

Widener Law

Delaware Bench and Bar
Conference welcomes
Dean Linda L. Ammons

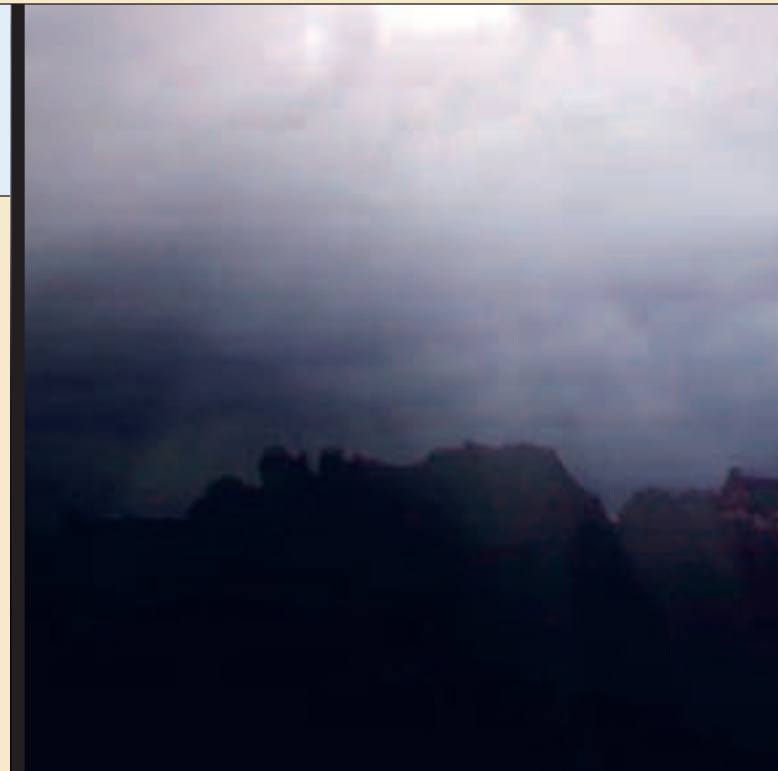


Domestic Violence: A national
tragedy behind closed doors

Immigration Law: Issues and
challenges within our borders

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Widener University School of Law Magazine

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“I am thankful for the contributions of those who have preceded me in leadership at this fine institution, and I am looking forward to building on their legacies.”

DEAR ALUMNI AND FRIENDS: This is a time of new beginnings for the Widener University School of Law. Widener Law begins its thirty-fifth year this fall, and this is my first semester as the newly appointed dean. I am pleased to be joining Widener University, and I look forward to my affiliation with our law alumni and the greater legal professional communities in Delaware, Pennsylvania, and New Jersey. ■ The first issue of the 2006-2007 school year is devoted to two very important, timely topics: immigration and domestic violence. Immigration has been a provocative issue in the media, in Congress, and on the streets of America. On page 6, Professor Jill Family discusses her research interests concerning the reviewability of immigration in the federal courts. Widener Law also holds the distinction of placing the first legal extern in the York, PA, Immigration Court. Russell Wert, a member of the class of 2007 on the Harrisburg Campus, tells his story on page 8. ■ October is Domestic Violence Month. Because I have spent many years teaching, lecturing, and publishing scholarly articles on this topic, I am particularly pleased that we are focusing on this family law, public health, civil, and criminal justice issue. A series of articles has been provided by a variety of legal professionals and a student engaged in domestic violence issues. Student Matthew Warren writes about time spent in our Delaware Civil Clinic. Professor Dana Harrington Conner provides a thoughtful reflection on clinic clients. Chief Judge Chandlee Johnson Kuhn discusses the Delaware Girls Initiative and the crisis of girls in the juvenile justice system. Randi Blackman Teplitz tells how working with the Pennsylvania Civil Law Clinic led to a career in serving victims of domestic violence, and Angela Halse, an '03 graduate, explains the amendments of the 2006 Pennsylvania Protection from Abuse Act. ■ In addition to these fine articles and our regular columns, there is a tribute to the late Captain Shane R. M. Mahaffee, who was slain while on active duty in Iraq. ■ Finally, I discuss with our Public Relations Officer Mary Allen some thoughts on the future of Widener Law on page 4. ■ Widener Law has made tremendous progress over these past 35 years. I am thankful for the contributions of those who have preceded me in leadership at this fine institution, and I am looking forward to building on their legacies. I know that, with your support, Widener Law's best is yet to come! ■

SINCERELY, DEAN LINDA L. AMMONS

Dean Linda L. Ammons introduced herself to the Delaware legal community on June 7 during the annual Delaware Bench and Bar Conference presented by the Delaware State Bar Association. The event, held at the Chase Center on the Riverfront in Wilmington, drew more than 650 people. Ammons spoke briefly during this annual meeting and introduced herself as an energetic and enthusiastic new force behind the law school: a leader who is interested in strengthening partnerships with the local legal community and forging new paths to success. She also attended a post-meeting reception, where she mingled with alumni, judges, and attorneys. ■ ■ ■



Dean Ammons pictured with: 1. Delaware State Bar Association President Geoffrey Gamble, 2. Delaware Superior Court Judge and member of the Board of Overseers Susan Del Pesco, '75, 3. Delaware Superior Court President Judge James T. Vaughn Jr., and Delaware Superior Court Judge Peggy L. Ableman, 4. Retired Delaware Supreme Court Justice, adjunct faculty member and law school board overseer Joseph T. Walsh, 5. Retired Delaware Supreme Court Chief Justice E. Norman Veasey at the podium.

QUESTIONS & ANSWERS



with
**Dean Linda
L. Ammons**

Congratulations on being named seventh dean of Widener Law. What was your reaction when President Harris announced his decision?

I was thrilled. During the interview process, I learned more and more about this institution. After weighing various options, I had decided that if I was made the offer to become the next dean, I would not hesitate to accept because I'd discovered this is a remarkable law school and I wanted to be part of its future.

How does it feel to instantly make history at Widener, by being the School of Law's first woman and first African-American dean?

It feels good. It feels great. It's humbling in a way to be a part of history. There are a lot of people watching and cheering, and many were very happy because they understand there are people out there with all kinds of gifts and talents that come wrapped in all kinds of packages. I am delighted this institution understood the importance of bringing in not only a committed professional, but someone who is wrapped a little differently than previous deans.

What is your vision for the future of Widener Law?

I am excited about the future. This law school is only 35 years old, and I've seen what it has done thus far. I think we are on the cusp of moving from being a very good law school to being a great law school. We have faculty scholars who this past year alone published more than 40 articles and books, and scholarship is the coin of the realm in academia. We have committed teachers who are producing not only people who can practice law, but are also working to influence how law is made and what the law is.

I see a lot of different directions in which the school could go. I like the fact that there is a focus on community engagement, particularly in the law clinics. That's where we do what lawyers are really trained to do: solve problems."

Our two locations make us rather unique. Our place in the heart of corporate America makes me want to expand the business program to become as well known in corporate and business law as we are in health law. I also want to build upon the trial advocacy program. Our law and government program in Harrisburg should be second to none. We are in the capital of the sixth largest state in the nation. We ought to be able to produce even more lawyers who can go out and influence not only the state of Pennsylvania, not only the state of Delaware,

but the nation as well. Leaders in our nation often have law backgrounds. I am hoping — no, planning— for us to expand our law and government program in Harrisburg to boost its national recognition. I cannot say enough about Professor John Gedid’s contributions to it. I am just excited about the opportunity to do more, particularly because of my background coming out of government.

How do you hope to lead the School of Law?

My leadership style can be modified based on circumstances. I am going to be very busy doing important external work, which means that in terms of my leadership style, I will be one to delegate. Through delegation you get to see what people’s gifts and talents are. It excites me when people expand their own abilities and experiment— perhaps do things they didn’t think they could. I am always willing to push people just to see what more they can do for themselves and for the institution. So I will delegate to the extent that is appropriate and efficient. We have a lot of talented faculty and staff on both campuses. I want to give them the freedom to really show what they can contribute.

“I like the fact that there is a focus on community engagement, particularly in the law clinics. That’s where we do what lawyers are really trained to do: solve problems.”

How do you think your world view as a woman and a minority will differentiate your leadership from those who have come before you?

Being a minority and being a woman provides you with a different set of lenses with which to view the world. You’ve got to know more than one way to look at an issue. My background allows me to look at things from different angles, whereas if I were someone else, perhaps I would not have been exposed to those ways of life, those points of view. So it gives me, I think, a broader view because I was brought up in a dominant society. I was brought up in a majority

society. But at the same time, I am also a member of different communities. So to me, it’s enriching. How that affects the way I lead Widener Law, well it perhaps will open some doors that might not have been open until now. And we have to be inclusive these days. It’s beyond being morally and ethically correct. It’s about being efficient and being a player in the global market. We have to know how to reach out to diverse populations. We have to listen to people, and I think being a minority and a woman has taught me a bit about that.

You have demonstrated a real commitment to public service in your career, particularly in your work on behalf of domestic violence victims in Ohio and nationwide. Can we expect an even greater emphasis on community engagement by the Widener Law community during your tenure?

I hope so. From what I’ve learned thus far, I see Widener actively engaged in a number of ways, through the domestic violence clinic work, veterans’ program, and other pro bono work. I hope that we will find new and better ways to expand because community engagement is very important to me. I consider being a part of the legal profession a privilege, not a right. And with privilege comes responsibility. That’s something my mother always taught me. And because of that, I believe as lawyers we have an obligation to give back. The first place students learning to be legal professionals should get that experience is in law school. I believe when students get a taste of giving back, those experiences stay with them for life. They should remember that because of the privilege of the practice, they have a responsibility to do something that benefits not just themselves and the clients who can afford to pay, but for others who need help too.

What did you learn as associate dean at Cleveland-Marshall College of Law that will help you in this new leadership role?

Cleveland-Marshall is the largest public law school in Ohio. Never giving up and patience were definitely lessons for me. I’ve learned that sometimes just listening to people will make their day, whether it be students who are not feeling so great about their performance on an exam and need encouragement, or a faculty member who is stuck trying to get some research done, or administrators trying to work with the university. Working with the bench and bar and alumni was also very rewarding. Cleveland-Marshall provided me a forum, an opportunity, to learn a lot about legal education. ■

By Mary Allen



Immigration Law

The Many Sides of Immigration Law and Policy

By Jill E. Family

AT FIRST GLANCE, immigration law might appear as a narrow and secluded area of the law. While practicing and studying immigration law does require focused expertise, immigration law, in fact, has strong connections to many other areas of law, and the field itself is diverse. The number of immigration cases in the federal courts has increased greatly over the last five years. This increase has led to court reform proposals that exemplify the nexus between immigration law and other legal issues.

The field of immigration law is quite diverse. For example, an attorney who practices immigration law may represent a U.S. employer who wishes to hire foreign nationals, a family member who wants to bring a relative to live in the United States, an individual seeking asylum due to persecution in his or her home country, or a foreign national fighting removal from the United States. Representing each of these clients requires different skills and knowledge. There are also a myriad of perspectives from which one could approach the academic study of immigration law. For example, an international human rights perspective focuses on the international treatment of migrants. A constitutional perspective questions how and when the U.S. Constitution protects non-citizens. A third perspective examines how immigration law mixes with administrative law, focusing on the laws that govern how federal agencies execute the immigration laws.

