

Bluhm Legal Clinic

# News & Notes

## *No Argument Here*

### *Students, academic community recognize value of the Bluhm Legal Clinic's Program on Negotiation and Mediation*

Taking a look at the waitlists for the courses and workshops offered through the Bluhm Legal Clinic's Program on Negotiation and Mediation, it becomes obvious that students strongly desire to participate in the program. Approximately 200 students attempt to enroll in a negotiation or mediation course each semester, vying for one of only 24 spots per section.

**Lynn Cohn**, director of the program, attributes its popularity to the program's structure and practical applications, as well as the training and commitment of its faculty. For example, Cohn has served as an arbitrator or mediator in more than 1,500 cases, with an emphasis on employment, personal injury, and commercial disputes.

"Understanding negotiation and mediation theory and having great skills applies across practice groups and in nonprofessional contexts as well," she says. "Students learn that a substantial amount of their time as lawyers will be spent negotiating with other lawyers, clients, and colleagues, and that, as litigators, they will resolve the vast majority of cases through settlements and, increasingly, mediation.

"Students also enjoy our courses," she says. "We have a theory to practice approach to the material — classes are very hands-on and interactive. We also have a great faculty, one that's engaged, committed, accessible, and experienced."

Both Cohn and **Sheila Maloney**, assistant director of the program, have won student-voted faculty awards, and alumni often

report that the courses offered through the program are the most valuable ones they enrolled in while at Northwestern Law. **Zachary Schram (JD '04)**, a counsel for the Permanent Subcommittee on Investigations in the U. S. Senate, says he uses the skills he developed through the program daily.

"No matter who I have to face across the table — captains of industry, foreign officials, or other senate staffers — I have confidence in the skills I developed in Northwestern's Program on Negotiation and Mediation," he says.

While a number of schools now offer courses in negotiation and mediation, Northwestern University School of Law was one of the first to recognize the value of providing formal courses in the two disciplines. The school first offered courses in negotiation and mediation more than two and a half decades ago. The Program on Negotiation and Mediation is an outgrowth of those two courses. Today, the program offers 15 classes each academic year, as well as provides coaching for a team that competes and often places highly in the American Bar Association's Negotiation Competition.



*Lynn P. Cohn (left), clinical associate professor of law and director of the Program on Negotiation and Mediation, and Nancy Flowers, program assistant (photo by Nathan Mandell)*

### Building Skills for the Present and the Future

Thomas F. Geraghty, Professor of Law, Associate Dean of Clinical Education, and Director, Bluhm Legal Clinic



(photo by Mary Hanlon)

The Law School's update of its strategic plan, "Plan 2008: Preparing Great Leaders for the Changing World", focuses on developing the skills needed to prepare students for the legal practices of the present and of the future.

In an increasingly competitive environment, employers will expect law graduates to be productive practitioners without much additional, on-the-job training. The tasks they will be asked to perform will range from the mundane (document review) to the more challenging (the taking of a first deposition; the responsibility for conducting investigations).

The more graduates can demonstrate an ability to perform well in these tasks, the better their prospects of receiving more challenging and rewarding assignments, and the more likely it is that they will find meaning and a certain quality of life and fulfillment in the practice of law.

A good clinical program helps prepare students to do well in all of these areas. It provides skills training, reflection on the role of the lawyer, and engagement in meaningful tasks on behalf of clients. It can demonstrate through experience the realities of the practice of law (except, perhaps, for today's emphasis on business development as a criterion for advancement), and can lead students to reflect on how to achieve a balanced and rewarding professional life.

We want to graduate students who are more than good technicians, strategists, and business people (though these attributes are all necessary for a successful career for the majority of our graduates). There are additional qualities that are just as — or more — important than technical skills, and these are qualities that the vast majority of our students bring with them to law school: high ethical standards, professionalism, commitment to high ideals, and involvement in the community.

