

# THE FUTURE OF INTERNATIONAL CRIMINAL JUSTICE: THE CRUCIAL ROLE OF THE UNITED STATES

*Judge Richard Goldstone\**

Eight or nine years ago the American Bar Association honored the then President of Romania, Emil Constantinescu, at a luncheon during its annual meeting in Atlanta. I was invited to deliver the keynote speech at the luncheon. I arrived at Atlanta Airport after a long flight from Johannesburg. I presented my passport to the immigration official and the passport officials said to me, "What are you doing in the United States?," and I said, "Well, I am attending the annual meeting of the American Bar Association" and he looked down and he looked up and he said "oh, you're giving a keynote address?" and I said, "Yes, you're correct". He made me feel very important and after buttoning my jacket and standing a little taller, I asked him: How do you know that?" and he responded "Everyone coming in today is giving a keynote address. I thanked him for giving me a great opening for my keynote address. I thought it might be good opening today.

The subject of my talk today is the future of international criminal justice and the crucial role of the United States (U.S.). It is important that I spend a few minutes talking about recent history and especially the huge advances that have been made during the past seventy years. Advances in the law and legal institutions are invariably the consequence of changes on the ground. This applies to all branches of the law. Changes in tax law occur after new ways of avoiding the payment of tax are developed. New inventions such as the Internet require new laws to cope with the consequences. New laws always come after the event. That is particularly the case with regard to international criminal law. It is probably inevitable that the significant changes have come about as a result of catastrophes. The beginning of modern international criminal law is obviously the Nuremberg Trial of the major Nazi leaders. That was one of the consequences of the terrible crimes that were committed by the Hitler regime and especially the Holocaust.

One of the most important of the legacies of Nuremberg was the idea of crimes against humanity. The idea is that some crimes, atrocity crimes, are so egregious and shocking to all decent people that they constitute crimes not only against the immediate victims, but against all of humankind

---

\* Fordham Law School, International Law Weekend, Keynote Address

no matter where situated. This led to the extension of universal jurisdiction from piracy to these international crimes.

The first international recognition of universal jurisdiction is to be found in the four Geneva Conventions of 1949. It was made applicable to the investigation and prosecution of the “grave breaches” defined by those conventions. The second application of universal jurisdiction occurred only some 24 years later in the United Nations (U.N.) convention of 1973 that declared Apartheid in South Africa to constitute a crime against humanity. It conferred universal jurisdiction upon the courts of all countries to prosecute that offense. It took another eleven years for universal jurisdiction to be used in the Torture Convention of 1984. Whilst the Apartheid Convention did not lead to any investigations at all, the Torture Convention became the basis for a Spanish Court in 1999 seeking the arrest in the United Kingdom of General Pinochet, the former dictator of Chile.

Since then universal jurisdiction has been incorporated into more than a dozen international conventions dealing with the combatting of international terrorism. They date from the 1970s. One of the main reasons for this is the avoidance of safe havens for terrorists.

After the Nuremberg Trials it was widely assumed that there would be a treaty-based international criminal court. There is indeed reference to such a court in the Genocide Convention of 1948. However, the Cold War intervened and the very idea of such a court barely survived. And then again in 1993, it took genocide and crimes against humanity to have the Security Council of the United Nations establish an international criminal court to investigate and prosecute the war crimes being committed in the former Yugoslavia. For a similar reason the second such court was established by the Security Council for Rwanda. In turn, they were followed by the so-called hybrid tribunals—the Special Courts for Sierra Leone, East Timor, Cambodia and Lebanon. They were followed by the permanent International Criminal Court (ICC) that now has the support of 121 nations.

Many politicians are ambivalent about the ICC. They think it is a good idea for other nations but not for them. This is perhaps best exemplified by the approach of the United States and I will revert to this question. There is an ambivalence of a different kind in some of the African capitals and at the African Union. The facts are that of the seven situations presently before the ICC, two have been referred by the Security Council (Sudan and Libya), three have been referred by governments (Uganda, the Democratic Republic of the Congo and the Central African Federation and only two have come before the Court as a result of the Prosecutor using his own powers (Kenya and the Ivory Coast). It is a little unfair to accuse the Court of being biased against African countries. This

unfortunate perception will continue to exist until non-African countries become the subject of ICC investigations.