My research approaches immigration law primarily from an administrative law perspective, focusing specifically on the role of the federal courts in reviewing the immigration-related determinations of federal agencies. For example, I am interested in litigation concerning legislation Congress passed in 1996 that limits the jurisdiction of the federal courts over immigration cases. This litigation raises the question of when Congress wholly may eliminate federal court review of administrative action.

There is an interesting legal phenomenon at play here. I mentioned earlier that the number of immigration cases heard by the federal courts has increased. How could that happen if Congress narrowed the scope of federal court jurisdiction over these cases? Space limitations prevent full consideration of this issue here, but this issue brings us to the intersection of immigration law, administrative law, and the federal courts.

This intersection has not eluded policymakers. The role of the federal courts in reviewing immigration cases is a subject of immigration reform proposals. Two proposed federal court reforms have emerged from the recent immigration reform debate: a certificate of reviewability threshold requirement for those seeking federal court review and the geographic consolidation of all immigration appeals from the regional courts of appeals to the United States Court of Appeals for the Federal Circuit. At press time, negotiations over immigration reform are not yet complete, so the fate of these proposals in 2006 is not yet known. Nevertheless, these proposals are on the agenda of influential policymakers.

Supporters of these two proposals, including the U.S. Department of Justice, argue that these reforms are needed to temper and manage the number of immigration appeals filed in the federal courts and to discourage foreign nationals from filing federal appeals as a means of delaying removal from the United States. The Judicial Conference of the United States and the American Bar Association, among others (including retired and active courts of appeals judges), expressed opposition to the proposals. Also, I had the opportunity to draft a letter, ultimately signed by over sixty law professors, expressing concerns with these provisions.

Objections to the consolidation provision include a concern that it threatens the tradition of favoring the use of regional courts of appeals of general jurisdiction as opposed

Just as the category of immigration law deceptively may seem isolated and contained, the topic of immigration reform represents a highly diversified set of issues that are interconnected with broader legal questions.

to specialized courts and apprehension that the proposal fundamentally would change the character of the Federal Circuit. There is also concern that consolidation interferes with internal court management and simply would shift the location of immigration appeals without first questioning whether the increased number of appeals is indeed a problem. And if it is, what is the cause of the increase? The certificate of reviewability requirement also raised substantial unease, as it imposes a new hurdle to federal court review of cases implicating individual liberties.

These two federal court reform proposals represent only one facet of immigration reform in 2006. Just as the category of immigration law deceptively may seem isolated and contained, the topic of immigration reform represents a highly diversified set of issues that are interconnected with broader legal questions. The study of immigration law presents many fascinating issues and opportunities to consider challenging legal questions that are not as narrow or as secluded as they first may appear. ■

Jill E. Family is an Associate Professor of Law at Widener's Harrisburg Campus, where she teaches administrative law, civil procedure, and immigration law. Her research focuses on immigration law, specifically judicial scrutiny of immigration administrative action and the intersections of immigration law with other substantive areas of law.

Law & Borders

Russell Wert '07 blazes a trail as York Immigration Court's first extern.



Third-year Harrisburg law student Russell Wert has traveled the world, including a tour of Iraq with the 157th Military Police Company, and witnessed foreigners dreaming of a better life in America.

"All they want to do is come to the U.S., make a living, and have two weeks vacation a year and raise their family," he says. "It's unfair to label them as bad people. Every American has, at least at one point in time, gone through that experience somewhere in his or her family history. But if you break the law, then that's that."

As an extern for the York Immigration Court (York, PA) Wert works with a staff of five government attorneys prosecuting immigrants who have committed crimes here. Most defendants are legal residents—but not citizens—arrested for crimes such as selling drugs or stealing cars. They are tried at the court adjacent to the York County Prison, and if found guilty, may be deported. "If they commit a felony, it's almost guaranteed removal," Wert says. "The only thing that can save them is the Convention Against Torture."

Organized by the United Nations in 1987, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment seeks to preserve human rights and

has been ratified by more than 140 countries. Article 3 states: "No State Party shall expel, return ("refouler") or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture."

"The burden is on the alien, and it's a hard standard to meet. For example, they may have serious problems with vigilante groups in their country, but that's not the government."

Wert compiles evidence packets to bolster the government's argument that the defendant would not be subject to torture if deported. Based on a defendant's claim, he researches their backgrounds and affiliations with guerilla groups and gangs, such as South America's MS-13.

"My job is to reveal their actual political status so we can say 'this is what actually happened' and . . . expose them," Wert explains. "The burden is on the alien, and it's a hard standard

to meet. For example, they may have serious problems with vigilante groups in their country, but that's not the *government*"

Wert is the immigration court's first extern and is hoping to blaze a trail for future Widener Harrisburg law students.

"I've been very fortunate," he says. "In my first year after starting law school, I got the chance to write an appellate brief. My name was on it, and it went through, and was reviewed by the board of immigration. Not many people get the chance to do that."

A graduate of Shepherd College (now Shepherd University) in West Virginia, Wert is at home in Harrisburg's small campus environment. He makes special mention of Widener's flexibility when he was called up for service in Iraq—he'd already been accepted to the law school—noting how other schools did not offer similar cooperation. Combine that with personal attention and faculty accessibility, and the fit is just right for Wert.

"I met Dean Simcox one time, and she knew my name from that moment on," Wert recalls. "The professors' doors are open all the time, and I can just walk right in and ask questions; they're more than happy to talk. That's really what I like about Widener." ■

A message from the executive council



“Our Alumni Association has now grown by 423 members, and we welcome the Class of '06.”

DEAR ALUMNI AND FRIENDS: The summer of 2006 was a very exciting one for our law school. We welcomed Dean Linda L. Ammons in July. She brings to Widener Law a new energy and direction that will continue our tremendous progress. We look forward to Dean Ammons' leadership and a new era of success. ■ The Philadelphia Reception on March 23 was another resounding success with close to 300 alumni, friends, and judges enjoying the atmosphere of the Ritz Carlton. The event raised more than \$14,500 for the school and was a great opportunity for camaraderie and alumni reunions. This year we welcomed many third-year students who truly enjoyed the evening. Please watch your calendars for next year's event! ■ The law school's golf outing on May 15 hosted more than 80 alumni and friends at the beautiful Radnor Valley Country Club in Radnor, PA. Over \$3,500 was raised this year to benefit the Loan Repayment Assistance Program, which assists recent alumni who have chosen public interest legal careers. We want to support this worthy cause to an even greater degree, so next year, plan on attending with your fellow graduates and friends. ■ We are also pleased to announce that student involvement in the Public Interest Resource Center directed by Professor Arlene Rivera Finkelstein has tripled in the last year. I highly recommend your involvement in the Center's Pro Bono Partnership Program in which students partner with lawyers on pro bono cases. We lawyers benefit, the clients benefit, the community benefits, and so do the students. The students receive neither remuneration nor credit for their assistance, but they gain tremendous experience and benefit from working with alumni. For additional information, send an e-mail to Professor Finkelstein at PIRC@mail.widener.edu. ■ Please take a moment to reflect on how Widener Law has impacted your life. Consider a gift—or an additional gift if you have already made one—to the program you feel most comfortable supporting. We depend on you and hope you will donate at least one of your billable hours to your school. ■ Our Alumni Association has now grown by 423 members, and we welcome our newest alumni, the Class of '06, to our family. Please stay involved with your law school and support our functions whenever you can. We look forward to seeing you soon. ■

SINCERELY, STEVEN P. BARSAMIAN

Alumni Association

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DOMESTIC VIOLENCE

Societal Views and Survivors of Domestic Violence: *Asking the Right Questions*

By Dana Harrington Conner

As part of my work as an associate professor with Widener University School of Law, I supervise students participating in the Delaware Civil Clinic (DCC). The primary focus of the clinic is the representation of victims of domestic violence seeking protection from their abusers, as well as enforcement of those orders through civil contempt proceedings. Through their clinic experience, students are given the opportunity to learn the importance of public service and to provide equal access to justice to those who desperately need assistance. In calendar year 2005, DCC students closed 80 cases representing 1,676.85 hours in volunteer time.



In addition to my work with the clinic, I also teach other classes, one of which is a seminar in domestic violence. I begin my seminar by asking students to discuss their views about domestic violence. Each year I hear a recurring theme, “Why doesn’t she just leave?” Law students, however, are not the only individuals guilty of this way of thinking. I hear the same question from some members of law enforcement, the bar, and the public.

Many factors act as a barrier to a survivor of domestic violence, preventing the victim from leaving an abusive relationship. And despite a wealth of resources on the issue, many continue to blame the victim for her circumstances or simply fail to understand her plight. Societal views about intimate partner violence, the dynamics of the relationship, cultural issues, and the response from some members of our legal system thwart the efforts of many battered individuals.

Because domestic violence has become such a national issue, it is natural to believe that things are changing, and they are. But we still have some work to do. On average it takes a victim five or more attempts at leaving before she can safely and permanently stay away. Moreover, there continues to be a general lack of understanding about how difficult it is for survivors to leave.

Recently one of our interns had the unfortunate opportunity to witness the dismissal of a criminal charge against the abuser of one of our clients, despite good evidence that showed that our client sustained serious physical injury at the hands of her husband. The student had a difficult time understanding how this could happen to a victim today, given the evidence available.

I do not write this article to point the finger at others or lay blame. I, too, am not immune from responsibility and hope that in writing this piece, I will help others recognize the flaws in our system and ourselves. A number of years ago, our clinic represented a survivor of domestic violence who taught me a valuable lesson. The abuse our client endured for many years at the hands of her husband was excessive and brutal. Despite the acts of violence, she never contacted the police. As a result, there were no police reports or prior convictions to support her allegations. Further, in this case there was no other evidence of domestic violence. We had no hospital reports, photographs, or witnesses who observed acts of violence or past injuries other than the client and her child. The child was unwilling to testify, and the client refused to call the minor as a witness, fearing that compelling the child’s testimony would further traumatize her. Initially, our client’s desire to protect her daughter was viewed by our office as an attempt to hide evidence. We could not have been more wrong.

I am uncomfortable to admit that although I had been handling domestic violence matters for a number of years before this case, represented numerous survivors, studied

extensively in the area, and believed I understood the issues, I had trouble accepting our client’s story. This particular situation is not uncommon: Domestic violence cases generally lack evidence and involve facts that are difficult, if not impossible, for the average individual to believe. All we had was our client’s word, and she had provided a story of violence which caused us to question her ability to survive, for so long, under such circumstances.

When asked why she never contacted law enforcement, the client responded that the state would have taken her child away had they entered her home, a threat that the abuser often made to her. The client truly believed that if she called the police, they would place the child in their care. Given her situation, the client may have been correct. Her abuser knew this to be true and used the threat to control her actions.

Why had no other living person ever witnessed any act of violence or observed any injuries given the long history and severity of the abuse? The answer is simple. Domestic violence happens behind closed doors. This individual never entertained, her child had no friends, and no person—other than the abuser, the victim, and the child—entered that home. Moreover, our client had virtually no contact with family or friends as a result of the perpetrator’s efforts to control her every move.

