

FACULTY & STAFF RECOGNITIONS – WINTER 2016-17



Professor Noa Ben Asher's article "The Two Laws of Sex Stereotyping" came out in Boston College Law Review this fall. Click [here](#).



Professor Emeritus Jay C. Carlisle taught the mandatory professional responsibility course to forty second year law students during the fall semester of 2016". In late January, he will deliver a New York Practice update in Manhattan for the New York City Bar Association. He continues to hear cases as a referee for the New York State Commission on Judicial Conduct and to serve as a commissioner for the New York State Law Revision Commission. He is a Senior Counsel to the White Plains law firm of Collier, Halpern, Newberg & Nolletti and has become a Director Emeritus for the Westchester County Bar Foundation. Each year, Pace Law honors two members of the Pace Law community with the Distinguished Service Award, which is given at the annual Law Leadership Awards Dinner. This year, Professor Jay Carlisle along with Chief Judge Janet DiFiore will be honored. The Awards Dinner will take place on March 8, 2017.



Professor David N. Cassuto spoke at a Vermont Law School Symposium on the Endangered Species and Animal Rights. He also participated in a symposium on the Animal Welfare Act at 50.



Professor Bridget Crawford's book, *Feminist Judgments: Rewritten Opinions of the United States Supreme Court*, was the subject of a two-day conference at the Center for Constitutional Law at the University of Akron on October 21-22, 2016. The conference brought together over 200 judges, law professors, attorneys and students to evaluate the role of perspective in judging. Professor Crawford also spoke at the University of Oklahoma City School of Law on September 10, 2016 about the use of asset protection trusts in estate planning. She presented her paper, "Tampon Tax, Equal Protection and Human Rights" at the New York University School of Law Center on Human Rights and Global Justice on September 23, 2016. The paper will be published in the *Wisconsin Law Review* in 2017.



Professor and Associate Dean of Environmental Law Programs, Jason J. Czarnecki gave an engaging talk for the launch of University of Ottawa's Food Law Society on October 7th. The lecture hit on critical issues surrounding advancement of sustainable and just food systems, including green procurement, eco-labels, and life-cycle costing. Professor Czarnecki has been working on a National Science Foundation funded project to bring underserved New York City schools the research tools and field training to design a new future for New York Harbor. He also recently lectured on the topic of eco-labeling and sustainable procurement at Columbia University, and his article "Benefits From Nature Are Not a Private Thing" was published in EarthDesk. Read more [here](#) and [here](#).

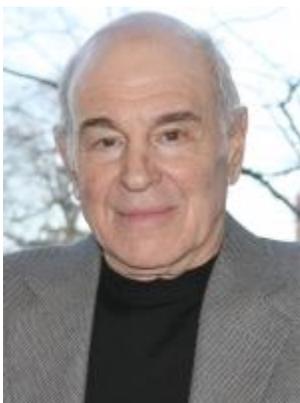


Professor James Fishman has been elected to the Board of Managers of the Lotos Foundation and to the Board of Directors of the Trollope Society (USA). The Lotos Foundation provides scholarships to young artists under the age of thirty, who live in New York City and are pursuing careers in the creative arts. It also provides awards to organization that further the artistic and scientific education of gifted young people in New York City. The Trollope Society consists of a group of devotees of the British novelist, Anthony Trollope (1815-1882), who wrote, in addition to 47 novels, an autobiography, a book on William Makepeace Thackeray, five travel books and 42 short stories. During most of his career, he was also employed full-time as an official in the Post Office. Professor Fishman gave a talk in June to the Boston Trollope Reading Group on the source of the author's first critical success, *The Warden*, whose source was a famous legal case. The lecture was based on a law review article Professor Fishman wrote some years ago. In October Professor Fishman participated in a panel discussion organized by Pace's Wilson Center for Social Entrepreneurship on "The Trump

Foundation, the Clinton Foundation and the 2016 Elect: What Does this Mean for Philanthropy.” During the campaign he was quoted about the Trump Foundation by the Washington Post, Politico and interviewed by Public Radio’s “All Things Considered.”



Adjunct Professor Elissa Germaine, who supervises the Investor Rights Clinic, collaborated on a series of articles published in the PIABA (Public Investors Arbitration Bar Association) Bar Journal, Volume 23, No. 2 (2016). She co-authored one article, *A 360 Degree View of Roles and Responsibilities Concerning Diminished Capacity: Financial Advisers’ Obligations to Clients, Lawyers Representing Clients, and Lawyers Preparing Their Practices*, with Nicole G. Iannarone of Georgia State University College of Law and Teresa Verges of the University of Miami School of Law. Professor Germaine authored another article in the series, *Lawyers’ Obligations When Representing Clients With Diminished Capacity*. In October, she moderated an expert panel, *Supervisory and Compliance Structures of Brokerage Firms: Focus on Conflicts of Interest*, at the PIABA Annual Meeting in San Diego.



