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CONTRIBUTORS

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CONTRIBUTORS

GUIDO CALABRESI, was appointed United States Circuit Judge in July, 1994, and entered on duty on September 16, 1994. Prior to his appointment, Judge Calabresi was Dean and Sterling Professor at the Yale Law School from 1985 to 1994. He continues to serve as a member of the faculty of the Yale Law School, where he began teaching in 1959. He is presently Sterling Professor Emeritus of Law and Professorial Lecturer. Judge Calabresi received his B.S. degree, *summa cum laude*, from Yale College in 1953, a B.A. degree with First Class Honors from Magdalen College, Oxford University, in 1955, an LL.B. degree, *magna cum laude*, in 1958 from Yale Law School, and an M.A. in Politics, Philosophy and Economics from Oxford University in 1959. A Rhodes Scholar and member of Phi Beta Kappa and Order of the Coif, Judge Calabresi served as the Note Editor of the *Yale Law Journal*, 1957-58, while graduating first in his law school class. Following graduation from Yale Law School, Judge Calabresi clerked for Justice Hugo Black of the Supreme Court (1958-59). He has been awarded numerous honorary degrees from universities in the United States and abroad.

DREW S. DAYS, III, was nominated by President Clinton and confirmed by the Senate as Solicitor General of the United States, the Government's lawyer before the United States Supreme Court. He served in that capacity from May 28, 1993, to June 30, 1996, on a leave of absence from Yale Law School faculty, to which he returned in July. He is a 1963 honors graduate in English Literature of Hamilton College in Clinton, New York. He received his LL.B. degree from Yale University in 1966. After practicing briefly with a labor firm in Chicago, he entered the Peace Corps, serving as a volunteer in Honduras from 1967-1969. In the fall of 1969, Mr. Days joined the staff of NAACP Legal Defense Fund in New York City. At the Legal Defense Fund, he litigated cases in the areas of school desegregation, police misconduct and employment discrimination. Mr. Days remained on the staff of the Legal Defense Fund (except for a two year teaching leave at Temple University Law School) until early 1977. In March, 1977, he was confirmed by the Senate to serve as Assistant Attorney General for Civil Rights, having been nominated to that post by President Jimmy Carter. Mr. Days served in that capacity until the end of 1980. In January, 1981, he joined the faculty of the Yale University School of Law, receiving

tenure in 1986. In November, 1991, he was named to the Alfred M. Rankin Chair at the Law School.

At Yale, his teaching and writing have been in the fields of civil procedure, federal jurisdiction, Supreme Court practice, antidiscrimination law, comparative constitutional law (Canada and the United States) and international human rights. From 1988 to 1993, he was also the founding director of the Orville H. Schell Jr. Center for Human Rights at Yale University School of Law. He has been married since 1966 to Ann Ramsay Langdon, an artist and writer. They have two daughters, Alison, a second-year pediatric resident at Montefiore Hospital in New York, and Elizabeth, who recently completed a two-year stint as a Teach-for-America volunteer in the New York Public School System.

STEPHEN ELLMANN is Associate Dean for Faculty Development and Professor of Law at New York Law School. He received his B.A. degree in 1972 and his J.D. in 1976 from Harvard University. After graduation from law school he clerked for the Hon. Elbert Tuttle of the U.S. Court of Appeals for the Fifth (now Eleventh) Circuit (1976-77). and then practiced law at the Southern Poverty Law Center in Montgomery, Alabama until he entered law teaching in 1983. He has been cochair of the South Africa Reading Group since its founding in 1994, and the chair of the Clinical Theory Workshop since its beginning in 1985. His scholarly work has focused on issues of lawyering skills and ethics, and on South Africa, where he has written on the rule of law under apartheid and on constitutional law after apartheid's end. He is the author of *In a Time of Trouble: Law and Liberty in South Africa's State of Emergency* (Clarendon Press, Oxford, 1992), and the co-editor (with Penelope Andrews) of *The Post-Apartheid Constitutions: Perspectives on South Africa's Basic Law* (Witwatersrand University Press & Ohio University Press 2001).

RICHARD H. FALLON, JR., joined the Harvard Law School faculty as an assistant professor of law in 1982 and was promoted to full professor in 1987. He is a graduate of Yale University (1975) and Yale University Law School (1980) and also earned a B.A. degree from Oxford University (1977), which he attended as a Rhodes Scholar. Before teaching law, Professor Fallon served as press secretary to then U.S. Rep. William S. Cohen and as a law clerk to Judge J. Skelly Wright and to Justice Lewis F. Powell of the United States

Supreme Court. Fallon has written extensively about Constitutional Law and Federal Courts Law. He is the author of *Implementing the Constitution*, published in 2001 by Harvard University Press, and the co-author of *Constitutional Law: Cases-Comments-Questions* (9th ed. 2001) and of *Hart & Wechsler's The Federal Courts and the Federal System* (4th ed. 1996).

