bachelor's degree in bacteriology from the University of Wisconsin in 1983 and a master's degree in microbiology from the University of South Florida in 1985.

As a molecular virologist, Webster spent several years working in Tampa-area laboratories as a bench scientist in the fields of molecular genetics, molecular virology and cell biology.

Often working alone, she felt isolated at the lab. "I felt the level I reached had dead ended," she explains. "I was looking

for something more and going into patent law provided that. Now I interact with a lot of people."

Webster earned her law degree at Washington College of Law at American University in 1992. She worked as general counsel for the Research Institute for Genetic and Human Therapy, in Washington, D.C., and was intellectual property counselor at North American Vaccine Inc., in Columbia, Md. Her law career also has included a clerkship at the federal circuit.

Even though technology has made dramatic advances since the mid-1980s, her background gives her the ability to learn new technology quickly, an advantage at the legal resource center.

"I can speak their language and maybe help them to speak my language," she says, adding that she also enjoys teaching.

"My practice is really about teaching students, teaching entrepreneurs, teaching myself." ■

The Legal Resource Center for Tobacco Regulation, Litigation and Advocacy opened its doors in summer 2001. Funded by a grant from the state Department of Health and Mental Hygiene Cigarette Restitution Fund Program, the center is the first of its kind in the country to be funded by tobacco settlement money.

Some states have been raiding those funds to fill budget gaps, but Maryland is using this money for its intended purpose, says Paula Monopoli, visiting professor and acting director of the center.

"It's a nice illustration of Maryland as a progressive state," says Monopoli, who was charged with organizing the center in its first year. She will be succeeded on July 1 by Kathleen Dachille '92, a special assistant to the state's attorney general who has worked in conjunction with the center on efforts to reduce tobacco use.

The center's primary mission is to provide technical legal assistance to communities, community groups, employers, local governments and others interested

in the health effects of tobacco products and in reducing smoking and the sale of tobacco products to children. The staff will analyze precedent, draft model ordinances, represent citizen groups and offer education assistance.

Since last summer, the center has been concentrating on needs assessment—managing attorney Michael Strande '01 surveyed every county in Maryland about what they need from a legal resource center.

Counties were nearly unanimous in their responses for assistance in understanding the limits of what they can and can't do and with drafting local legislation that will survive constitutional challenge. The counties are concerned with product placement restrictions to keep cigarettes away from children and with giving enforcement authority to public health officials.

For more information, visit www.law.umaryland.edu/tobacco. ■

ACCESS TO CIVIL JUSTICE AWARD

DENIS MURPHY

Civil Justice Inc., a program sponsored by the School of Law's Clinical Program, was awarded the Louis Brown Access to Justice Award at the midwinter meeting of the American Bar Association in February.

The annual award recognizes innovative programs that increase access to legal services for low- and moderate-income clients. This year, the Standing Committee on the Delivery of Legal Services reviewed more than 18 nominations before selecting Civil Justice Inc.

The program was established in 1998 with a grant from the Open Society Institute, under the leadership of Michael

Millemann, then director of the Clinical Law Program. Through a Web site and a listserv, the program provides mentoring and networking services to its 40 attorney members, who share pleadings, research and practice experience. Civil Justice Inc. also operates a *pro bono* program that provides free legal assistance to first-time home buyers. Tom Perez, who joined the School of Law in the fall is the director of the Clinical Law Program, and Adjunct Professor Denis Murphy serves as Civil Justice Inc.'s executive director. For more information about the program, visit the Web site at www.civiljusticenetwork.org. ■

MARGINS SYMPOSIUM ADDRESSES RACIAL PROFILING

LINDA PYBAS

To provide varied perspectives on some of the issues that surfaced in America in the wake of the terrorists attacks on the World Trade Center and the Pentagon, *MARGINS* and the University Student Government Association co-sponsored a panel discussion, "The New Freedom: Ethnic Profiling in the Wake of New Terrorism," on Nov. 28.

The panel featured I. Michael Greenberger, visiting professor of law, whose recent work experience includes tenure as principal deputy associate attorney general at the U.S. Department of Justice; Harvey Eisenberg, assistant U.S. attorney and antiterrorism coordinator for the U.S. Attorney for Maryland; and David Rocah, staff attorney with the American Civil Liberties Union of Maryland. Professor Tom Pérez, director of the Clinical Law Program at the School of Law, moderated the panel.

The sometimes-heated discussion explored the issues surrounding recent allegations of racial profiling against Muslim Americans, the potential for a breakdown in rights to privacy as security measures are increased, and the U.S. government's recent decision to use military tribunals in trying certain cases.

MARGINS, the School of Law's newest journal, primarily focuses on the important legal issues surrounding race, religion, gender and class. Proceedings from the panel discussion were published in the symposium issue of the journal. ■

A HOT COMMODITY*(continued from page 2)*

and intellectual property law. He also argued before the Supreme Court.

While he was *pro bono* chairman at Shea & Gardner, the firm was named Pro Bono Law Firm of the Year by both the Washington and American Bar associations. Greenberger is a member of the American Law Institute, a former mem-

ber of the Board of Governors of the Washington, D.C. Bar, and is a former board director for three nonprofit organizations—American Rivers (an environmental group), Washington Legal Clinic for the Homeless, and D.C. Prisoners Legal Services Project.

Greenberger admits that the thought that he would enjoy teaching was at the back of his mind throughout his 30-year career. And after the Clinton administration ended in January 2001, he looked

over his opportunities and joined the law school faculty last summer.

"The University of Maryland School of Law has an excellent reputation, excellent faculty and a dynamic student body," he asserts. Greenberger says he enjoys his new work thoroughly, especially the interaction with students.