Professor Bennett Gershman was honored last month by the innocence organization “It Could Happen to You” as the recipient of this year’s “Servant of Justice” award for his work on behalf of wrongfully convicted defendants. Professor Gershman also recently celebrated his fortieth year as a professor at Pace Law School.



In October, **Professor D. Shelby Green** moderated a webinar panel on the monthly program, *Professors' Corner*, presented by the ABA's Real Property Trust and Estate Law Section. The program was on adverse possession and whether the state of mind does or should matter. She also has a review appearing on Jotwell (an online source for article reviews): *The Passage of the Fair Housing Act of 1968: Stories To Be Told*.



Professor Lissa Griffin was interviewed by Law360 on the U.S. Supreme Court's ruling in the case of *Bravo-Fernandez v. U.S.* You can read more [here](#).

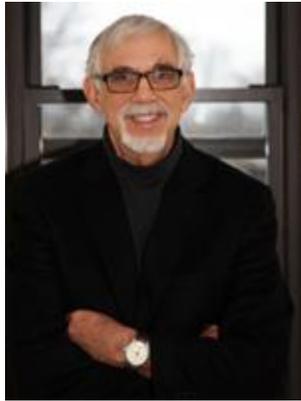


Professor Jill I. Gross appeared in a Neutral Workshop for FINRA's Office of Dispute Resolution entitled "Best Practice Tips for Chairpersons." See <http://www.finra.org/arbitration-and-mediation/neutral-workshop-audio-and-video-files> for a description. It is a training video for FINRA arbitrators who serve as Chairs.

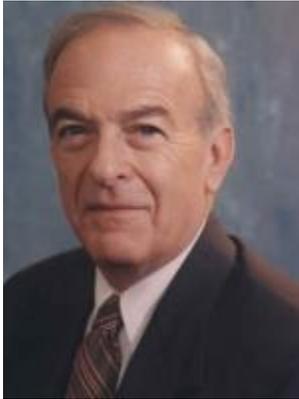


Professor Vanessa H. Merton and several members of the Immigration Justice Clinic have been conducting free informational workshops evenings and weekends to explain the legal rights of immigrants and provide brief informal consultations for individuals. Professor Merton notes, “it is very valuable for Student Attorneys to experience having to think on their feet and respond in public to open-ended questions about a wide range of topics, and to then have to quickly diagnose an array of legal problems and briefly explain their potential solutions: very different from a carefully planned meeting with an individual client when the lawyer already has documents and information about that individual, which of course the Student Attorneys do every day.” At these workshops — the most recent, at the Community Resource Center in Mamaroneck, drew well over 100 people — the Student Attorneys have to learn to navigate the line between giving legal advice, which is not done, and providing useful if generic information. The Student Attorneys especially emphasize how easy it is for immigrants to be ripped off by rogue lawyers and *notarios* and how careful immigrants must be in seeking representation. Professor Merton expects this work to become even more central a component of the Clinic as concern about possible and actual changes in Executive Branch Administration and/or legislation grows. In addition, the Student Attorneys in the Immigration Justice Clinic are currently handling: Second Circuit petitions for review; appeals to the Board of Immigration Appeals; a Deferred Action for Childhood Arrivals renewal and five applications for Special Immigrant Juvenile Status; about a dozen proceedings in Immigration Court, mostly for asylum-seeking women and children from Central America, and about ten affirmative applications for various statuses, including family-based green cards and a U Visa. They are anticipating recruiting pro bono first- and second-year students to be

supervised by the Student Attorneys in applying for renewal of Haitian Temporary Protected Status on behalf of about 100 clients. Recently, Professor Merton and the Clinic celebrated the U.S. citizenship of one of our East African clients, just in time for her to vote. Several volunteer attorneys, mostly IJC alums, contribute their time to help maintain the varied docket and offer the Student Attorneys additional perspectives on the challenges of immigration practice, and this semester the Clinic was most fortunate to have the benefit of international law expert **Professor Thomas McDonnell** participating as co-teacher and faculty supervisor.