ABRAHAM S. GOLDSTEIN is a Sterling Professor of Law at the Yale Law School where he has taught since 1956. He was Dean of the Yale Law School from 1970 to 1975 and was Provost of Yale University from 1978 to 1979. Professor Goldstein received his B.B.A. from City College of New York in 1946 and his L.L.B. degree from the Yale Law School in 1949. He served as an Article Editor of the *Yale Law Journal* from 1948 to 1949. Following graduation from Yale Law School Professor Goldstein clerked for Circuit Judge David L. Bazelon of the U.S. Court of Appeals, Washington D.C. (1949-51). He has been awarded numerous honorary degrees from universities and is the author of four books and over seventy articles on law and related subjects.

MICHAEL GOTTESMAN, a 1959 graduate of Yale Law School, has been a Professor of Law at Georgetown University Law Center since 1989, following a three-decade career in private practice representing unions and employee interests. His scholarship has been in the areas of labor and employment law, and torts. As a professor, he has continued to brief and argue cases in the Supreme Court and the federal courts of appeals.

ANDREW L. KAUFMAN is the Charles Stebbins Fairchild Professor of Law at Harvard Law School where he has taught since 1965. He was Dean Wellington's co-clerk to Justice Frankfurter in the 1955 Term of the Supreme Court. He practiced law in Newark, New Jersey, for nine years before going to Harvard where he teaches and writes in the fields of constitutional law, commercial law, and professional responsibility. He recently completed a forty-year project that has resulted in a biography of Benjamin Cardozo.

Professor Kaufman's main outside activities have been in the field of professional responsibility. He has been chair of the Ethics Committee of the Massachusetts Bar Association since 1982 and has served on numerous committees of the Massachusetts Supreme Judicial Court that give advice to judges about questions of judicial

ethics and that revise the rules governing the conduct of lawyers and of judges. This past June the American Bar Association gave Kaufman the Michael Franck Award for his services in the field of professional responsibility.

HAROLD HONGJU KOH is the Gerard C. and Bernice Latrobe Smith Professor of International Law at Yale Law School, where he has taught since 1985. A Korean-American, from 1998 to 2001, he served as Assistant Secretary of State for Democracy, Human Rights and Labor. A Marshall Scholar and a graduate of Harvard, Oxford, and Harvard Law School, Professor Koh served as law clerk to Judge Malcolm Wilkey of the U.S. Court of Appeals for the D.C. Circuit, and Justice Harry Blackmun of the United States Supreme Court. Before coming to Yale, he practiced law at the Washington D.C. law firm of Covington & Burling and at the Office of Legal Counsel at the U.S. Department of Justice. He is the author of more than 70 articles and several books, including *Deliberative Democracy and Human Rights* (Yale 1999 with R. Slye), *Transnational Legal Problems* (2d ed. 1984 with H. Steiner & D. Vagts) and *The National Security Constitution* (Yale 1990), which won the American Political Science Association's Richard Neustadt Award as the best book on the American Presidency written in 1990. Professor Koh has been a Fellow of the American Academy of Arts and Sciences, the Guggenheim Foundation and the Century Foundation and has been a Visiting Fellow at All Souls College, Oxford. He is an Overseer of Harvard University and a Member of the Board of Editors of the *American Journal of International Law* and the American Law Institute. He has been recognized with six honorary degrees and numerous awards for his human rights work, which includes the representation of Haitian and Cuban refugees before the United States Supreme Court. He was named by *American Lawyer* magazine as one of America's 45 leading public sector lawyers under the age of 45, and by *A Magazine* as one of the 100 most influential Asian-Americans of the 1990s. He lives in New Haven with his wife, Mary-Christy Fisher, a New Haven legal services attorney, and his children, Emily and William.

ANTHONY KRONMAN is the sixteenth dean of the Yale Law School. He was appointed to this position in 1994 after 16 years on the Yale Law School faculty. On July 1, 1999 he began his second term as dean. Before joining the Yale faculty, Dean Kronman

taught for two years at the University of Chicago Law School and for one year at the University of Minnesota Law School. His teaching areas include contracts, bankruptcy, jurisprudence and the legal profession. Dean Kronman is the author or co-author of four books and many articles on various scholarly subjects. His last book, *The Lost Lawyer*, deals with the contemporary state of the American legal profession and analyzes the movement away from what he calls the “lawyer-statesman” ideal of responsible law practice.