The answer to why this woman and countless others like her remain in abusive relationships for so many years is complicated. As we know, the most dangerous time for a victim is when she leaves. Statistics show that the majority of women who are killed by their intimate partners recently separated from that individual. In addition, we as a system fail to provide the resources necessary for the battered woman to

Why had no other living person ever witnessed any act of violence or observed any injuries given the long history and severity of the abuse? *The answer is simple. Domestic violence happens behind closed doors.*

stay away. Although civil protective orders often provide for financial support, perpetrators frequently disobey those court orders. DCC clients often return to court, as do many victims, on motions for contempt due to the abuser’s failure to pay support. In some cases, the only option is incarceration, due to the abuser’s repeated failure to comply with support obligations. The end result for some victims and their children is homelessness, an outcome that many abusers intend as a way of once again gaining control over the situation. Fear, desperation,

In this case, as in all domestic violence cases, it is important to explain to the battered person that there is a possibility that she or he will not prevail in court, an outcome that can place the victim in greater danger.

necessity, the children, and so many other reasons cause survivors to choose life, no matter how miserable, over leaving.

After we had an opportunity to speak with the client, the student and I met to consider case acceptance. Although the outcome in court could possibly be unsuccessful, the student and I agreed that this was a classic case of domestic violence, and without our assistance, she would not pursue the matter. In this case, as in all domestic violence cases, it is important to explain to the battered person that there is a possibility that she or he will not prevail in court, an outcome that can place the victim in greater danger. Without a protective order, the perpetrator is free, after case dismissal, to return to the residence. As a result, safety planning is essential. The attorney or a trained advocate must discuss with the client what to do while awaiting trial and what resources are available if a protective order is not granted. In this case, the client was ready to leave, and she understood the risks of staying, as well as the risks of leaving.

With our assistance, the client filed a civil petition for protection from abuse, and a hearing was scheduled. Unlike the vast majority of cases that are resolved by agreement of the parties, the perpetrator refused to enter into a consent agreement (a fully enforceable court order entered by agreement of the parties), so the case went to trial.

As the client testified, I could not help but think, “If half of her story is true, how did she live all these years under such conditions?” Further, if I was having such a hard time accepting her story, how would the court react? The perpetrator stated that he did not have any questions for our client, so she stepped down. And then something happened that I rarely experience; the respondent testified that everything our client said was true and more. It was at that moment that I realized how important it is not to prejudge the case or the client. I could see how surprised the hearing officer was by the respondent’s admissions and how skeptical she had been while our client was testifying, but I was too.

A number of years have passed since we represented this client, and in that time I have had the honor of working with

many survivors with similar situations and stories. I try to remind myself that case acceptance should be based not on which cases will be won in court but on the basis of who most needs our help. This is not an easy job when trying to balance the need to provide a positive experience for our student interns with the desire to help those seeking to end the violence in their lives.

The outcome for this client was positive, but so many cases do not end this way. For many victims of domestic violence, there is no intervention. They live with the abuse on a daily basis, and we as a society fail to believe their story when they finally find the strength to seek help. For the average individual, it is difficult to understand why the battered woman does not leave the abusive relationship. We want to believe that if the abuse is real, the answer is as simple as getting up and walking away.

Until we as a society change our way of thinking and come to understand that the unbelievable is true, we will never stop the violence. The first step may be as simple as shifting our focus to those individuals who truly need to alter their behavior; only then will we begin to ask the right questions. ■

Associate Professor Dana Harrington Conner teaches in the areas of domestic violence and professional responsibility at Widener Law. She is the current director of the Delaware Civil Clinic (DCC), supervising law students admitted to the limited practice of law. The primary focus of the DCC is the representation of victims of domestic violence.

Until we as a society change our way of thinking and come to understand that the unbelievable is true, we will never stop the violence.



Raising the Bar: *Amendments to Pennsylvania's Protection from Abuse Act Increase Safety for Victims* By Angela Halse '03

IMAGINE THIS: You are sitting in a bathtub of very cold water and you are shivering. This is not your choice. Hanging above your head is a plugged-in hairdryer. The hairdryer is being held by the person who professes to love you. This person is threatening to drop the hairdryer into the bathtub unless you promise not to tell your friends or family. What do you do?

NOW IMAGINE THIS: You are pinned down on your bed. A loaded gun is held to your head by the person who professes to love you. The chamber of the gun clicks slowly three times before you are released. Why was the gun held to your head? You had just asked for a divorce. Would you stay or leave?

These scenes actually happened behind the closed doors of Chester County, PA homes. Did these abusers leave any physical marks? No. But the psychological bruises inflicted on their victims remain for years and could well be permanent. The most intelligent abusers do not leave physical marks. Many victims of domestic violence are too frightened to seek help. However, those who do reach out may find some comfort in amendments to Pennsylvania's Protection from Abuse Act.

Effective May 10, 2006, the following amendments to Pennsylvania's Protection from Abuse Act went into effect:

■ The plaintiff may not be charged any fees for filing a

PFA, serving the order, or withdrawing the order (*even for non-appearance*). Prior to the amendment, the plaintiff could be charged for withdrawing the order and associated costs.

■ At the initial court proceeding where the plaintiff requests a Temporary Order on an ex parte basis, the judge may order the defendant to relinquish ALL of his/her firearms—even if those weapons were not used or threatened to be used during the abuse. Additional factors the court can consider to order relinquishment of weapons include whether the abuse resulted in injury, whether the abuse occurred in public, and whether the abuse included excessive drug or alcohol abuse.

■ The statute clearly defines the terms "firearm" and "weapon". The definition of "firearm" includes both long and short guns.

■ The new amendments outline a number of specific procedures for relinquishment of the defendant's firearms and other weapons to the sheriff, licensed firearm dealers, and qualifying third parties. Penalties for the defendant's failure to relinquish firearms/weapons within the timeline specified and procedures to follow before the return of firearms/weapons to the defendant have also been enhanced.

■ Before awarding the defendant custody, partial custody, or unsupervised visitation, the judge must now

consider whether the defendant poses a RISK of abuse toward the children or poses a RISK of criminally interfering with custody of the children.

■ The defendant must pay an additional \$100 (*up from \$25*) surcharge if the defendant unsuccessfully contests the PFA order claims.

■ A final PFA order may remain in effect for up to three years. (*Previously 18 months.*)

■ A defendant who is found guilty of violating a PFA order will be assessed a fine of at least \$300 (*up from \$100*) and may be subject to supervised probation (*a new penalty option*) or prison time. At the request of the plaintiff, a conviction for indirect criminal contempt of a PFA order shall now warrant the extension of the PFA order for another term (*up to an additional 36 months*).

■ The confidentiality privilege is extended to interpreters assisting victims during the course of a victim/advocate relationship.

Hopefully, these improvements will encourage more Pennsylvania victims of domestic violence to come forward and utilize the PFA process to keep them and their children safe.

To view a complete listing of the amendments to the act, visit the Pennsylvania's Coalition Against Domestic Violence (PCADV) website at www.pcadv.org.



Adventures in Retirement: A former Widener Law professor helps North Carolina families in crisis.

When Christine McDermott retired from Widener Law's Delaware Campus in 2004 and moved to rural North Carolina, she envisioned an active retirement full of her favorite activities—volleyball, singing, and walking her dogs in the countryside. Instead, she is busier than ever, working 45 to 60 hours per week as the Executive Director of Asheboro's Family Crisis Center.

McDermott, a full-time faculty member from 1994 through 2004, and Visiting Professor from 1988-94, taught classes such as criminal law, domestic violence, and managed the Delaware Civil Clinic. Several years ago, she and her sisters bought 20 acres of land and built retirement homes surrounding a pond in central North Carolina's Moore County. Soon after moving to the area, McDermott found a part-time position teaching criminal justice at Asheboro's Randolph Community College. A student, knowing McDermott's background, told her of the desperate need for an executive director at a local women's shelter. McDermott has been on the job for about 18 months.

The Family Crisis Center operates a 22-bed shelter and a 24-hour crisis hotline, in addition to offering support group sessions for women and children. At the request of the county's judges, two center employees, specially trained by the local court, assist pro se plaintiffs in completing protection from abuse petitions. They also accompany the women to hearings.

McDermott emphasizes that she is not doing any legal work. On the contrary, her time is spent fund-raising and educating community groups, including high schools and churches, about topics such as domestic abuse and date rape; and dealing with myriad personnel and budgetary issues.

McDermott does whatever is necessary to keep the operation going, including picking up donated merchandise from local stores for the thrift shop that helps fund the center. In describing the diverse nature of her work, she says: "I write grants, and I move furniture. Everybody here has to be able to use a plunger, find the circuit-breaker, and counsel clients in crisis." Finding funds

to keep the center in operation is an ongoing challenge for McDermott. But her unwavering determination to fight domestic violence motivates her to work in conditions that might discourage others.

In Delaware, McDermott experienced a family court system that puts a high priority on fighting domestic violence. She notes, though, that in many parts of the country—particularly in rural areas—a lack of resources and a tradition of tolerating violence toward women foster a climate of domestic abuse.

"There is concern for the victims but not enough to hold the abusers accountable," she says. "The system doesn't want to be bothered because the victim often drops the charges, and the victim drops the charges because she feels like she is not getting any help. It is a vicious cycle."

But it is a vicious cycle that the "retired" Christine McDermott is determined to break in her new community through education and comprehensive services to abuse victims. ■

Professor McDermott would enjoy hearing from former students and colleagues.

Her mailing address is Randolph County Family Crisis Center, P.O. Box 2161, Asheboro, NC 27204-2161. E-mail: cmm0002@mail.widener.edu.

Lessons Learned *from the Delaware Civil Clinic*

By Matthew M. Warren '06

When I was originally applying to the various clinics offered at Widener University School of Law, the subject matter was not of primary importance. I was more concerned with practical matters, such as proximity to my job and home. Now, after a semester of hard work and reflection, I must say that I received more of an education than I ever bargained for.

Coming into the clinic, I knew nothing about domestic violence and its effects. I was of the mindset that if someone is in an abusive relationship, he or she should just leave. Now I know it's just not that simple. These abusers don't operate under the same rules that you or I do. I was talking with my supervisor, and she was discussing a former client who was eventually murdered. It became all too real then. I suppose that because I'd never witnessed that type of abuse, I didn't think it occurred with such staggering frequency—or that it could end in death. It was incomprehensible. I remembered that story when I was preparing for a hearing I was handling for a battered woman. During two weeks of late nights in the clinic intake room, I thought to myself, "What I do here needs to be perfect. If I don't do my job right, my client could be killed." It is a very sobering thought.

While the work that we do can not, in total, protect a client from abuse, it does provide some protections. Hopefully, it provides the impetus for someone to escape the abuse. I have learned why victims can not simply walk away from abusive relationships. Many times the abuser controls the finances, and there exist very palpable threats of violence, and even death. The real shame is that not all those who risk escape have the benefit of our services.

I frequently encountered very cold and unsympathetic government agencies as I traversed my way through the domestic violence maze. I was denied my client's police reports on numerous occasions. I subpoenaed police officers who never returned my calls and failed to appear at trial. I had to deal with a very antagonistic case worker who seemed to be

anti-victim. I witnessed a perfectly good criminal harassment charge against the abuser of my client nearly get dismissed. And twice I had cases scheduled for custody mediations with an abuser while criminal no-contact orders were in place. If I were at all idealistic when I began, I am no longer.