In parenthesis, I would add that prosecutors at the ICC should be wary of too readily accepting referrals from governments. It is inevitable that such referrals are made for political gain rather than to seek justice. It is not in itself a reason to refuse to accept a reference but it is, I would suggest, a good reason for caution. To borrow Justice Jackson's immortal phrase, it might well be a poisoned chalice.

When the Security Council established the ad hoc tribunals or refers cases to the ICC it clearly invades the sovereignty of the targeted nations. This was true of the nations of the former Yugoslavia, Serbia Croatia and Bosnia and Herzegovina. So, too, Rwanda which, after having requested the tribunal decided in the end that it did not wish the Security Council to establish it. There was a similar clear invasion of the sovereignty of Sudan and Libya when the Security referred those situations to the ICC under Article 16 of the Rome Statute.

I turn now to consider the role that the United States of America played in these events. I need not dwell too long on Nuremberg but I'm sure there are a few people in this room who do not know that it was at the United States' insistence the Nuremberg trials were held in 1945. Its view prevailed over the notorious resistance and opposition to the idea by then Prime Minister, Winston Churchill. He wanted to line up the Nazi leaders and summarily execute them. He said, "Everybody knows what they did and why should we give them the benefit or the privilege of having a trial." Josef Stalin, the Soviet leader, supported the U.S. insistence on a trial. He clearly had in mind a "show trial" in the form that was only too familiar to him. So, in the end, it is the United States that can claim the major credit for having set up the Nuremberg trials. That role was crowned by the outstanding leadership of the enterprise that came from Justice Robert Jackson, the U.S. Chief Prosecutor.

I now fast-forward to 1993 when the ICTY was set up as the first truly international criminal tribunal. Nuremberg, it should be remembered, was not an international tribunal. Together with the Tokyo War Crimes proceedings, they were multi-national courts set up by the victorious nations. They were really founded on the theory that what these nations could do on their own, they could clearly do together. In effect they pooled their individual jurisdictions. I would also point out that the judges came from victorious nations and, so too, the prosecutors. There was not even a multi-national prosecutors' office. Each of the four nations at Nuremberg appointed its own chief prosecutor and he worked with his own nationals.

It was also the United States that pushed the Security Council, in 1993, to set up an international criminal tribunal for the former Yugoslavia. Both

Russia and China had mixed feelings about it. And certainly, before the end of the Cold War in 1989 this would not have happened. It was the politics of 1993 that created a window of opportunity. It allowed led the United States during the Clinton administration and particularly under the supervision of Madeline Albright, who was then the U.S. permanent representative at the United Nations, to push for the establishment of the first ever truly international criminal court. It was Ambassador Albright's personal commitment; it was her leadership and enthusiasm that were really the main driver of the Yugoslavia and the Rwanda tribunals. I say this from personal knowledge and personal involvement.

There are many anecdotal illustrations I could give of this role that the United States played. First, without the role played by the United States, the Yugoslavia tribunal would not have been established. Having been established, it experienced severe teething problems. It took 18 months before the Security Council found a prosecutor. I was approached as at act of desperation. I was hardly equipped for the position. However, in the preceding 8 months, one or other of the members of the Security Council had vetoed no less than eight of the nominees put forward by the Secretary General. The ICTY was on the point of collapse and it took the support of newly elected President Nelson Mandela for a South African nominee to enable the Russians and the Chinese to agree on the Prosecutor.

When I arrived at the Tribunal on 15<sup>th</sup> of August of 1994, I found a skeleton staff of some 30 people in the office. That staff had not been regularly appointed—only the Prosecutor was authorized by the Security Council Statute to make appointments. There were twenty-three Americans, sent as a gift to the United Nations, who had already begun crucial work in those early days. Some of them had begun to create a database. Amongst them were highly competent investigators and lawyers. The first crisis I experienced after I arrived related to these twenty-three Americans.