Dean Kronman was born in Los Angeles on May 12, 1945 and attended public schools there before coming to Williams College in 1963. He graduated from Williams in 1968 with highest honors in political science. Following college, he studied philosophy at Yale and received his Ph.D. in that field in 1972. During his four years as a graduate student, Dean Kronman was a Danforth Fellow. In 1972, he began the study of law at the Yale Law School and received his J.D. in 1975. While at the Law School, he served as a senior editor on the Yale Law Journal. Dean Kronman’s father, Harry Kronman, was a television screenwriter and his mother, Rosella, was a film actress and homemaker. He is married to Nancy Greenberg and has four children, Matthew, Emma, Hope, and Alexander.

DEAN RICHARD A. MATASAR is the new dean of New York Law School. Before coming to New York Law School, Mr. Matasar served as dean of the University of Florida Fredric G. Levin College of Law and was an associate dean for Academic Affairs at the University of Iowa College of Law. Dean Matasar also served as a professor at these institutions and at the University of Michigan Law School. He has written extensively on various subjects relating to law and legal education, including the test *Federal Courts: Theory and Practice* and articles for numerous law reviews throughout the country. Dean Matasar graduated *magna cum laude* from the University of Pennsylvania in 1974 and *magna cum laude* from the Law School of the University of Pennsylvania in 1977.

JUDITH A. MILLER recently returned as a partner at Williams & Connolly LLP, where she advises and litigates on a wide range of business and governmental issues. From 1994 to 1999, she was the longest serving General Counsel of the Department of Defense, where she had responsibility for advising the Secretary and Deputy Secretary and their senior leadership team on a host of legal and

policy issues that came before the Department, including mergers and acquisitions, international affairs and intelligence matters, operations law, acquisition and business reform, major procurements, significant litigation and investigations, globalization, computer security, alternative dispute resolution, as well as personnel, fiscal, environmental, and health policy issues. In January 1997, Secretary Perry awarded her the Department of Defense Medal for Distinguished Public Service. Secretary Cohen awarded her the Bronze Palm to that medal in 1999. She is a recipient of the Department of the Army's Decoration for Distinguished Public Service and has been an honoree of the Marine Corps. She is also a recipient of the Beloit College Distinguished Service Citation and the National Association of Attorneys General Volunteer Recognition Award, and has been recognized by the *National Law Journal* as one of the "50 Most Influential Women Lawyers in America."

Ms. Miller's practice at Williams & Connolly LLP has included complex civil and criminal litigation, antitrust advising, and investigations and corporate compliance representations related to defense procurement, healthcare, and financial institutions. She is the Co-Chair of the Federal Practice Task Force of the American Bar Association's Section of Litigation, a Fellow of the American Bar Foundation, and a member of the ABA Standing Committee on Law and National Security and the American Law Institute. She is a member of the bars of the Supreme Court of the United States, six federal circuits, the D.C. Court of Appeals, and the United States Court of Appeals for the Armed Forces. She was appointed to the Civil Justice Reform Act Advisory Group for the United States District Court for the District of Columbia, and its follow-on implementation committee. Prior to originally joining Williams & Connolly in 1979, Ms. Miller clerked for Judge Harold Leventhal, U.S. Court of Appeals for the D.C. Circuit, and Associate Justice Potter Stewart, Supreme Court of the United States. She was Assistant to both the Secretary and Deputy Secretary of Defense in the Office of the Special Assistant from 1977 to 1979. Ms. Miller also served in 1994 as a member of the Advisory Board on the Investigative Capability of the Department of Defense. Ms. Miller graduated from Beloit College *summa cum laude* (where she is a member of the Board of Trustees) and holds a law degree from the Yale Law School.

ALAN SCHWARTZ is Sterling Professor of Law, Yale University and is a Professor at the Yale School of Management. Professor Schwartz is currently Editor of the *Journal of Law, Economics and Organization*; he is a Former President of the American Law and Economics Association; and he is a past Chair of the Association of American Law Schools Sections on Commercial Law and Law and Economics. Professor Schwartz has written numerous articles and books on contract law, contract theory, commercial law, bankruptcy, corporate finance and corporate governance, and products liability. He is a member of the American Academy of Arts and Sciences and serves as director of two publicly traded companies.