The greatest lessons I learned were those of hard work, diligence, and preparation. When I am in the office late at night and am frustrated because I have been working round the clock, I think of the Karl von Clausewitz quote: "To secure peace is to prepare for war." I can not remember a time when I worked harder than when I was preparing for a PFA hearing that never happened. I was so over-prepared that I knew that I could handle anything that the respondent or the hearing officer threw at me. I was so confident walking into court that I knew I could handle the negotiation or a trial, if necessary.

After all the hard work I had done to prepare for trial, I was chomping at the bit to get into the courtroom. However, one must never forget that a human element is involved. My primary mission was to help make my client safe. If a respondent is willing to consent to most of what my client wants, it is typically in her best interest to consent as well. In such a case, it would be immoral to simply take it to trial for my own personal gratification. The biggest war is the one you fight late at night preparing weeks in advance for a hearing.

I have two best moments from the clinic. The first was when I was in the courtroom to read the consent order. After Professor Harrington Conner introduced me, the Commissioner said, "Welcome to Family Court." Four years of hard work crystallized at that moment, and I knew that I was born to be a lawyer. The moment that stands out above all else was when we received a copy of the order from the clerk. My client was ecstatic, and she hugged me. I knew that I had the opportunity to help people, but that was the moment I realized I had. I know that I made the right choice in law school simply because I'm able to have such a positive effect on people's lives. ■

Harrisburg Campus recognized for work benefiting victims



The good work of Widener students who spent more than seven years writing, revising, and advocating for a bill in the Pennsylvania Legislature that helps protect victims was lauded during a press conference held on the Harrisburg Campus in August 2005.

A distinguished panel of speakers, including the Honorable Katie True, R-Lancaster County, explained how the Address Confidentiality Program allows participants to use a legal substitute address on important documents, like driver's licenses.

Widener Law School Associate Professor John J. Capowski said many of the more than 15 students who worked drafting different versions of the legislation have gone on to careers in public service. One works as a supervising prosecutor in Miami-Dade County, FL, and another is

a magistrate judge in Arizona. Several more work as prosecutors and public defenders in the Pennsylvania area. "The effect of their work with the legislation on the careers they have had has been extraordinarily helpful," Capowski said.

Judith Yucavage, public policy and information manager for the Pennsylvania Coalition Against Domestic Violence, which initiated the idea for the legislation and worked with Capowski's students and others to bring it to fruition, expressed gratitude "for giving us access to the resources and bright minds of John and his students."

The legislation is intended to prevent assailants from locating sexual assault, stalking, and domestic violence victims who have moved to new, safe locations.

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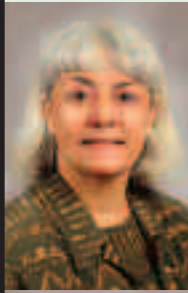
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**PROFESSOR
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**PROFESSOR
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**PROFESSOR
RANDY LEE**



**PROFESSOR
ROBERT C.
POWER**

ASSOCIATE PROFESSOR

BENJAMIN D. BARROS testified before the Pennsylvania House of Representatives on eminent domain legislation proposed in the wake of the Supreme Court's controversial decision in *Kelo v. City of New London*. He testified of ways the legislature could restrict the power of eminent domain while maintaining local governments' ability to take property in appropriate circumstances and suggested giving additional protection to homes in the eminent domain context. Professor Barros' current research focuses on the important insights into the Supreme Court's decision-making process in major takings cases provided by the conference notes some retired justices have included in their papers given to the Library of Congress. These are notes many justices take in conferences they hold after oral argument to discuss the case's merits.

Before joining Widener in 2004, he practiced in New York with Latham & Watkins LLP and Debevoise & Plimpton LLP. He also clerked for the Honorable Milton Pollack of the United States District Court for the Southern District of New York. He received his AB in 1991 from Colgate University and his JD, cum laude, in 1996 from Fordham University School of Law.

PROFESSOR JOHN G. CULHANE is the Acting Director of Widener's Health Law Institute. He also holds the title of Lecturer at the Yale University School of Public Health, where he teaches public health law. This spring, he spoke in Chicago on "Compensating Disaster Victims within the Limits of Distributive Justice: Emphasizing the Need for Planning and Prevention," at a conference on inequality and natural disasters (specifically, Hurricane Katrina) at DePaul Law School. His presentation will appear in the Fall 2006 issue of the *DePaul Journal of Health Law*. Professor Culhane was also a guest this spring on the National Public Radio show "Radio Times" with Marty Moss-Coane discussing same-sex marriage and adoption by gays and lesbians. Professor Culhane and his students continue their on-going Public Health Law Information Project ("PHLIP"), a federally-funded project created by the National Library of Medicine. PHLIP aims to create a 50-state database of public health law-related information.

Professor Culhane joined the faculty at Widener in 1987 following one year as a Bigelow Teaching Fellow and Lecturer at the University of Chicago and four years of practice in New York City. Professor Culhane received his BA from The College of William and Mary in 1978, and his JD from Fordham University School of Law in 1982.

LEGAL WRITING PROFESSOR

ANN E. FRUTH has served for the past two years as the law school's representative to the Board of Directors of MidPenn Legal Services, a non-profit, public-interest law firm. As a member of MidPenn's Development Committee, she works with the Director of Development to help assure the organization's future financial soundness. MidPenn is the legal "safety net" for domestic violence survivors and the estimated 250,000 people in an 18-county area of central Pennsylvania who live at or below the federal poverty level.

As the law school representative to MidPenn, Professor Fruth encourages the law school to provide increased support for the Loan Repayment Assistance Program (LRAP). LRAP enables our recent law school graduates to take lower paying public service positions by providing assistance for repayment of their law school loans. Fruth joined Widener University School of Law in 1995, and was dean of students for the law school's Harrisburg Campus from 1995 until 2002. She came to Widener after serving as legal counsel for the Pennsylvania Department of Banking. She received her BA from York College of Pennsylvania, her MA from the University of Chicago, and her JD from Widener University School of Law.

PROFESSOR ROBERT C. POWER

presented a paper on the attempts to prosecute former Chilean dictator Augusto Pinochet at the annual meeting of the Law and Society Association in Baltimore on July 7. His thesis is that the human rights community has mistakenly treated Pinochet's indictment in Spain and the efforts to extradite him from the United Kingdom as victories, while in fact they reveal severe flaws in international criminal law. An extended article on the subject will be published in the *George Washington University Journal of International Law*. Before joining the Widener faculty, he served as trial attorney for the Department of Justice

Honors Program in Washington, DC, from 1975-79; as an associate in the firm of James M. Shannahan, Providence, RI, from 1979-80; and as a trial attorney for the Department of Energy in Washington, DC, from 1980-83. Professor Power received his AB from Brown University in 1972, and his JD from Northwestern University School of Law in 1975.

New Faculty

WESLEY M. OLIVER joins Widener Law's Harrisburg Campus as an assistant professor of law. He is the author of many articles about the history of detention in nineteenth-century New York. He will teach criminal law, criminal procedure, and constitutional law. He comes to Widener after serving as a Climenko Fellow and Lecturer on Law at Harvard Law School for the past two years. Following five years of law practice in Nashville and Los Angeles, Professor Oliver earned an LLM in 2004 and a JSD in 2006 from the Yale Law School. He earned his BA from University of Virginia in 1992 and his JD from the University of Virginia School of Law in 1996.

AMANDA L. SMITH joins Widener Law's Harrisburg Campus as a legal writing professor. She served as law clerk to Pennsylvania Supreme Court Justice Sandra Schultz Newman and as Deputy Attorney General in the Pennsylvania Office of the Attorney General. She is a graduate of Grove City College and Penn State's Dickinson School of Law.

Distinguished Scholar Awards

PROFESSOR RANDY LEE received the Douglas E. Ray Outstanding Faculty Scholarship Award for his recent publications: *Lessons to be Learned, Lessons to be Lived Out: Catholicism at the Crossroads of Judaism and American Legalism*, 49 St. Louis L.Rev. 367 (2005); *A Law Professor on Being Fashioned*, 49 Widener L.J. 367 (2005) (AALS sponsored program); *When Would Jesus Sue: Tort Law in the Hands of Christ*, 81 Detroit Mercy L.Rev. 845 (2005); and *Dorothy Day and Innovative Social Justice: A View from Inside the Box*, 12 William & Mary L.Rev. 187 (2005). This scholarship illustrates his commitment to the exploration of new ideas that

inform the development of the law. He recently completed his term of service as chair of the American Association of Law Schools Section on Professional Responsibility. Professor Lee teaches torts, constitutional law, and professional responsibility.

Professor Lee was one of six faculty members who comprised the founding faculty of Widener's Harrisburg campus in 1989. He graduated from Butler University and received his JD from the Harvard Law School.

PROFESSOR ALAN E. GARFIELD received the Douglas E. Ray Outstanding Faculty Scholarship Award for his recent publication: *Protecting Children From Speech*, 57 FLA. L. REV. 565 (2005). Professor Garfield is the H. Albert Young Fellow in Constitutional Law. He teaches and writes in the areas of Constitutional Law, Copyright, and Contracts. Professor Garfield is currently the Chair of the Section on Mass Communication Law of the Association of American Law Schools. He recently presented the following papers: "Copyright in the Digital Age" at a University of Delaware Linux Users' Group meeting; "Copyright and Speech" at the Philadelphia Intellectual Property Law Association's annual spring meeting; and "The First Amendment as a Check on Copyright Rights" at the 13th Annual Computer Law Symposium; "Beta Testing the First Amendment: Balancing Intellectual Property and Freedom in a Networked Society" at Hastings College of Law in San Francisco. He practiced law with Weil, Gotshal and Manges in New York City before joining the Widener faculty in 1986. He received his BA, magna cum laude, from Brandeis University, and his JD from UCLA School of Law.

PROFESSOR MARTIN A. KOTLER received the Douglas E. Ray Outstanding Faculty Scholarship Award for his recent publication: *PRODUCTS LIABILITY AND BASIC TORT LAW* (Carolina Academic Press 2005). Professor Kotler teaches and writes in the areas of torts, products liability, insurance law, contemporary tort theory, and remedies. Professor Kotler is a member of the American Law Institute, where he has served on the members' consultative committees for the drafting of the *Restatement (Third) of Torts: Products Liability*, the *Restatement (Third) of*

Torts: Apportionment of Liability Projects, and the *Restatement (Third) of Torts: Liability for Physical Harm*. Professor Kotler joined the faculty in 1987, following two years as a Visiting Fellow at the National University of Singapore. He was a practicing attorney in California from 1976 to 1983. Professor Kotler received his BA from George Washington University in 1972, his JD from Hastings College of the Law in 1975, his LLM from New York University School of Law in 1984, and his JSD from New York University School of Law in 1989.

Promotions

ROBERTA F. MANN has been promoted from associate professor of law to professor of law. In May of 2006, she gave two presentations: "Beyond Enforcement: Encouraging Tax Compliance" at the Tax Court Judicial Conference; and "It's Not Easy Being Green: Consumer Tax Incentives from the 2005 Energy Policy Act" to the Individual Income Tax Committee of the ABA Tax Section. She moderated a panel for that committee of the ABA Tax Section in February entitled "You're Perfect, I Love You, Now Change: Tax Planning for Unmarried Domestic Partners." In February of 2006, she also made a presentation on "Another Day Older and Deeper in Debt: How Tax Incentives Encourage Burning Coal and the Consequences for Global Warming," at The Business of Climate Change Conference sponsored by the Pacific McGeorge Institute for Sustainable Development.