These are the qualities that, ultimately, will make the practice of law enjoyable and rewarding, and that will allow our graduates to judge themselves based upon criteria that go beyond economic and organizational success. These are also the qualities that will prevent our students from falling prey to the ethical lapses that too often are the product of pressure to enhance the bottom line.

This is not to say that the bottom line isn't important. It is. But a solid foundation in ethics and professional responsibility can help lawyers resist the temptation to compromise principle for advancement or more money. It will be increasingly hard to manage this pressure as the marketplace becomes more competitive and when, in order to "survive," compromises become increasingly attractive.

Perhaps the most effective lesson that a law student or a young lawyer can learn stems from a job well done for a client. The Bluhm Legal Clinic, as demonstrated by the items in this newsletter, provides many opportunities for this experience and for reflection upon this important rite of passage.

From this lesson, students learn what is necessary to get the job done. They learn how difficult and complex the job is — from gathering information from clients, witnesses, and colleagues, to putting together a plan for representation, to implementing that plan. They learn that the job is done better by lawyers working together than by one working alone. They learn the benefits of true collaboration and collegiality. They learn how to reach out to other disciplines for information and consultation. Finally, they learn about the impediments to achieving a good result and how to overcome them for their individual clients and for clients who will face similar problems in the future.

The Bluhm Legal Clinic is a laboratory for the discovery and development of our students' talents in all of these areas. If you visit our new offices, you will see the student work area crowded with students who are deeply engaged in their work. Hopefully, our students will find ways of perpetuating this deep and satisfying engagement throughout their professional lives.

---

#### Recent Faculty Publications

##### Thomas F. Geraghty

"African Legal Education: A Missed Opportunity and Suggestions for Change: A Call for Renewed Attention to a Neglected Means of Securing Human Rights and Legal Predictability" in *5 Loyola University Chicago International Law Review* 87–105 (2007) (Co-authored by Emmanuel K. Quansah).

"Reform of Legal Education in Ethiopia: The Ethiopian Experience in the Context of History, the Present, and the Future" in *22 Journal of Ethiopian Law* 49–74 (2008) (Co-authored by Emmanuel K. Quansah).

##### Steven Lubet

*The Importance of Being Honest: How Lying, Secrecy, and Hypocrisy Collide with Truth in Law* (NYU Press, 2008).

"Judicial Campaign Speech and the Third Law of Motion" in *22 Notre Dame Journal of Law, Ethics & Public Policy* 425–434 (2008).

##### David J. Scheffer

"Atrocity Crimes Framing the Responsibility to Protect" in *40 Case Western Reserve Journal of International Law* 111–135 (2008).

"The Growing Relevance and Enforceability of Corporate Human Rights Responsibility" in *6 Northwestern University Journal of International Human Rights* 218–221 (2008).

"Introduction: Atrocity Crimes Litigation During 2007" in *6 Northwestern University Journal of International Human Rights* 375–381 (2008).

"Policy Issues Under the UN Charter and the Rome Statute" in *Conference on International Criminal Justice*, edited by Roberto Bellelli (2008).

"The Security Council and International Law on Military Occupations" in *The United Nations Security Council and War: The Evolution of Thought and Practice since 1945*, edited by Vaughan Lowe, Adam Roberts, Jennifer Welsh, and Dominik Zaum (Oxford University Press, 2008).

"Why International Law Matters in God's World" in *Doing Justice to Mercy: Religion, Law, and Criminal Justice*, edited by Jonathan Rothchild, Matthew Myer Boulton, and Kevin Jung (University of Virginia Press, 2007).

---

#### Recent Clinical Faculty Awards

**Thomas Morsch** received a lifetime achievement award from Sidley & Austin LLP for his outstanding contributions to pro bono work.

**Locke Bowman** received the 2008 First Defender Award from First Defense Legal Aid.

### **Lawyer as Problem Solver**

The award-winning Lawyer as Problem Solver (LPS) program, a requirement for first-year and LLM students, is run through the program, as well.