Greenberger teaches Contracts & Trademarks, Unfair Competition, and Constitutional Law.

He lives in Washington, D.C., with his wife, Marcia Devins Greenberger, a lawyer and co-president of the National Women's Law Center. They have two grown daughters, Sarah and Annie. ■

Editor's Note: As this magazine went to press, I. Michael Greenberger was welcomed to the faculty as law school professor and was appointed by University President David J. Ramsay, DM, DPhil, as director of the Center for Health and Homeland Security at the University. The new center will coordinate and expand the scientific and other research, health programs, policy development and government consulting conducted in the six professional schools of the University of Maryland, Baltimore.

2002 WARD KERSHAW ENVIRONMENTAL SYMPOSIUM COMES TO THE NATION'S CAPITAL

BRAD DWIN

Many post-Sept. 11 legal conferences and symposia have addressed the terrorist attacks in one way or another. This year's Ward, Kershaw & Minton Environmental Symposium on April 25 was no exception. Held in Washington, D.C., the symposium, "Developing Environmental Policy in the Shadow of the War on Terrorism," presented emerging issues and shifts in energy policy, the role of cost benefit analysis in federal environmental regulation and enforcement, and chemical security.

Professor Robert Percival, director of the School of Law's Environmental Law Program, was excited about this year's symposium taking place in Washington. "This year marked the first time we have held this event in Washington and that is a tribute to the many alumni who work in the D.C. area. The location enabled the School to enlist many of the top experts in their fields to participate in the symposium. We were very happy to have such an elite group of speakers for this event," says Percival.

Topics for past symposia have included the Chesapeake Bay, Smart Growth, lead poisoning, and corporate and international

environmental policies. "We always try our best to pick a topic of great contemporary interest," notes Percival.

The 2002 symposium included three panel discussions.

"Directions for National Energy Policy" featured panelists James Connaughton, of the Council on Environmental Quality; Gary Fuhrman, of Constellation Energy; Sharon Buccino, of Natural Resources Defense Council; and Chris Miller, of the Senate Environment and Public Works Committee. The panel was moderated by Erik Meyers, of the Environmental Law Institute.

"Role of Cost Benefit Analysis in Developing Environmental Policy" included panelists William Pizer, of the Council of Economic Advisors; Lisa Heinzerling, of Georgetown University Law Center; Nandan Kenkeremath, of the House Committee on Energy and Commerce; and Alexandra Teitz, of the House Committee on Government Reform. Professor Rena Steinzor, of the Natural Resources Defense Council, moderated the panel.

The final session of the day, "Directions for National Chemical Security Policy," was moderated by Percival and featured panelists Jamie Conrad, of the American Chemistry Council; Alison Taylor, of the Senate Environment and Public Works Committee; Rick Hind, of Greenpeace USA; and Robert Bostock, of the U.S. Environmental Protection Agency.

The Ward, Kershaw & Minton Environmental Symposium was established in 1987 by a gift to the School of Law's Environmental Law Program from Ward, Kershaw & Minton. Founded in 1984, the firm specializes in complex civil litigation, including class actions and environmental litigation. ■

SYMPOSIUM EXPLORES **RACE MIXTURE** IN THE AMERICAS

BETTY LYNNE LEARY

Throughout its history, the United States has struggled with the concept of race and racial formation. The multiracial discourse currently being advanced in some political, academic and public circles, such as the recognition of multiracial individuals on U.S. census forms, appears to many to promote increased racial tolerance. Yet other experts disagree.

Last November, the School of Law, along with the Washington College of Law at American University, presented a one-day symposium to explore how race has been legally and socially constructed in the United States and whether there are better ways to accommodate the growing numbers of interracial groups.

Taunya L. Banks, Maryland's Jacob A. France Professor of Equality Jurisprudence, spearheaded the event titled "Race Mixture in the Americas: The Social and Legal Connections, a Conversation Across Disciplines." The symposium brought together a diverse mix of professionals including legal scholars, ethnographers, historians, demographers and even a literary critic.

"In reality, this recognition of multiracial individuals reaffirms traditional notions of white superiority and black inferiority," Banks explains. "Recognition that a person is racially mixed presupposes that whites are 'racially pure' and that one can never become white if one is racially mixed. The push for recognition of mixed-race or biracial individuals on the census is an

attempt by many of these individuals to avoid being classified as black and to benefit from their white ancestry." She adds that while discrimination against people



of obvious African ancestry continues, some Latin American countries are beginning to acknowledge and address the problem.

"We talked about how governments have different forms of denial of the problem, along with the connections

between race, economic development and power, colonialism and globalization," Banks says.

Three panels of speakers presented papers and more than 50 people attended the program. Although the event was held less than two months after the terrorist attacks on Sept. 11, none of the participants declined to travel to Washington, D.C., for the symposium.

"People flew in from all over the country," Banks notes. "No one left early and even though there were planes to catch, many stayed long after the program was over to continue the discussion and to sign up for a listserv."

The symposium marked the beginning of a conversation across a wide variety of disciplines that could bring a new fluidity to the definitions of race in the Americas. One of the participants was heard to remark, "I never thought I could learn things from lawyers, but I sat here all day and I learned."

Sherrilyn Ifill, associate professor at the School of Law, also regarded the symposium as a great success.

"The exchange at the conference was extremely sophisticated and provocative," she says. "I cannot remember when last I learned so much and felt so intellectually challenged by the discussion at a conference of academics."

"As lawyers, we often think we can't learn from other disciplines," Banks adds, "but what we had was a wonderful conversation and a very valuable learning experience." ■