Before joining the Widener faculty in 1998, Professor Mann worked in the Office of Chief Counsel of the Internal Revenue Service and served on the Staff of the Joint Committee on Taxation (Committee of the U.S. Congress). She also taught as a Visiting Professor of Law at University of California at Davis in 1995-96, and as an adjunct faculty member in the LLM in Taxation program at Georgetown University Law Center in 1996-97. She received her BS from Arizona State University in 1980, her MBA from Arizona State University in 1982, her JD from Arizona State University, cum laude, in 1987, and her LLM, with distinction, from Georgetown University Law Center in 1995.

A Helping Hand



Angela Halse '03 speaks for victims who don't always have a voice.

Angela Halse '03, is an attorney whose job requires equal parts counseling and legal advising. As Director of Legal Services for the Domestic Violence Center of Chester County, PA, Halse assists clients who are forced to make life-altering decisions resulting from abusive situations. "I find I do a lot of counseling because a

Protection From Abuse Order is not always the answer," she says. "We talk about all the [client's] options."

Most of Halse's clients are women, but she also represents men who are abused by women, parents suffering abuse at the hands of their teenage offspring, and elderly men and women hurt by adult children. Her heavy workload averages about six new cases each week—even more after a holiday weekend. If a decision is made to proceed with a Protection From Abuse Order (PFA), Halse files a petition and represents the client at the hearing.

Assisting abuse victims, though, involves more than helping the clients obtain PFAs. "We help carry in groceries, whatever it takes to help the client, we do,"

Halse says. And that means mining local resources to help clients start their new lives.

The Domestic Violence Center of Chester County, for example, provides comprehensive services for survivors of domestic violence, including emergency shelter, housing, and counseling. *(Additional information about these services may be obtained from the organization's Web site at www.dvccc.com.)*

Halse had wanted to represent victims of abuse from the time she entered law school. Born in England and raised in Montreal, she earned bachelor's degrees from McGill University and the University of Toronto. She later moved to Delaware with her family, and while at home raising her son, she volunteered with Delaware's Domestic

What a Week!



Student graduates, wins election

Widener Law alumnus Bryan Cutler appears to be headed to a seat in the Pennsylvania House of Representatives after attaining a number of personal goals during a single whirlwind week in May.

Cutler, a Republican, defeated two-term incumbent Gibson C. Armstrong in a May 16 primary race for the 100th District. Since there is no Democratic challenger for the fall election, Cutler should take office next year.

Two days later he was celebrating at the Barrister's Ball, and that weekend the 31-year-old married father of two graduated from the Delaware Campus.

"I can not explain the excitement and satisfaction from having all of my goals for the past three years culminate in the past week," Cutler said at the time. "It has only been through hard work and great family and friends that I was

able to succeed. Most people believe law school is hard enough, and there were times that I questioned why I was also taking on a political race at the same time. I believed the job needed to be done, and am glad we were successful."

Cutler knows hard work. He became the head of his family at the age of 15 after both of his parents were diagnosed with terminal illnesses. He cared for his parents, his 13-year-old sister, and attended Solanco High School in Quarrytown, PA.

Cutler went on to Lancaster General Hospital's School of Radiology where he graduated first in his class in 1995. From

Pro Bono Partnership Program Launched

Violence Project (now Child, Inc.). As an advocate for battered women, however, Halse could not give legal advice and felt stymied by the system. That's when she decided to get her law degree.

Halse believes that increased awareness and new laws are helping fight America's domestic violence epidemic, but myriad societal influences exacerbate the problem.

"In general, the way in which women are depicted on the Internet [with the proliferation of pornography], on reality TV, and on music videos, devalues the whole human relationship," she maintains. "If you don't respect someone and care about his or her feelings, one of the side effects is abuse, whether verbal or physical."

there he worked in radiology while attending Lebanon Valley College, graduating summa cum laude in 2001 with a major in healthcare management and a minor in business.

At Widener, Cutler served as treasurer of the Federalist Society and was a member of the Alternative Dispute Resolution Society. He won the Hon. William Duffy Memorial Scholarship and received a certificate of achievement for Health Care Enterprise Ownership.

Widener Law's Wilmington Campus is participating in a new pilot program designed to enable law students to assist attorneys in providing free legal services to the indigent. The program, a collaboration among the Law School's Public Interest Resource Center, Delaware Volunteer Legal Services (DVLS) which is the pro bono arm of the Delaware State Bar Association, and the American Bar Association Law Student Division, began last year and paired law students with Delaware attorneys working on pro bono cases. This year, it is expanding to the Philadelphia area with attorneys who take pro bono cases through the Philadelphia Volunteers for the Indigent Program (VIP).



Janine Howard-O'Rangers '95 discusses a pro bono case with law student volunteer Santino Ceccotti.

It is hoped that the Pro Bono Partnership Program will free attorneys from some of the more time-consuming tasks that might discourage them from taking pro bono cases.

According to Janine Howard-O'Rangers, Esq. '95 of DVLS, "Attorneys in the Pro Bono Partnership Program can receive the services of a law student to research and write about legal issues, investigate court records, file documents, draft pleadings, interview clients and potential witnesses, and, in some cases, translate for non-English speaking clients."

Arlene Rivera Finkelstein, Esq., Director of Widener Law's Public Interest Resource Center,

notes that the program "has been a wonderful mechanism for allowing students to engage in pro bono service in a non-traditional way." She explains that the program is perfect for students who cannot participate in a traditional volunteer externship position since it allows them "to commit to working on ad hoc projects requiring varying time commitments that can better suit their scheduling needs."

Finkelstein says the program has been well-received by agencies whose offices are small or in isolated geographic locations. "These offices have readily accepted the concept of having a remote staff of law clerks that are on-call to perform research and writing projects."

Last year, several law students were paired with attorneys with favorable results.

Student Elizabeth Turchi '07 worked with volunteer attorneys to draft legislation for submission to the Delaware legislature, regarding health benefits for low-income child-care providers on behalf of the Nehemiah Gateway Community Development Corporation. Turchi says that "by requiring me to draft legislation that was articulate and succinct . . . I gained confidence in my ability to collaborate with attorneys and others for a common purpose. The bill, if passed, will positively affect the health of many families, which in turn strengthens all aspects of the community."

Attorneys wishing to learn more about the Pro Bono Partnership Program should contact Janine Howard-O'Rangers at 302-478-8680, jhoward@advis.org (*Delaware program*) or Arlene Rivera Finkelstein at 302-477-2214, arfinkelstein@widener.edu (*Philadelphia program*).

Changing Lives



Randi Blackman Teplitz '95 transformed her clinic experience into a career serving victims of domestic abuse.

For Randi Blackman Teplitz, a 1995 Wilmington Campus graduate and a Harrisburg Campus adjunct legal methods professor, working for the Pennsylvania Civil Law Clinic her last semester of law school confirmed her desire to pursue public interest work. In fact, the experience inspired her to focus on domestic abuse.

According to Teplitz, the civil law clinic “transformed me and changed my whole outlook. It was the first time I knew I could really be a lawyer. It was my life-changing moment.”

Teplitz sought work in the area of domestic abuse, obtaining a position with Central Pennsylvania Legal Services (now MidPenn Legal Services). For more than three years, she ran the organization’s domestic abuse program. The YWCA of Greater Harrisburg then hired Teplitz to start up their domestic violence legal office. At that time, she was the sole attorney, assisted only by a part-time legal advocate.

Six years later, Teplitz is the Director of Legal and Visitation Services for the YWCA of Greater Harrisburg, the sole provider of comprehensive assistance to domestic violence

victims in Dauphin County. Teplitz heads an operation that has grown to three full- and one part-time attorney, one part-time and three full-time legal advocates, and five legal interns.

One of the attorneys, Laurie E. Wiest, is a 1999 graduate of Widener Law School’s Harrisburg Campus. Additionally, a number of interns and legal advocates are Widener law students.

Teplitz is responsible for the daily management, hiring, and staffing of the legal aid program and its supervised visitation center. She provides community education, writes

Pen’s Landing

For defense attorney Mike Diamondstein '96, writing’s a legal thrill.

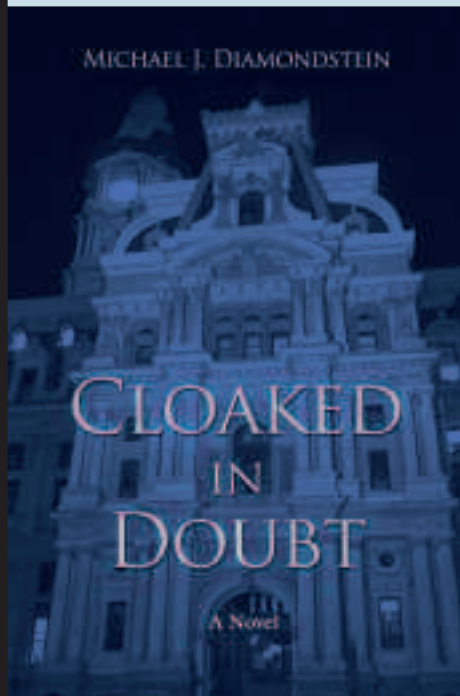
In 1998 Michael J. Diamondstein '96 was a prosecutor pulling 12-hour shifts in the charging unit of the Philadelphia district attorney’s office. Working 7 a.m. to 7 p.m., two days on and two days off for four months, made it impossible to get into a rhythm. Diamondstein couldn’t sleep at night. So he wrote *Cloaked in Doubt*—a legal thriller set in Philadelphia, the city where he was born. “I’m a Philadelphia guy,” Diamondstein says. “The book is more about the city itself than anything else.”

Another main character of *Cloaked in Doubt* is Jimmy DiAnno, a South Philly-bred ADA charged with prosecuting the city’s rich and powerful

mayor for homicide. The victim is DiAnno’s own love interest, a beautiful artist named Alesa.

After he finished the manuscript, Diamondstein cold-called major book publishers in New York to no avail. Could this be life imitating art? DiAnno’s fictional battles with City Hall and his personal demons mirrored Diamondstein’s real-life underdog fight to get published.

Then, out of the blue, a call came from an editor at Penguin Putnam. He wouldn’t publish the book but gave Diamondstein invaluable encouragement and advice. “I made changes and sent it back to him in ‘99-2000,” he recalls. “It came one person away from getting the green light, but they just didn’t want to take a chance on an unknown [author].”



grants, and seeks funding for the office's programs—and she continues to represent clients in domestic abuse matters.

In Teplitz's mind, a comprehensive approach is essential to helping abused clients. Helping clients solve their custody, support, and divorce problems takes away "obstacles that would otherwise keep the clients in an abusive situation," she says. It is also important for attorneys in this field to help clients with the related issues. Otherwise, she explains, "The protection from abuse order is just a Band-Aid."

Teplitz also notes great demand for her office's services. Each

attorney handles approximately 85 cases, and there are more than 100 people waiting for custody or divorce assistance.