LPS introduces students to principles key to the legal profession, including oral and written communication, interviewing, integrative negotiation, dispute resolution, ethics, creativity, coalition-building, decision-making, teamwork, and leadership.

The program has five sessions — Client Counseling and Interviewing, Communication in the Legal Office, Negotiation and Conflict Management, Understanding Financial Data, and Improvisation Skills for Lawyers. Students must participate in two of the five sessions.

Maloney says LPS gives students one of the few chances to experience the practical — rather than theoretical — sides of the law during their first year of law school.

“There’s very little relation between first-year curriculum and the practice of law,” she says. “The goal of LPS is to relate learning to real life early on.”

### **Let’s Negotiate**

Second-year, third-year, and LLM students can take the Negotiation Workshop, a prerequisite for the program’s mediation courses. In the workshop, students work in teams or one-on-one, covering a wide range of situations, including real estate deals, lawsuit settlements, and intra-family, neighborhood, or labor disputes.

**Jacob Babcock (JD ’09)**, currently a teaching assistant in the course, knew he wanted to enroll in the workshop even before he formally accepted an offer to Northwestern Law. During Day at Northwestern Law, a weekend for admitted students, he sat in on a negotiation demonstration.

“Sheila and Lynn taught a sample class and I thought it was awesome,” Babcock says. “They were so dynamic and the exercise was interesting. It was one of the reasons I chose to go to Northwestern.”

In addition to the workshop’s interactive nature, Babcock says he enjoyed the opportunity to learn with and from LLM students. Each negotiation class reserves approximately one-third of its seats for LLM students.

“It’s one of a few classes at Northwestern that fosters interaction between JDs and LLMs,” he says. “It was interesting to see the cultural differences in negotiations and to work toward a commonality and find common ground.”

As part of the curriculum, students have two of their negotiations taped, and then review the tape with their professor. **Brooke Krekow (JD ’09)** found this the most meaningful part of the course.

“It was really helpful to see where I could’ve been stronger as a negotiator, to see the hints that the other team gave that I could’ve capitalized on if I had been more attuned” she says.

Recognizing such opportunities and improving in the next negotiation is what the workshop is all about, Krekow says.

“Negotiation isn’t something you can learn through books,” she says. “You need to go through the program, make the mistakes, and learn from them.”

### **Expanding the Skill Set**

Once a student has completed the negotiation workshop, they can enroll in the Mediation Process and Advocacy Workshop. In this course, students focus on the process of mediation from two perspectives: that of the mediator and that of the advocate considering whether mediation is appropriate for a particular dispute.

The Center for Conflict Resolution (CCR), a nonprofit provider of mediation services and conflict management training, conducts a portion of the skills training in the course, and students who successfully complete the training can become certified and conduct actual mediations on behalf of CCR.

Students can also enroll in the Mediation Practicum, which combines their mediation experience with the study of mediation theory.

Krekow enrolled in the workshop. She says it expanded the skill set she developed in the Negotiation Workshop and gave her additional practice in a necessary professional skill.

“Negotiation set a foundation and mediation took things to the next level,” she says. “It teaches you to think on your feet, which is something lawyers need to be good at.”

Now a volunteer with the CCR, Krekow says her combined experience in negotiation and mediation has taught her different types of persuasion and different ways to handle different types of lawyers and clients, which translates into more flexibility when working on a case, both as a lawyer and a mediator.

“It has given me more choices to help get my client’s needs met,” she says.

---

### **Program Staff and Faculty**

*In addition to Director Lynn Cohn and Assistant Director Sheila Maloney, the faculty and staff of the Program on Negotiation and Mediation includes Program Coordinator Nancy Flowers, whom students adore for her smile and appreciate for her treats; Daniel Gandert, a fellow in the program for two years; as well as seven adjunct faculty members from diverse areas of practice.*

---

### A First-hand Education in Appellate Procedure

by Michael Paik (JD '08) and Simar Singh (JD '08)

Law course descriptions sometimes oversell a class's uniqueness, academic value, and practical importance. Then there are the courses where mere words cannot describe its significance to a student's educational and professional development. One such course was Professor Sarah O'Rourke Schrup's Federal Appellate Clinic.