There is a strange 13% rule in the U.N. On first being informed of it, it sounded crazy—that if any member state makes a gift to the U.N., such as these twenty-three outstanding people, the provider, the donor country, has to pay in cash to the United Nations 13% of the cost them of making the gift. Under that rule along with the considerable cost of the paying for the twenty-three, the United States would have had to pay some additional millions of U.S. dollars to comply with the rule. There is, however, a good reason for the rule. If you donate twenty-three people to the U.N., it costs the U.N. money to accept the gift. The experts sent to The Hague needed offices, they needed secretaries, investigators needed money to travel. The 13% is an arbitrary figure intended to supplement the budget. Without it the U.N. would, in effect, be forced to use funds for which no provision had

been made in the budget. A budget, remember, that is approved by all the members of the United Nations. On this occasion, the United States said "No, we've given this gift, this is a special gift, and we're not paying the 13%." And when I arrived in The Hague at their office, the headquarters of the U.N. said we will not pay a penny towards the expenses for these twenty-three people if we don't have the 13%. They couldn't use their offices and effectively they could not do the work. This is what I faced in the first day in the office. It was a most unpleasant shock. To be brief, I did succeed in having the U.N. agree to waive the 13% rule but only for one year. At the end of our second year, we had the same problem, and I went cap in hand back to New York. They waived the rule for a second year. Unfortunately, for my successor, Louise Arbor, the U.N. was adamant that rule would not be waived. The result was that many of the twenty-three had to go home. The roles played by those American experts were absolutely essential in the early days of the office of the prosecutor.

Another crucial area of support and assistance from the United States was cooperation on intelligence information. I didn't dare talk about this until I was invited by the American Society of International Law to join a panel talking about this question. Fortunately, the then head of the FBI was one of the panel members. During a telephone conference call about a week before the event he said that he would welcome my speaking about some of the detail relating to the kind of information we received from the United States. He added that there was no reason that that should be regarded as classified in any way. He said that, "We are rather proud of the assistance that we gave to the ICTY."

It took many days of meetings in Washington and The Hague with United States officials to hammer out an agreement under which the Yugoslavia tribunal prosecutors would be given classified information. We were required under the agreement to build a special safe room to keep the information that was accessible only to the chief prosecutor. Some highly classified material could only be inspected at the U.S. Embassy in The Hague. The importance of that information can't be exaggerated. A couple of examples: the briefing that we received in Washington D.C. There was a huge map on the wall showing the villages that had been attacked and ethnically cleansed by the Serb army in Bosnia. It was part of the "Greater Serbia" plan of incorporating into Serbia those towns and villages in which there were significant numbers of Serbs. One could see on the map the dates on which they were "ethnically cleansed:" the mosques bombed, the women raped, and the people tortured. Very little of that information was classified or sensitive. However, it would have taken us some months to collect the information that was highly relevant in building cases against the

Bosnian Serb leadership. And, bear in mind that we had very limited resources in those early days of the life of the Tribunal.

Our investigators had access to hundreds of thousands of victims and witnesses. There were over 300,000 Bosnian refugees living in Germany. Now, those witnesses had not come into contact with members of the leadership. They could provide testimony against camp commanders and police officers. They could identify the criminals who tortured them in their villages. We indicted some of those local leaders in order to create the building bricks with which to go against those higher up the ladder of command. We did that by relying on circumstantial evidence and proof of command and control. We used in the indictment against Karadzic his boasts, as commander-in-chief of the Bosnian Serb Army that nothing happened in his army without him knowing of it.

With regard to the worst act of genocide since World War II, the Srebrenica massacre, we were able to obtain first-hand information from a member of the Bosnian Army firing squad, Drazan Erdemovic. He informed us that he was an unwilling executioner who acted under extreme duress. He lost count after he counted over seventy innocent Bosnian men and boys were executed next to a mass grave. He was the only eye-witness available to us. He was, however, able with some precision to tell us the location of the mass grave. Within days we received satellite images from Washington that conclusively corroborated the evidence of Erdemovic. We received this information in confidence and it could not be used without the consent of the U.S. Government. In no way did that detract from this important corroborative information.

A prosecutor in an International Court is really a sitting duck for malicious misinformation. A number of reports came in during my term in office intended to have the Prosecutor use scarce resources on what would have been a wild goose chase. It was helpful to be able to send the reports to Washington and say, "Please tell us whether this is serious. Should we be looking into this or should we ignore it?" If we were told that it was not worth following up that saved us many wasted hours of work. The value of this kind of assistance cannot be exaggerated.