Teplitz has an 18 month-old son, Benjamin, with her attorney husband, Rob. Being a parent has given a new urgency to her fight against domestic violence. "I have a different perspective now that I am a parent. We have to protect these children," she says. "It's not for the current generation that we do this . . . We have to have hope for the future."

Diamondstein left the DA's office in 2000 for a career in criminal defense. The publishers weren't biting, so he put his manuscript in a closet and—as DiAnno would say—*fuggadaboutit*.

In 2004 Diamondstein struck out on his own with partner Scott DiClaudio '89 to form DiClaudio and Diamondstein. When his wife suggested self-publishing the novel as a holiday gift for friends and clients, Diamondstein's foray into fiction caught a second wind.

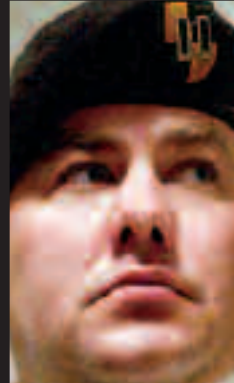
Cut to the summer of '06, and *Cloaked in Doubt* was named "publisher's choice" by iUniverse, hitting the market on B&N.com, Amazon, and at select Barnes & Noble stores.

Asked whether he's the next John Grisham, Diamondstein laughs. The jury's still out on that one. But those years in the DA's office gave him an edge in his criminal defense practice, and his Widener Law education has served him well on both sides of the aisle.

"At Widener Law they taught you to think like a lawyer," he says. "There was a nice mix of common sense approach and good legal theory."

No doubt there.

In Memoriam: Captain Shane R.M. Mahaffee 1970-2006



The School of Law extends its condolences to the family of alumnus Shane R.M. Mahaffee, a 1994 graduate of the Harrisburg Campus, who died last spring of injuries suffered in a roadside bombing in Iraq. He was a captain assigned to the Army Reserve's 489th Civil Affairs Battalion in Knoxville, TN.

Mahaffee, 36, and his wife Jennifer had two children: a daughter, Adelia Rose, 5, and a son, Ethan, 2. Mahaffee learned in late 2005 that he was being called to active duty. He had been in Iraq little more than two weeks on May 5 when a roadside bomb exploded as he was riding in a caravan of military vehicles. He died 10 days later in Landstuhl Regional Medical Center in Germany.

Before he departed for duty, Mahaffee gave an interview to the *NewsSun* in Waukegan, IL, where he worked. He told the reporter that Iraqi roads were full of land mines and booby traps. "The scariest thing there is traveling," he told the paper.

Mahaffee lived in Gurnee, IL, about 40 miles outside Chicago. He worked in criminal defense and also on real estate cases.

Acting Law School Dean Michael J. Goldberg wrote to Jennifer Mahaffee upon learning of Shane's death: "On behalf of the faculty and staff of Shane's alma mater, the Widener University School of Law, I extend to you and your family our heartfelt sympathy and condolences. This is a law school that places a high value on public service, and Shane very bravely gave his life in service to his country. His sacrifice has not gone unnoticed or unappreciated at his law school. Our thoughts and prayers are with you."

Girls, Interrupted



Chandlee Johnson Kuhn '86, chief judge, Delaware Family Court, is working to create gender-specific programming for girls at risk—with the goal of keeping them out of the juvenile justice system.

Here, she discusses her role in the formation of a groundbreaking prevention program, the Delaware Girls Initiative.

How did you become aware of Delaware's crisis with girls?

It jumped out at me when I first became chief judge in 2003. Several judges and community leaders came to me and said: 'We've got a problem with runaways. We've got a problem with girls.' Then I switched over from my civil calendar to a juvenile offender calendar, and I started seeing it in my courtroom. I thought 'Wow, these girls are really complicated. They take three times as long to deal with as boys. They've been victimized; they've been raped; how do we get them services?'

Why launch the Delaware Girls Initiative?

We've seen that we don't have all the right programs for the right girls at the right time. We've also seen that girls are the fastest growing segment of the juvenile justice population. Girls make up 25 percent of the division of youth rehabilitation services in Delaware. What we knew before we started the Delaware Girls Initiative formally was that girls were a growing issue. We didn't have all the services we needed, and we didn't have all the individual education to be able to deal with girls' specific issues well. So we got the \$100,000 grant from the Jessie Ball duPont Fund to both gather data and to work at creating a continuum for girls at risk in the juvenile justice system.

The data showed us that between 40 and 73 percent of the girls in Delaware who were in the juvenile justice system have been victimized either by physical or sexual abuse. That's a very large number, and we're looking at how we can address the root cause versus the symptoms. DGI brought in Denise Bray from the PACE Center for Girls in Florida to train us. When you start asking the girls specific questions, you get answers to why they're acting out. Specifically, they're running away for a purpose. They're running away from the abuse, from the trauma.

Now we are looking at all the programming services. What's amazing about DGI is the collaboration has become so strong and is becoming even stronger. People are asking to join because we've really hit a nerve. Everybody feels it—law enforcement in particular. They deal with runaways, and they want to help these girls, but they don't know what to do with them. Historically, what we have done is criminalize them in order to get them treatment. Now, we're looking at a community-based prevention approach. We have the involvement of

Children and Family Services, Girl Scouts, Girls Inc., Christiana Care, Delaware Guidance, People's Place, and more.

By way of example, Christiana Care just received a grant to create a team clinic in the city of Wilmington for girls at risk coming out of juvenile justice. They are now going to have health services with the right support system. We want to tie into strong community collaboration for prevention and at the same time look at the other gender-specific programming designed to meet the girl's needs once she is in the system.

The ultimate goal is to break the cycle of girls entering the juvenile justice system in the first place. If you prevent that, you prevent other issues, such as women in prison who have babies, children going into the child welfare system, and babies being born to teenage mothers who don't have the resources to support them.

In general, girls report a much higher rate of mental health issues than boys. Nationally, girls in the system are victimized as children at very high rates: 40 percent to 73 percent report physical or sexual abuse, and 35 percent to 70 percent report sexual abuse. Girls also are lacking basic self-care skills.

We've been told that the Delaware blueprint is the first in the nation. . . . What we're doing is creating a blueprint for systemic education and for systemic change. We're already doing it better than we were a year ago, and many of us have been trained. I'm a better judge today than I was 15 months ago, but I still have a long way to go. I'm just beginning to really get down to truly understanding the roots of these issues.

How did your legal career lead you to the family court bench?

I started in family court at age 22 as a judicial assistant, and the judge quickly told me I had to go to law school. Then I worked in personnel in family court at the beginning of law

school. I graduated from Widener in 2.5 years. When I started law school, I originally thought that I wouldn't practice law, but I would become a court administrator. Well, *voilà*, I'm a court administrator with a law degree.

As I was going through law school, I realized the best training in Delaware was in corporate law, so I became a corporate litigator, and it was a phenomenal five years at Pickett Jones. I had also clerked at the Supreme Court of Delaware for Justice Walsh. I really enjoyed corporate litigation but always knew that people were my driver—individuals in need and public service. So I slowly started to move over to family law at the firm, and I went to the bench in 1990. It's a big transition, but I had already worked for two judges, and I had always wanted to join the bench. I love making decisions, and I love working in public service. Being on the bench is true public service.

Any advice for graduates interested in domestic violence issues?

I think you need to get involved. There are tremendous opportunities to reach out and assist individuals, whether it be volunteering for Delaware Volunteer Legal Services, joining the clinic, or becoming involved as a Guardian ad Litem as a young attorney. Just give back to the community in whatever way works for you. Some people are really good one on one volunteering with a child, with a victim of domestic violence, or as a mentor in the schools. Other people are more comfortable on a policy level, with community involvement, or being on a board at a community center. It's taking those first steps right out of law school when you're not quite as busy and people haven't approached you yet. I reached out, and then people found me.

Has being a family court judge had an effect on your own parenting?

My family is the most treasured thing that I have. It also has helped me be a better family court judge because raising children is difficult, and you see what issues face the kids every day and the challenges. You can imagine what it's like for people who don't have a strong network around them that they can trust. So you try to be sympathetic and understand.

Events

WIDENER LAW SCHOOL AWARDS

Award ceremonies were held in April on the Wilmington and Harrisburg campuses to honor those students with outstanding achievement in both academics and service to the law school and community. Winners received scholarships and awards for the 2005-2006 academic year. Donors invited to each event were able to meet the students who benefitted from their generosity.

Law school overseer, G. Grainger Bowman, a sponsor of the James S. Bowman American Inn of Court Award, congratulates recipient George C. Morrison at the April 27 awards ceremony on the Harrisburg Campus.



At the Wilmington Campus on April 25, adjunct faculty member Edward Weiss (L) and Richard Lutz '90 congratulate Janie Swinehart, the first recipient of the Thomas P. Lomax '75 and Nicholas Theodore Memorial Commencement Award, which honors a student who has performed exemplary pro bono public interest legal service. Weiss and Lutz are members of the Delaware County Association of Criminal Defense Lawyers, which helped to fund the award.



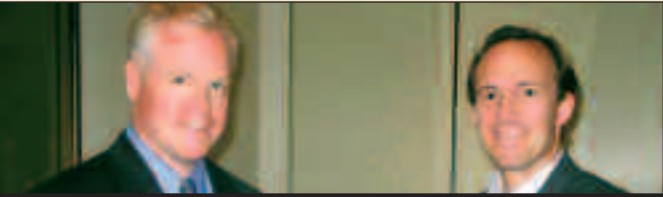
Kyvele Karpouzis is shown with Cynthia Zipfel, the recipient of the Pamela K. Karpouzis Memorial Scholarship. Mrs. Karpouzis' daughter, Pamela, whom the scholarship honors, was a member of Harrisburg's Class of 1993.



(L to R) Professor Nathaniel C. Nichols, John Clark, and Acting Dean Michael Goldberg are pictured enjoying the awards reception on the Wilmington Campus. Mr. Clark is a donor to the Esther F. Clark Memorial Scholarship Fund which honors his late wife, a Widener Law faculty member. The Clark Scholarship was awarded for the first time in 2005-2006, to Amy Huffman.



WIDENER LAW ALUMNI RECEPTION NEW JERSEY



Blair Lane '89 and Stephen Novosel '94

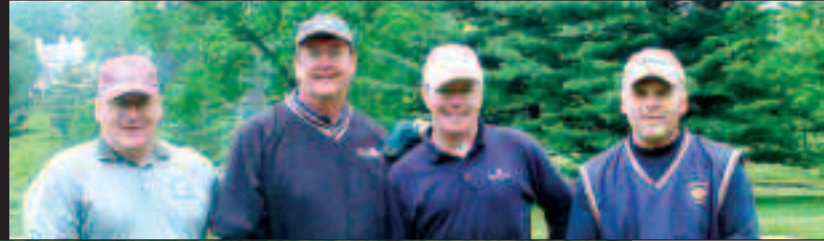
Widener University School of Law Alumni Reception at the annual meeting of the New Jersey Bar Association, Atlantic City, May 18, 2006.



John DeSimone '95 chats with guests.

WIDENER LAW GOLF OUTING

The winning foursome at the Widener University School of Law Alumni and Friends Golf Outing held on May 15 at the Radnor Valley Country Club: (L to R) James Sneeringer, David Rohde '80, David Roe, and Lee Marshall.