We enrolled in the clinic during our final year of law school. As part of the course, we took responsibility for appealing a federal criminal conviction to the Seventh Circuit. Many lawyers never have the opportunity to appeal a federal case, let alone so early in their legal careers. Moreover, criminal appeals rarely involve the types of unsettled legal issues and prosecutorial overreach that became apparent as we delved into our case, a little green behind the ears.

#### Reviewing the Case

Our client was arrested and charged with one count of attempted bank robbery and one count of carrying a firearm to facilitate a violent crime. At trial, the prosecution argued that our client had donned a disguise, approached a bank while carrying a concealed gun, touched the bank's entrance, turned away without entering, and retreated to a getaway car driven by an accomplice. As he left, he was spotted and followed by a passerby, who directed police to the shoe store that our client managed. There, police discovered him, his accomplice, disguise materials, and a gun. After a three day trial, our client was convicted of both charges and sentenced to 11 years in federal prison.

After reviewing the trial transcripts and exhibits, we were pessimistic about the appeal. The physical evidence and accomplice testimony were damning. Our client had a prior bank robbery conviction and, when he took the stand, offered disastrous testimony in an ill-conceived effort to deflect responsibility. His convictions were no surprise. At one point, we wondered whether we would even have an appealable issue.

#### Difference of Opinion

Yet from the outset, something seemed amiss. While our client's 11 year prison term was at the minimum of sentencing guidelines, it seemed excessive for what had transpired. Our discomfort with the sentence led us to carefully analyze how the government charged our client, constructed its case, and ultimately won.

We scoured the record, spent countless hours on Westlaw, and brainstormed frequently with Professor Schrup. Finally, in the midst of reviewing the supposedly cut and dry case, we discovered a 2004

Fifth Circuit opinion that interpreted the federal bank robbery statute under which our client was charged in a way that required the prosecution to prove the use of actual force or intimidation. In our case, there was none.

We further discovered that several circuits disagreed. They interpreted the statute as requiring only an attempt, though their rationale was not nearly as persuasive as the Fifth Circuit. If we could persuade the Seventh Circuit — which had yet to weigh in on the issue — that the Fifth Circuit was correct, our client's convictions would likely be reversed.

As we contemplated the argument, we discovered that the government had relied far too heavily on improper propensity evidence to compensate for the lack of any actual force or intimidation and, further, lacked convincing evidence that a firearm was present at the crime scene. Together, these issues gave us more than enough to work with.

#### Presenting the Argument

By the time we had fully fleshed out our arguments and filed the first brief, our initial pessimism had turned to faint optimism. After receiving the government's reply and filing our response, we began to feel confident. As if the stars had perfectly aligned, just weeks before our oral argument, Seventh Circuit Chief Judge Frank Easterbrook issued an opinion addressing a strikingly similar issue and adopted exactly the Fifth Circuit's interpretive stance that we had argued for in our briefs.

As oral arguments approached, we were certain of the validity of our position and determined to convince the Seventh Circuit that our client's improperly obtained convictions should be reversed. In a last bit of luck, Judge Easterbrook was assigned to our case on the morning of our arguments.

We argued assertively before the Seventh Circuit on May 13, 2008. Our arguments were well received. On August 26, 2008, we received the court's opinion, which adopted most of our arguments, and we won.

#### Invaluable Lessons

While such a victory is incredibly satisfying, the nine months spent working on the case were perhaps the most enlightening and exciting of our law school careers. There was, of course, the incredible first-hand education in appellate procedure and legal writing, as well as the newly felt determination and motivation to win for a client, but far more profound and sobering were the realizations about the justice system that put him there in the first place.