There was also important assistance for the Rwanda Tribunal. In the weeks after the new Office of the Prosecutor was established, we had office space in Kigali, the capital of Rwanda. We had no furniture and we had no computers. The United Nations at that point was just about on the brink of bankruptcy in consequence of the United States going through one of its severe anti-U.N. phases and withholding payment of its U.N. dues. The United Nations couldn't afford to give us furniture or office supplies. A friend in the U.N. Headquarters in New York mentioned to me that there was a U.N. warehouse in Brindisi, on the eastern coast of Italy, full of

furniture and computers—everything we needed was there. However, on inquiry I was informed by the U.N. that the department that owned the supplies could not afford to give them to us because of the adverse effect that would have on its balance sheet. Kofi Annan was then the head of Peacekeeping and we had become friendly. I called Kofi Annan and explained the problem. He came back to me very promptly the next day and he said, “Well, I have good news and bad news. The furniture is there and the computers are there; you can have them.” And I said, “What’s the bad news.” And he said, “The bad news is we can’t afford to send it to you!” So, I picked up the phone and I called David Scheffer, the then Senior Counsel in Madeleine Albright’s office and I told him the problem. Within 24 hours a huge U.S. transport plane brought us the supplies from Brindisi. Until then our few staff members were literally using Coca-Cola boxes as desks and chairs. We had to scrounge for paper and pencils for them to use. There were no computers. So, you can imagine what a boost of morale this was for the people in the office.

The United States’ judges played a crucial role. Gabrielle Kirk McDonald was one of the first eleven judges of the ICTY. She was a former Federal judge in Texas. I know from hearsay from other judges of the crucially important role she played in assisting her colleagues in writing the rules of procedure and evidence that they had to work out for the Yugoslavia tribunal, and years later almost without change for the Rwanda tribunal.

Judge Pat Wald, the former Chief Judge of the D.C. Circuit also played an important role during the two years she served at the ICTY. Then, of course, there was Judge Ted Meron, formerly of NYU Law School, who was recently elected to serve a second term as the President of the ICTY.

American judges and lawyers played a similarly important role at the ICTR and in the mixed or hybrid tribunals. The U.S. financial support for these tribunals was also crucially important. This all makes me saddened at the fact that the United States is not playing this kind of role with regard to the ICC.

It was the United States that was primarily responsible for encouraging the United Nations Secretary General, Kofi Annan to call the diplomatic meeting in Rome in June 1998 to consider a statute for the ICC. It was, however, literally on the way to Rome that the United States grew cold. Opposition to the Court from the Pentagon caused this instant chill. It was their fear of U.S. military and political leaders coming before an international court that was felt to be anathema. This led to the US joining only six other countries in voting against the Rome Treaty. 120 voted in favor of it.

As one of his last acts as President, Bill Clinton signed the Rome Treaty indicating that the United States would not take any action inconsistent with the Rome Treaty. Regrettably that was soon followed President George W. Bush “unsigned” the treaty. With the encouragement of John Bolton the Bush Administration soon took active steps in an attempt to kill the court in its infancy. The support of more than half of the members of the U.N. ensured that those efforts failed.

During the second administration of President George W. Bush, in 2006, and to my astonishment, at an ASIL meeting a panel which I happened to be moderating, the Legal Advisor at the State Department, John Bellinger, stated that the State Department had decided now to actively assist the ICC Prosecutor in those cases considered to be consistent with U.S. foreign policy and that such assistance had already begun. That announcement was followed by the United States deciding not to veto the reference by the Security Council of the Darfur situation to the ICC. That policy was still actively opposed by the military and the State Department reportedly fought a tough battle to ensure that the United States did not exercise its veto. I remember reading a speech by the then Ambassador for War Crimes Issues, a few weeks before the Security Council vote, to the effect that the United States would veto any reference of Darfur to the Security Council because such a reference would give the court credibility. And of course he was correct: it did give them credibility but he was incorrect in that the State Department won that battle. It was Secretary of State, Colin Powell who declared that what was happening in Darfur constituted genocide. That was followed by unanimous resolutions in both the House and Senate to the same effect. It was against that background that the State Department correctly came to the conclusion that to veto a reference of that situation to the ICC would have left its African policies in tatters. More importantly, there was the more recent unanimous decision of the Security Council to refer the Libyan situation to the ICC. This warmer approach to the ICC was carried forward by the administration of President Obama.