In October **Professor Michael Mushlin** was interviewed by Brian Mann, a reporter for National Public Radio, as part of a segment broadcast nationwide on October 25th on “*All Things Considered*” on the need for prison reform and external oversight of America’s prisons. On November 15th Professor Mushlin spoke at the PLI (Practicing Law Institute) program on Prison Law. The title of his presentation was “*Let the Sunshine In: The Case for Independent Non-Judicial Prison Oversight.*” From November 17th to 19th Professor Mushlin attended a national convening on prison oversight entitled “*Out of the Shadows: The Promise of Independent Correctional Oversight*” at the Lyndon B. Johnson School of Public Affairs, University of Texas at Austin. At this conference Professor Mushlin was an opening speaker setting the context for the convening. He also was a discussion leader of a breakout session on citizen involvement in oversight and summed up the discussions of the participants on the first day of the convening. The purpose of the convening, which was attending by academics, prison administrators, and advocates was to develop a consensus about a strategy to promote the development of independent non-judicial oversight mechanisms for America’s prisons and jails.



Dean Emeritus Richard L. Ottinger was honored on November 15th with the Gold Honor Medal from the National Institute of Social Sciences. This medal has been presented since 1913 for “Distinguished Service to Humanity” to a small group of honorees. The honorees represent “outstanding achievement in the social sciences, law, government, education, philanthropy, the arts, medicine, science, and industry.” Additionally, at the Marrakesh Climate Conference (COP22), UNEP announced the publication of the *UNEP Guide to Energy Efficiency and Renewable Energy Laws*, which was completed largely in part by Dean Emeritus Ottinger.



Professor Nicholas A. Robinson Prof. Nicholas A. Robinson delivered three lectures, one each day, at an international conference in Singapore, at the National University of Singapore (NUS), on November 9-11, 2016. He provided a Keynote address for the celebration of the 20th anniversary of the Asia Pacific Center for Environmental Law (APCEL) on the international customary law duty of States to conduct environmental impact assessments, and provided a lecture on the 15th anniversary of the NUS Masters of Environmental Management degree, for which he was a consultant and the external examiner; that lecture featured his cross-disciplinary studies of the law of peat use and conservation, the first ever undertaken. The third lecture was the Keynote on the “Environmental & Sustainable Development Law in the Future,” for the 5th anniversary of the NUS Bachelor degree in environmental studies. He joined senior leaders from across Asia and abroad for this exceptional conference. He also organized and presided over a [panel on legal aspects of climate justice](#), such as those addressed in the Paris Agreement, at the 27th Annual Meeting of United Nations Legal Advisors on October 25, 2016. Professor Robinson’s report on the 2016 IUCN ACADEMY OF ENVIRONMENTAL LAW Colloquium in Oslo in June has just appeared

in print: Nicholas A. Robinson. “Environmental Law Colloquium – “The Environment in Court,”. 46 Environmental Policy & Law 243 (2016).



Executive Director of the Pace Energy and Climate Center and Pace alumnus Karl R. Rábago received an award for Solar Policy Leadership from MNSEIA.org



Professor Darren Rosenblum’s piece *When Does Board Diversity Benefit Firms?* will appear in *Stanford Journal of Law Business and Finance* in the spring of 2017.



Dean Emerita and Professor Michelle S. Simon authored a chapter in Professor Bridget Crawford’s book, *Feminist Judgments: Rewritten Opinions of the United States Supreme Court*.



Thomas H. Welby, P.E., Esq., '85, Adjunct Professor of Law (Construction Law), has been named by the American Arbitration Association to its Panel of Master Construction Mediators.

The logo for the Pace Energy and Climate Center at Pace Law School. It features a stylized blue and yellow 'C' shape on the left, followed by the text 'Pace Energy and Climate Center' in blue and 'PACE LAW SCHOOL' in smaller blue letters below it.

The Pace Energy and Climate Center was recognized for their Environmental leadership and vision by the New York State by the New York League of Conservation Voters. Additionally, **Executive Director of the Pace Energy and Climate Center and Pace alumnus Karl Rábago, Staff Attorney, Radina Valova, and Energy and Climate Law Advisor, Jordan Gerow,** published an agenda for transformation for the Utilities of Maryland. Additionally, Deputy Director, Thomas G. Bourgeois, published a Combined Heat and Power on Brownfield Sites report. **Executive Director of the Pace Energy and Climate Center and Pace alumnus Karl R. Rábago and Energy Policy Analyst, Pearl Gray,** hosted and moderated the "NY Power Puzzle Discussion on Energy Security" event in collaboration with the Canadian Consul General.