Had the government charged and prosecuted our client's case properly, he would likely have been convicted and served in prison, but would have done so under a different statute and

for far less time. The ease with which the government was able to subtly stretch the law in order to obtain the longest possible sentence only leads us to question how often such tactics are used. Were it not for our research and legal analysis, our client would have been stuck with an unfair sentence without the strongest legal arguments for an appeal.

We are both now poised to take positions at large firms with litigation departments that do not review everyday criminal convictions. Yet our experience in the clinic has persuaded us to do just that through our pro bono hours, whether that be continuing our current client's case to the U.S. Supreme Court, or finding new clients who deserve just as much help.

## Alumni Profile

### Carol Genis (JD '88): A Career Built on Trust



From society's most vulnerable to major forces in the entertainment industry, Carol Genis (JD '88) has represented clients across the spectrum. Whatever the specifics of the legal problem, Genis says she believes there's one fundamental element that makes or breaks every case: the trust between lawyer and client.

"Trust is the key to successful client relationships," Genis says. "My experience in working with clients of the [Bluhm] Legal Clinic and learning the importance of trust shaped who I am today. At the clinic, I worked for clients who came to us with their life literally hanging by a thread. They entrusted us with their survival. That is an enormous responsibility and duty to undertake, and on the most fundamental level, it requires absolute trust."

Genis is a partner at Bell, Boyd and Lloyd LLP in the firm's Intellectual Property Department. She went to work at Bell, Boyd straight out of Northwestern Law and has spent her entire career there. After 10 years doing strictly litigation, she expanded her practice into transactional work and concentrates in intellectual property and entertainment law. She represents such big names as 20th Century Fox, film production company Relativity Media, and singer and songwriter Michael Bolton. In a recent transaction, the U.S. Olympic men's basketball team and Nike negotiated with Genis to use a 1983 rendition of "The Star-Spangled Banner" by the late, legendary singer Marvin Gaye as its theme song. Genis represents Gaye's name and likeness.

In addition to film and television studios, Hollywood entertainers, and major recording artists, Genis' clients include mutual fund companies, banking institutions, newscasters, authors, and manufacturers of food, golf products, liquor, pet products, toys, and games.

"What's great about my practice is how diverse it is," she says. "On any given day, I could be working on the development of a new brand of soft drink or a new golf club, or I may be working on a television show or musical CD."

Genis says she began practicing intellectual property litigation, in particular trademark and copyright litigation, from the very beginning of her career.

"Over time and particularly with the technology explosion, that work continued to multiply, so the main focus of my practice necessarily became IP," she says.

But she says she remains a litigator at the core.

"My litigation experience gives me a unique perspective in approaching transactional matters," she says. "When I put deals together, I foresee the consequences and try to build the agreements so that they are indestructible."

As an example, she cites a recent trial her team won for Relativity Media Principal Ryan Kavanaugh (whose films include *American Gangster*, *3:10 to Yuma*, *Hancock*, *Mamma Mia*, and *Atonement*) against Public Relations Executive Michael Sitrick, who attempted to undo his obligations under a prior agreement with Kavanaugh.

"There is nothing comparable to going to trial," Genis says. "Every cell in your body has to be focused on achieving the best possible result. Northwestern gave me the hard-core fundamentals to become a successful litigator and trial attorney. I consider myself extremely fortunate to have learned trial technique and negotiating skills from Professors [Robert] Burns, [Thomas] Geraghty, [John] Elson, and [Stephen] Lubet, and evidence from Professor [Ronald] Allen. The skills I use today came directly from them. I still have my class notes. That's how much I value what they taught me."

Based in Chicago, Genis spends a good deal of time in Los Angeles because many of her clients are in the entertainment business. She also spends as much time on Northwestern's Evanston campus as she can manage. She has long had season tickets for NU football and basketball, and she has sent her teenage son Brady to classes at the Center for Talent Development.

"To me, Northwestern is the best place on earth," she says. "Virtually every one of my friendships and professional relationships links back to Northwestern. I cannot overstate how important Northwestern has been and continues to be in my life."