ANTHONY SEBOK teaches torts, advanced torts, tort theory, and jurisprudence. He joined the faculty in 1992, after serving as law clerk to Chief Judge Edward N. Cahn of the United States District Court for the Eastern District of Pennsylvania. He was recently awarded the highly prestigious Berlin Prize Fellowship by the American Academy of Berlin. The fellowship enabled him to spend a semester abroad as a Visiting Scholar at Humboldt University, where he began work on a series of articles examining tort theory and punitive damages and lectured widely on American tort law. He is the author of *Legal Positivism in American Jurisprudence* (1998), and co-editor of the *Philosophy of Law: A Collection of Essays* (1993). His articles on jurisprudence have been published in such leading law reviews as the *Michigan Law Review*, *Southern California Law Review*, and the *Notre Dame Law Review*. He also writes on tort law for CNN.com and Findlaw.com.

NADINE STROSSEN, Professor of Law at New York Law School, has written, lectured and practiced extensively in the areas of constitutional law, civil liberties and international human rights. In 1991, she was elected President of the American Civil Liberties Union, the first woman to head the nation's largest and oldest civil liberties organization. (Since the ACLU Presidency is non-paid, Strossen continues in her faculty position as well.)

Since becoming ACLU President, Strossen has made more than 200 public presentations per year before diverse audiences, on approximately 500 campuses and in many foreign countries. She comments frequently on legal issues in the national media, and writes monthly columns for the online publications *Intellectual Capital* and *The Position*. Professor Strossen's book, *Defending Pornogra-*

phy: Free Speech, Sex, and the Fight for Women's Rights (Scribner 1995), was named by the *New York Times* a "notable book" of 1995 and is being republished in October 2000 by NYU Press, with a new introduction by the author. Her co-authored book, *Speaking of Race, Speaking of Sex: Hate Speech, Civil Rights, and Civil Liberties* (N.Y.U. Press 1995), was named an "outstanding book" by the Gustavus Myers Center for the Study of Human Rights in North America. Professor Strossen has received many awards, honorary degrees, and citations; most recently, in 1999, *Ladies Home Journal* included her in "America's 100 Most Important Women." She graduated *Phi Beta Kappa* from Harvard College (1972) and *magna cum laude* from Harvard Law School (1975), where she was an editor of the *Harvard Law Review*.

RUTI G. TEITEL is Ernst Stiefel Professor of Comparative Law at New York Law School, where she also teaches international human rights and constitutional law. An author and frequent speaker in academia and the media, she has also served as the Senior Schell Fellow at Yale Law School, 1999-2000; 1996-97. Her new book, *Transitional Justice* (Oxford University Press 2000), examines the 20th century transitions from authoritarianism to democracy in many countries. Her extensive writings on constitutionalism, comparative law, and human rights have been published in the *Cornell Law Review*, *Yale Law Journal*, the *Columbia Human Rights Law Journal*, the *Yale Journal of International Law*, and *New York University Law School's East European Constitutional Review*. She has also written on the topic of transitions for several edited volumes, including *Deliberative Democracy and Human Rights*, edited by Harold Hongju Koh and Ronald Slye, and *Human Rights in Political Transitions: From Gettysburg to Bosnia*, edited by Carla Hesse and Robert Post. Professor Teitel received her JD from Cornell Law School. She is a member of the Human Rights Watch Steering Committee, Europe/Central Asia.

RALPH K. WINTER was appointed United States Circuit Judge for the Second Circuit on December 10, 1981 and entered on duty January 15, 1982. He is presently serving as Chief Judge of that court. He received a B.A. degree from Yale College in 1957 and an LL.B. degree from Yale Law School in 1960. He served as law clerk to Judge Caleb M. Wright, Chief Judge, U.S. District Court, Delaware, 1960-61, and to Judge Thurgood Marshall, U.S. Court of Appeals, Second Circuit, 1961-62.

Judge Winter was a full-time member of the Yale Law School Faculty from 1962 until entering judicial service. At the time of his appointment, he was the William K. Townsend Professor of Law. He was also a consultant to the Subcommittee of Separation of Powers, Committee on the Judiciary, U.S. Senate from 1968 to 1972, a Senior Fellow, the Brookings Institute, Washington, D.C. from 1968 to 1970, a John Simon Guggenheim Fellow from 1971 to 1972 and an Adjutant Scholar, American Enterprise Institute from 1972 to 1981. He served from 1987 to 1992 as a member of the Judicial Conference Advisory Committee on Civil Rules. He served as Chair of the Judicial Conference Advisory Committee on the Rules of Federal Evidence from 1992 to 1996. From July 1, 1997 to September 30, 2000, Judge Winter served as Chief Judge of the U.S. Court of Appeals for the Second Circuit. On October 1, 2000, he took Senior Judge status on the Second Circuit. In April 1998, he was appointed to the Executive Committee of the U.S. Judicial Conference. From October 1999 to September 2000, he served as Chair of the Executive Committee.