Second Place: (L to R) James T. Harris III, president of Widener University; Joseph Baker, senior vice-president of administration and finance, Widener University; Carl Pierce, director of operations, Widener University; and Rocco Imperatrice '80.



WIDENER LAW ALUMNI RECEPTION PENNSYLVANIA

Widener University School of Law Alumni Reception at the Pennsylvania Bar Association's annual meeting on June 7, 2006, in Hershey.



(L to R) John Blair '82 and Kathryn Meloni '90; Michelle Peterson '99, Evan Pappas '05, Sarah Brown '05, and Harrisburg Campus Dean of Students, Elizabeth Simcox; Michael Goldberg, acting dean, and Jaimee Dautrich '01.

WIDENER LAW WOMEN'S NETWORK MEETING



June Cipressi '80 and Miriam Benton Barish '92 at the Widener Women's Network meeting on June 8. The group meets several times a year to foster networking and social opportunities for women law graduates. Cynthia Funaro Towers '91 of Juristaff spoke about alternatives to a traditional legal career.

Class Notes

1979

Charles T. DeTulleo received the “Excellence in Teaching” award from the University of Delaware where he has taught Introduction to Law for Legal Assistants since 1984. He practices law in West Chester, PA, and is retired from the Delaware State Police and from the military with the rank of lieutenant colonel.

1980

Eugene J. Mancuso, FBI Special Agent, Philadelphia Division, is the Special Assistant United States Attorney for the Philadelphia Violent Crimes/Fugitive Task Force. He is in his 23rd year of service with the FBI.

Karin Kelly-Weisert has completed her 25th year as an assistant prosecutor in the Prosecutor’s Office, Morris County, NJ. She serves as chief of the office’s family division.

1981

Jeffrey Fromm became a vice president for Hewlett-Packard Company. He will be responsible for HP’s worldwide intellectual property legal strategies and for managing the IP section of the company’s legal department.

1982

Kevin F. Brady received the Andrew D. Christie Pro Bono Publico Award in appreciation of his outstanding pro bono publico service to the Delaware Supreme Court. He is with Connolly Bove Lodge & Hutz LLP in Wilmington, DE.

1984



Joseph M. Toddy, an attorney with Zarwin Baum DeVito Kaplan Schaer Toddy PC, Philadelphia, has been named a “Pennsylvania Super Lawyer” by *Law & Politics* magazine for 2006.

1985

Vicki A. Hagel joined Paisner Litvin in Bala Cynwyd, PA, where she will focus on employment and corporate litigation.

Christopher J. Pippett has been named as a co-vice chairman of the business department of Saul Ewing in the Chesterbrook, PA, office. He practices in the areas of banking, finance, corporate, and real estate law.

1986



Joel L. Frank of Lamb McErlane of West Chester, PA, has been named a “Pennsylvania Super Lawyer” for 2006 by *Law & Politics* magazine and was featured in the June issue of *Philadelphia* magazine.



Robert N. Hunn has been elected partner in the Philadelphia law firm of Kolsby, Gordon, Robin, Shore & Bezar. Mr. Hunn, a trial attorney, concentrates his practice on catastrophic injuries.

Steven F. Mones joined Biggs and Battaglia in Wilmington, DE, where he will practice general civil litigation.

1987

Brian P. Tierney has become a co-owner and the chief executive officer of Philadelphia’s two major daily newspapers, *The Inquirer* and the *Philadelphia Daily News*.

James S. Yoder has been named partner with White and Williams LLP in Wilmington, DE.

1988

Erin K. Brignola joined the firm, Cooper Levenson April Niedelman & Wagenheim, P.A., as counsel in the bankruptcy department in the Bear, DE, office.



The Honorable Chandlee Johnson Kuhn of New Castle County Family Court in Delaware helped create a unified Family Court for Mauritius, a former British colony, which became a republic in 1992. Judge Kuhn was part of a delegation of three that traveled to the island country in December 2005 to study the judicial system and make recommendations for reform.

Mary S. Much was nominated by Governor Ruth Ann Minner on May 2 for family court commissioner in the Delaware Family Court. Mary has served as disciplinary counsel in the office of Disciplinary Counsel of the Delaware Supreme Court for the past seven years.



Blair C. Lane has merged his practice with the law firm of Earp Cohn where he will concentrate in the areas of personal injury, real estate, and litigation.

John T. Lenahan of the Salem County, NJ, Prosecutor's Office has been chosen to receive the 2006 Good Scout Award by the Boy Scouts in Salem County.



Edward Seglias has been named a 2006 "Pennsylvania Super Lawyer" by *Law & Politics* in the practice area of construction/surety. He is vice-president of Cohen, Seglias, Pallas, Greenhall & Furman PC in Philadelphia, and also spends time as managing partner of the firm's Delaware office.

1990



Gino J. Benedetti, a shareholder in the Philadelphia law firm of Miller, Alfano & Raspanti PC, spoke at a seminar sponsored by The Pennsylvania Bar Association Civil Litigation Section and the Philadelphia Bar Institute.

Sheryl L. Brown has joined McCormick & Priore in Philadelphia and will be practicing insurance defense litigation.

1989



Thomas J. Hamill coaches the Magee Eagles, a wheelchair rugby team that won the United States Quad Rugby Association Division II national championship in April at The University of Texas at Austin. He resides and practices law in Voorhees, NJ.

Peter Chamas has been voted for the second consecutive year as one of the top 100 "New Jersey Super Lawyers" for 2006 in a poll taken by *Law & Politics* magazine. Chamas is associated with Gill & Chamas of Woodbridge, NJ.

David G. Concannon has participated in several expeditions to the Titanic wreck. He helped lead the expedition that resulted in a public television show entitled *Titanic's Final Moments: Missing Pieces*.



Domenick C. Di Cicco Jr. has joined Zurich General Insurance as head-vice president, Global Litigation Management and Complex Claims in Marlton, NJ.

1991



Michael J. Berkowitz, a partner at Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd. in Philadelphia, has been named a 2006 "Pennsylvania Super Lawyer" by *Law & Politics*.

1992



Alfred J. Carlson III of Martin, Banks, Pond, Lehocky & Wilson, in Philadelphia participated in PESI's seminar entitled "Pennsylvania Workers' Compensation Law."

Barbara S. Danberg has joined Elzufon Austin Reardon Tarlov & Mondell P.A. in Wilmington, DE. Danberg has taught as an adjunct professor at the School of Law's Delaware Campus.

Joan T. Kluger is the managing partner at Schnader Harrison Segal & Lewis LLP in their new office located in Wilmington, DE.

Paige Macdonald-Matthes has joined Serratelli, Schiffman, Brown & Calhoun, PC in Harrisburg, PA, where she will concentrate her practice in the areas of business, commercial, and real estate litigation.

Class Notes

1993

Curtis J. Crowther has become senior counsel in the firm of Young Conaway Stargatt & Taylor, LLP in Wilmington, DE.

Jeffrey M. Herskowitz has joined Elizabeth J. Hampton to create a new real estate and business law firm, Herskowitz & Hampton, with offices located in Cherry Hill, NJ, and Bala Cynwyd, PA.

William O. Krekstein has been named partner at Nelson Levine de Luca & Horst in Bluebell, PA.



Tamara E. Showalter has joined the Lancaster, PA, law firm of Herr & Low, PC as an owner.

1994

Frank T. Donaghue, the head of the Pennsylvania Attorney General's Bureau of Consumer Protection since 1996, has been named chief counsel of the state's Gaming Control Board.

Matthew J. Maguire was promoted to counsel by Pepper Hamilton, Philadelphia. He represents management in a variety of labor and employment matters.

William L. Wehrum Jr. was nominated by President George W. Bush to Assistant Administrator for Air and Radiation, U.S. Environmental Protection Agency. Mr. Wehrum previously served as Principal Deputy Assistant Administrator for the same office.

1995

Gregory R. Beckenbaugh married Tamara L. Millen on December 3, 2005, in Shippensburg, PA.

Deryck Henry and wife, Mary Kate Kearney, welcomed twins, Julia and Sarah, on May 4, 2006.

Michael R. Ostrowski Jr. joined the Cumberland County Prosecutor's Office in Bridgeton, NJ. He previously worked for the Salem County Prosecutor's Office where he held the title of Chief of Trials.

James M. Reeder has been appointed by the Pennsylvania Attorney General to a new Public Corruption Unit which will be charged with prosecuting allegations of corruption among county and municipal officials.

1996



Charles A. Bruder of the Somerville, NJ, and the New York law firm Norris McLaughlin & Marcus, P.A. spoke in June about "Recent Developments, Hot Topics and Tax Issues Impacting Tax-Exempt Organizations" in East Brunswick, NJ. He also presented a webinar titled "Executive Compensation Issues and Fiduciary Duties: What Directors Should Know Following the Disney Decision."

Stephen R. Hoffmann joined the Moore, Woodhouse and Pawlak law firm in Elmira, NY.

Mary A. Jacobson joined Archer & Greiner in Wilmington, DE, in its real estate and land-use departments as counsel.

Kelly F. Melcher joined the firm, Vaughan Duffy & Connors where she will concentrate her practice in the area of workers' compensation defense.



Tricia A. Swann has joined Obermayer Rebmann Maxwell & Hippel LLP in Philadelphia.

Elizabeth A. Wilburn was elected partner at Blank Rome in Wilmington, DE, where she concentrates on complex corporate litigation.

1997

Arlene M. Benton has joined Curley & Rodriguez, LLC as an associate in Dover, DE.

Suzanne Reenstra Gossner and husband Charles adopted a one-year-old daughter, Emily Elisabeth, on February 27, 2006, from the People's Republic of China.

John G. "Jack" Harris became a partner with Reed Smith in the Wilmington, DE, office where he is a member of the litigation group.

Christopher J. Knight welcomed a daughter, Cassidy.

Edward B. Micheletti was named partner by Skadden, Arps, Slate, Meagher & Flom LLP in the Wilmington, DE, office where he focuses on litigation.



In Search of . . . *Widener University School of Law Alumni*



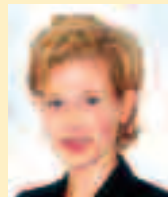
Damon G. Tyner joined New Jersey business law firm Parker McCay as counsel and attorney-in-charge of the firm's new Atlantic City office.

1998

Brian Kasprzyk completed his second combat tour, having served most recently as the battalion judge advocate, 3rd Battalion, 7th Marine Regiment, operating in Ar Ramadi, Iraq. In May 2006, he was certified and sworn in as a military judge and is currently assigned to the Western Judicial Circuit of the Navy-Marine Corps Trial Judiciary, based in Camp Pendleton, CA.

Christine Sudlow Ewan married Todd Alan in December 2005. She is the Associate Director of Planned Giving at the University of Pennsylvania School of Medicine in Philadelphia.

Stephen G. Stroup has been elected a shareholder with Miller Alfano & Raspanti, Philadelphia.



Rachel A. Wingerter, an associate with Somerville, NJ, law firm Norris McLaughlin & Marcus, P.A., has been elected a Trustee of the Somerset County Bar Foundation for a 3-year term.

1999

Francis J. Lafferty IV was recently elected as a shareholder at Metzger, Wickersham, Knauss & Erb, PC, Harrisburg. He concentrates his practice on civil litigation.