### Children and Family Justice Center Wins Not Guilty Verdict and Implements Key Policy Initiatives

Faculty and students of the Children and Family Justice Center (CFJC) successfully represented a client charged with murder. The not guilty verdict was the product of a year's worth of investigation, fact analysis, legal research, and trial preparation.

The trial team was led by **Tom Geraghty** and **Carolyn Frazier**, and included the help of numerous current and former clinic students: **Lucy Stroup (JD '08)**, **Shira Weissman (JD '08)**, **Matt Schiltz (JD '08)**, **Heather Goldsmith (JD '08)**, **Tom Heisler (JD '08)**, **Alex Aixala (JD '08)**, **Kristin Berger Parker (JD '08)**, **Emily Quick Shriver (JD '08)**, **Kary Crassweller (JD '09)**, **Jeff Davidson (JD '09)**, **Kyle Olson (JD '09)**, **Dan Gold-Kessler (JD '10)**, and **Amy Palmer (JD '09)**.

The client and his family also received invaluable support from two Northwestern social work students under the supervision of Clinical Professor **Monica Mahan**.

In addition to litigation, CFJC faculty, staff, and students are working to advance three related policy initiatives: the Illinois Juvenile Defender Resource Institute, created to improve indigent juvenile defense across the state; the Immigration/Juvenile Defense Initiative, designed to reduce the severe consequences of immigration law and policy on juvenile or criminal court defendants; and the Illinois Coalition for the Fair Sentencing of Children, a statewide campaign to abolish the sentence of life without possibility of parole for the 103 Illinois juvenile offenders currently sentenced to die in prison.

### Illinois Supreme Court Reverses Conviction of Center on Wrongful Conviction Client

The Illinois Supreme Court unanimously reversed the conviction of longtime Center on Wrongful Convictions (CWC) client Alan Beaman and ordered a new trial, in the appeal from the denial of Alan's petition for post-conviction relief. This represents his first court victory since his conviction in 1995.

Beaman was wrongfully convicted of murdering his former girlfriend 15 years ago in Normal, Illinois. Beaman became a suspect in the murder because of the stormy nature of their prior relationship. He was indicted and convicted despite strong evidence that he was 140 miles away in Rockford, Illinois, at the time of the crime, and despite the complete lack of affirmative evidence (such as eyewitness testimony or a confession). In other words, the state's case was based solely on alleged motive and opportunity.

During post-conviction proceedings, the CWC defense team presented new evidence that further strengthened Beaman's alibi, and argued that the trial prosecutor had committed a Brady violation in

failing to disclose critical information about a viable alternative suspect. This John Doe was also a former boyfriend of the victim, lived just five minutes away from her, and initially gave the police a false alibi for his whereabouts at the time of the murder. In actuality, he had no alibi. The information that the prosecution failed to disclose to defense counsel included John Doe's drug-dealing relationship with the victim, his history of violence against other women, and his evasiveness during a polygraph examination.

The Supreme Court held that the prosecutor had a Brady obligation to disclose this information to the defense, and that his failure to do so violated Beaman's constitutional right to due process. Further, given the "tenuous nature" of the state's case against Beaman, there was a "reasonable probability that the result of the trial would have been different" had the jury heard the evidence about this alternative suspect. This was particularly true where the state argued to the jury that Beaman was the only viable suspect without an alibi.

Beaman was represented by Clinical Professors **Karen Daniel** and **Jeff Urdangen**. Former CWC students **David Lieber (JD '05)**, **Jacqueline Johnson Arana (JD '05)**, and **Rachel Julis (JD '07)**, among many others, all did wonderful work on this case.

### Students Help Latest Clients of Small Business Opportunity Center

Under the supervision of Small Business Opportunity Center (SBOC) Director Esther Barron, students **Leigh Rovzar (JD-MBA '09)** and **Joe Dwyer (JD '08)** helped Green Lizard Solar LLC, a solar panel design and installation company and eco-consulting group, form the LLC, review intellectual property issues, and draft a comprehensive customer contract.

The SBOC will continue its representation of Green Lizard Solar this semester, with students **Boris Khentov (JD '09)** and **Susan McHugh (JD '09)** working on an operating agreement.

The SBOC has also been engaged by a new non-profit organization, Evanston At Home Association. Evanston at Home is a member-driven organization that offers residents more than 50 years old support to help them remain in their homes as they grow older. Evanston at Home has already received considerable donor support and membership interest.

Working with SBOC Assistant Director **Steve Reed**, students **Hayley Smith (JD-MBA '10)**, **Andrew Fitzgerald (JD-MBA '10)**, **Maggie McTigue (JD '09)**, and **Leslie Garbarino (JD '09)** have assisted the organization with its incorporation and other important organizational matters, and are currently in the process of securing tax exempt status for the group. The SBOC will also assist the organization in negotiating and drafting agreements with key strategic partners and service providers, and in developing its membership material and procedures.

## Human Rights Advocacy Clinic: Making a Difference in Malawi

In March 2008, four clinic students from the Human Rights Advocacy Clinic accompanied Professor **Sandra Babcock** to Malawi on a project designed to reduce prison overcrowding and increase access to justice for pre-trial detainees. Accompanied by Professor **Bernardine Dohrn** and two European attorneys, the clinic delegation interviewed approximately 50 prisoners, reviewed over 27 case files, and worked closely with Malawian prosecutors, legal aid attorneys, and paralegals.

By the end of the trip, the Northwestern team had prepared legal opinions in 14 murder cases. If convicted, each of the accused would possibly face the death penalty. Northwestern students recommended that the charges be reduced to manslaughter in nine cases, and they recommended dismissal due to insufficient evidence in seven more. In addition, the team prepared 43 bail applications on behalf of men, women, and children who were without lawyers and faced years of pretrial detention.

As of June 2008, nine prisoners have been released on bail, and two prisoners pleaded guilty and were subsequently released. We expect that dozens more will be released in coming weeks.

The purpose of the visit was not to “fix” the problem of overcrowding in Malawi prisons. We are hopeful, however, that continued collaboration with our Malawian partners will allow us to make further inroads into the still overwhelming backlog in Malawi’s criminal justice system.

## Center on Wrongful Convictions Successfully Lobbies for New Law

The Center on Wrongful Convictions (CWC) held a Waiting for Justice forum this past February to discuss then-pending Illinois House Bill 230, which would create a more efficient means by which exonerees could become eligible for state compensation for wrongful incarceration.

A new system was sorely needed because under the law then in effect, the only way to become eligible for compensation was through gubernatorial pardon. Unfortunately, the waiting period for a pardon is often several years, even for indisputably innocent pardon applicants.

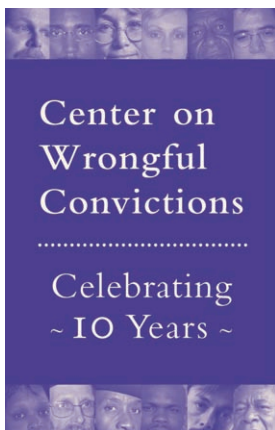
HB 230 provides that upon proper application, a circuit court may issue a certificate of innocence, which would make the exoneree eligible for immediate state compensation.

The Illinois House passed the bill in May 2007. The CWC’s action item at the Waiting for Justice forum was to lobby members of the Illinois Senate to likewise pass the bill, which it did in May 2008. The governor of Illinois then promptly vetoed the bill. Through the efforts of many supporters, including the original bill sponsor, Rep. Mary Flowers, and the chief Senate sponsor, Sen. William Delgado, both houses overrode the veto, and the bill has become law.

Clinical Professor **Karen Daniel** testified before the Illinois Senate Judiciary Criminal Law Committee and prepared written materials for the committee members. The CWC will file the very first petition under this new law on behalf of one of their deserving clients.