Patrick J. Murphy won the Democratic primary held May 17, 2006, for the 8th Congressional District in Pennsylvania.

Andrew W. Norfleet was recently elected as shareholder at Metzger, Wickersham, Knauss & Erb, PC, Harrisburg, where he concentrates his practice in the area of civil litigation.

Kevin P. Schmidt joined Timoney Knox of Fort Washington, PA, where he concentrates his practice in the areas of litigation, education, labor law, and business.

IN AN EFFORT TO BRING TOGETHER ALUMNI FROM AROUND THE GLOBE, Widener University School of Law is proud to announce the publication of an all-new Alumni Directory.

Scheduled for release in late 2007, our Alumni Directory will be an up-to-date and complete reference of more than 10,800 Widener University of Law grads! This comprehensive volume will include current name, previous name as a student (if different), as well as class year. Each biographical listing will also include home address, phone number, names of spouse and children, plus detailed professional information.

The new 2007-2008 edition will list alumni alphabetically, by class year, by geographic location, and by occupation in our special "career networking" section.

The Alumni Office has chosen Harris Connect to produce this special edition. Harris Connect will begin researching and compiling data for inclusion in the directory by mailing a questionnaire to each alumnus/a early next year. Please be sure to complete the questions and return the form immediately. If we don't have your current address on file, please contact the Alumni Office as soon as possible, so we can make sure you receive a directory questionnaire.

With your participation, the 2007-2008 edition of the *Widener University School of Law Alumni Directory* is sure to be a great success!

Class Notes

2000

Don Ludman and Penny (Cirrotti) Ludman welcomed a baby girl, Elizabeth Alesea, on April 4, 2006. The family resides in Cherry Hill, NJ.

Elizabeth M. Muldowney has become the city attorney for Winchester, VA.

2001

Marc Scaringi and his wife, Melanie welcomed their first child, Gabriella Marie, on April 13, 2006. They practice together at Scaringi & Scaringi in Harrisburg.

2002



Hercules W. Grigos has joined Obermayer Rebmann Maxwell & Hippel LLP in Philadelphia.

Dawn M. Jones received the William F. Taylor Pro Bono Award for providing outstanding pro bono legal service to the community and the bar. The award was given by her firm, Young Conaway Stargatt & Taylor, LLP where she is an associate in the corporate counseling and litigation section.



Scott W. Reid, an associate with Cozen O'Connor in Philadelphia, has been inducted into the Legacy of Leadership Class of 2006 by the Division of Student Affairs at West Chester University.

2003

Robert J. Foley Jr., in his first trial, recently obtained a \$3.25 million verdict in a Wyoming County, PA, automobile accident case. The verdict is the largest ever recorded in Wyoming County.

Jennifer R. Hurvitz has joined White and Williams LLP in Wilmington, DE.

Jody Joy has joined Martin Banks Pond Lehocky & Wilson in its workers compensation practice in Philadelphia.

Robert (Bob) King received an LLM in Trial Advocacy with Honors from Temple University on May 18, 2006. He was selected by classmates as best oral advocate and received the professionalism award.

Glenn C. Mandalas has joined Prickett, Jones & Elliott in Dover, DE, and has been named attorney for Rehoboth Beach.

Michael W. McDermott received the William F. Taylor Pro Bono Award for his outstanding pro bono legal service to the community and the bar. Michael received the award from his firm, Young Conaway Stargatt & Taylor LLP in Wilmington, DE, where he is an associate in the corporate counseling and litigation section.

2004

Susan E. Good has joined Obermayer Rebmann Maxwell & Hippel, LLP in Philadelphia.

Joseph L. Hoynoski has joined Kline & Specter, PC in Philadelphia as an associate in the Mass Tort Department.

Rakesh H. Mehta has joined Potter Anderson & Corroon LLP as an associate in Wilmington, DE.

Jeffrey C. Murse entered the Navy Judge Advocate General Corps as a lieutenant junior grade after graduating from Officers Indoctrination School, Newport, RI. Murse will be stationed in Corpus Christi, TX, upon completion of the Naval Justice School in Newport.



Erica L. (Strishock) Steele has joined the State College, PA-office of Babst, Calland, Clements & Zomnir, PC as an associate. She will focus on employment and labor law, real estate, and general contracting.

2005

Daniel J. Brown has joined Chimicles & Tikellis LLP in Wilmington, DE.

Tara E. Hafer has joined Doroshow, Pasquale, Krawitz & Bhaya in Wilmington, DE.

Benjamin W. Keenan has joined Ashby & Geddes in Wilmington, DE.

Cheryl D. Maddox has joined Potter Anderson & Corroon LLP where she will focus her practice on public finance and commercial transactions.

Jennifer M. Mensinger has joined Doroshow, Pasquale, Krawitz & Bhaya in Wilmington, DE.

John J. Raspante was sworn in as a member of the New York State Bar.

Matthew J. Rifino has joined White and Williams LLP in Wilmington, DE.

Baltazar E. Rubio won the Republican primary for the 159th District of Pennsylvania. He is practicing law at Wright, Jones & Associates, PC in Chester, PA.

LaToya C. Winfield joined Purcell, Krug & Haller in Harrisburg.

2006

Bryan D. Cutler, a Republican, defeated two-term incumbent Gibson C. Armstrong in a May 16 primary race in the 100th District of Pennsylvania (southern Lancaster County).

Deceased

1975 Thomas L. Senger

1981 David W.
Moneymaker

1984 Thomas J. Burns

1989 Thomas S. Conroy II

1991 Robert C. Blackmon

1994 Shane R. M.
Mahaffee

Attention Alumni: *We want your Class Notes!*

Class Notes invites alumni to write to the Development/Alumni Office with news of interest. If your name has not appeared recently in *Class Notes*, take a moment to share some news about yourself for an upcoming issue. If you wish, include a photograph with your information (*digital 300 dpi or hard copy*).

Name

Class Year

Home Address

City / State / Zip

Telephone (Home)

E-mail (Home)

Business Address

City / State / Zip

Telephone (Business)

E-mail (Business)

Your news:

Send your Class Note to:

Alumni Office
Widener University School of Law
P.O. Box 7474
Wilmington, DE 19803-0474

Visit the Widener University School of Law Web site at
www.law.widener.edu.

The Opening Statement:

Don't Make it a Lost Opportunity

By Jules Epstein

Jules Epstein is Associate Professor of Law at Widener's Delaware Campus, where he is also one of the faculty advisors to the Moe Levine Trial Advocacy Honor Society and participates as an instructor at the Intensive Trial Advocacy Program (ITAP) each spring.

Which of the following is the most effective beginning for an opening statement to a jury?

1. Our country is a great nation, and unlike any other protects people with the presumption of innocence and the proof beyond a reasonable doubt standard. We are different from other lands . . .
2. Ladies and gentlemen, an opening statement is like the table of contents to a book, or a road map. It is your guide to how a case will unravel. It is not evidence; it is what we hope will be proved . . .
3. Members of the jury: Serving on a jury is a difficult task, but it is one of the highest duties of citizenry. Like the army or paying taxes, it is something we must do . . .
4. Everything you heard him say is b*****t.
(Source: *My Cousin Vinny*)

The answer should leap off the page—it is number-four by a landslide. But the question we need to address is *why?*

Opening statements, like direct and cross examination, succeed most when the rules of primacy and recency are honored. These rules derive from the psychology of aural learning: People remember best that which they hear first (*primacy*) and last (*recency*). In these examples, the first three models tell the jurors nothing about the case and fail to whet their appetite to pay attention for more. However inchoate, Vinny's shock-opening was his defense—everything the Government claims is wrong.

What other lessons are worth following when designing an effective opening statement?

Here are the basics:

- **There is no proof that 80 percent of trials are won or lost during the opening statement.** This myth has penetrated the lore of trial lawyers, but it is unfounded. At the same time, a well-designed opening can set the stage for a successful presentation or defense. Failure to open in a creative manner wastes a critical opportunity—for the plaintiff or prosecution—to lay out the case; and for the defendant, to remind jurors that much is not what it seems and that a valid defense exists.
- **Tell a story.** Visualize the opening as a conversation with a (*non-lawyer*) friend, explaining what happened and why your side should prevail. Omit phrases like “and the third witness will say,” and simply tell the story.
- **Don't promise too much.** Opponents (*and jurors*) will take notes on your opening and hold you to your promises. So don't offer more than you can guarantee.
- **Find a theme.** A simple sentence or a cluster of points i.e. “*There are three facts in this case that will show you my client is innocent . . .*” should identify the core of your case and establish a morally satisfying reason for a verdict in your favor. That theme/language should also be appropriate for use in your closing. (“*Remember when I told you in my opening that there are three facts . . .*”)
- **Don't waive the opening statement.** If you represent the defendant, get right up, skip re-introducing yourself, and utilize primacy to lay out your case. Pronto. And listen for an omission in your opponent's opening. If the other side failed to admit a critical injurious fact, get righteous. “What my opponent left out is that the plaintiff in this case had five drinks, and was on her way home from a strip joint, when . . .”
- **Concede your achilles heel(s).** Not during primacy or recency, but bring out (“*spin*”) your case's deficit before you appear dishonest for having omitted it, and before your opponent tells it in a much more damaging way.
- **Consider visuals** (*a chart, PowerPoint presentation or photograph*). You may need to pre-clear such items with the Court, as they are not yet evidence, but images that accompany a story make it more powerful and lasting.
- **Connect with the jurors.** Move, have eye contact, acknowledge their existence, intelligence, and concerns.

Opening statements, although not evidence, offer counsel the opportunity to provide a structure for the proof that is to come; to establish his or her credibility and professionalism, and to point jurors toward the desired outcome. Open wisely, or the jury will know that everything you say is “b*****t.”

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—Angela '07

“I shall continue to aspire to be the kind of attorney of whom you will be proud for having lent a hand of assistance along his way.”

—David '07

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—Casey '06

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Calendar

SEPTEMBER 2006

- 20 Dean's Welcome Reception, Harrisburg Campus
 - 26 Dean's Welcome Reception, Wilmington Campus
 - 29 Delaware Center for Justice Prisoner Re-Entry Conference, Wilmington Campus
 - TBA Widener Women's Network Philadelphia Chapter Event, Philadelphia
-

OCTOBER 2006

- 7 Admissions Open House, Harrisburg and Wilmington Campuses
 - 11 Raynes McCarty Distinguished Lecture in Health Law, Wilmington Campus and Philadelphia
 - 14 Pennsylvania Bridge the Gap Continuing Legal Education Program, Wilmington Campus
 - 20 Francis G. Pileggi Lecture in Corporate Law, Hotel du Pont, Wilmington
-

NOVEMBER 2006

- 17 Sports and Entertainment Law Continuing Legal Education Symposium, Wilmington Campus
 - TBA Delaware County Alumni Luncheon/Continuing Legal Education Program, Media, PA
 - TBA Pennsylvania Bar Induction Ceremonies and Receptions, Harrisburg and Philadelphia
-

DECEMBER 2006

- 4 Alumni Awards Reception, Wilmington Campus
-

JANUARY 2007

- 3 Reception for Widener Law Alumni at American Association of Law Schools annual meeting, Washington, DC
- 6 Admissions Open House, Harrisburg and Wilmington Campuses



Widener University
School of Law

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