---

## Center on Wrongful Convictions Celebrates 10th Anniversary



On November 14, 2008, the Center on Wrongful Convictions (CWC) will celebrate its 10th anniversary by hosting a series of special events, including a reading of the award-winning play, *The Exonerated*.

The play, directed by co-author Jessica Blank, features three exonerees — Sonya Jacobs, Delbert Tibbs, and Gary Gauger (a former CWC client) — playing themselves. CWC co-founder **Lawrence Marshall (JD ’85)** will return to Northwestern Law to host the event, which takes place at 7 p.m. in Thorne Auditorium.

Prior to the play, the CWC will host an awards ceremony and reception. At this event, the CWC will present the Jane Beber Abramson Award to Ronald Safer of Schiff Hardin LLP and **Judy Royal (JD ’84)** for the hundreds of hours they donated to the CWC in exonerating Julie Rae Harper. The center will also present the Jenner & Block Award to the Hon. George Leighton for his lifetime achievements in the cause of justice. The reception begins at 5:30 p.m. in the Bluhm Legal Clinic (8th floor of the Arthur Rubloff building at Northwestern Law), and the awards ceremony will take place from 6:15 to 6:45 p.m.

Tickets for the play are \$100 for the general public and \$35 for students. Tickets for the awards ceremony and reception are \$250 and include admission to *The Exonerated*. A portion of the ticket price benefits the CWC. To order tickets, call the CWC at (312) 503-2391, or purchase online at [www.law.northwestern.edu/cwc/](http://www.law.northwestern.edu/cwc/).

**Children and Family Justice Center**

Bernardine Dohrn, *Director*  
312-503-0396  
TTY 312-503-4472  
cfjc@law.northwestern.edu

**Center for International Human Rights**

David Scheffer, *Director*  
312-503-8576  
d-scheffer@law.northwestern.edu

**Center on Wrongful Convictions**

Steven A. Drizin, *Legal Director*  
Rob Warden, *Executive Director*  
312-503-2391  
cwc@law.northwestern.edu

**MacArthur Justice Center**

Locke Bowman, *Director*  
312-503-0844  
l-bowman@law.northwestern.edu

**Small Business Opportunity Center**

Thomas H. Morsch, *Hochberg Family Director*  
312-503-0321  
small-business@law.northwestern.edu

**Investor Protection Center**

J. Samuel Tenenbaum, *Director*  
312-503-0210  
Investor-Protection@law.northwestern.edu

**Fred Bartlit Center for Trial Strategy**

Steven Lubet, *Director*  
312-503-6605  
slubet@law.northwestern.edu

**Program on Negotiation and Mediation**

Lynn Cohn, *Director*  
312-503-2598  
l-cohn@law.northwestern.edu

**Program on Civil Litigation**

John S. Elson, *Director*  
312-503-8573  
j-elson@law.northwestern.edu

**Appellate Advocacy Program**

Sarah Schrup  
312-503-0063  
s-schrup@law.northwestern.edu

**Externships**

Lisa Huestis  
312-503-8445  
l-huestis@law.northwestern.edu

**Cynthia Wilson**

312-503-2924  
c-wilson1@law.northwestern.edu

**Leonard Rubinowitz**

312-503-8381  
l-rubinowitz@law.northwestern.edu

**To make a gift to the clinic or one of its centers, please visit [www.law.northwestern.edu/giving](http://www.law.northwestern.edu/giving).**



©2008 Northwestern University. All rights reserved. 10-08/7.6M

NORTHWESTERN UNIVERSITY



Northwestern Law  
357 East Chicago Avenue  
Chicago, Illinois 60611-3069  
www.law.northwestern.edu

Thomas F. Geraghty, *Director*  
Steven A. Drizin, *Assistant Director*  
312.503.8576; fax 312.503.8977

Fall 2008

**News & Notes**

Nonprofit  
Organization  
U.S. Postage  
**PAID**  
Permit No. 50086  
Palatine, IL