The ICC is hardly out of the woods. There are serious problems and we have been hearing about many of them from speakers yesterday and today. There are the negative views coming from African leaders in consequence of all seven situations before the Court relating to African nations. That perception is understandable but a little unfair. Only two of them have been initiated by the Prosecutor. The others were referred to the Court by the Security Council or by African governments themselves. Then there are the financial problems that result from some of the leading members of the Assembly of States Parties calling for a negative growth budget for the Court. That the Court is weaker for the absence of active

participation of the United States is not difficult to comprehend. The change in attitude in Washington to international courts is drastic.

The United States fear of bias on the part of the ICC was raised in one of the panels. What is not appreciated sufficiently and especially in the United States is that a professional office such as the Office of the Prosecutor would not be able to get away with that kind of bias. There are no secrets between members of a prosecutor's office. In such an office there are senior lawyers and investigators from forty, fifty, sixty countries. If there was a bias, an unprofessional bias, against any country in that sort of office, it would become public in less than 24 hours. I can assure you of that.

When I was chief prosecutor of the ICTY, we had a Russian lawyer on our staff. He was sent to The Hague at my request. I have no doubt that he would have reported to his Government any inappropriate anti-Serb sentiment in the office. I would not have blamed him for doing so. So, too, there would be objections to anti-United States or any other similar bias. There are Americans working at the ICC. If there was a bias against the United States they would certainly not tolerate it.

I will conclude by repeating what John Washburn said earlier today concerning the importance of civil society and especially in the United States. The United States is different from other major nations that oppose the International Criminal Court. Russia is not ambivalent. China is not ambivalent. For them the International Criminal Court is a bad idea and if war criminals benefit from impunity, so be it. That is not the position in the United States. In this country there must be few who approve of the commission of serious war crimes and do not believe that war criminals should not be punished. But there is this political fear or at least suspicion that powerful countries including the United States have in respect of international organizations. That is the main reason for U.S. "exceptionalism." And bear in mind, the United States did not object to being within the jurisdiction of the Yugoslavia tribunal with regard to NATO attacks on Kosovo. There were complaints from Russia to the effect that war crimes were committed by NATO. The prosecutor decided that there was insufficient evidence to justify an inquiry into the allegations. What is important is that the United States didn't for a moment say, "We are not going to get involved in the Kosovo campaign."

There is no more effective way to withdraw impunity from war criminals than to strengthen international justice. Some leaders around the world are not sleeping well in light of the fate suffered by Milosevic and the trials ongoing against Charles Taylor, Radovan Karadzic and Ratko Mladic. In respect of some of them there must surely be a deterrent factor. To achieve success in the long run the role of the United States is crucial. This

places a huge burden on civil society in this country. You, the people in this room can make the difference. You can continue to influence your government to do more in assisting international criminal justice. Thank you very much.

---

**ILSA JOURNAL OF INTERNATIONAL & COMPARATIVE LAW**  
**NOVA SOUTHEASTERN UNIVERSITY**  
**SHEPARD BROAD LAW CENTER**

---

Volume 18

Summer 2012

Number 3

---

**Executive and Editorial Board Members:**

**CO-EDITOR-IN-CHIEF**

Todd Wise & Christopher Brown

**MANAGING EDITOR**

Jennifer Valiyi  
Alana J. Faintuch

**EXECUTIVE EDITOR**

Hillary Rosenzweig  
Rayna Karadbil

**LEAD ARTICLES EDITOR**

Rina Bodner  
Alicia Zweig

**SUBSCRIPTIONS EDITOR**

Anca Oprea  
Jennifer Lemberger

**BILINGUAL EDITOR**

Sylvia Cano  
Rafaela Vianna  
Jany Martinez

**LEAD TECHNICAL EDITOR**

Kimberly Stephenson  
Christina Cossio

**ASSOCIATE MANAGING EDITOR**

Stephen Mervis  
Michel Morgan

**ASSOCIATE EXECUTIVE EDITOR**

Rebecca Rodriguez  
Martavis Clarke

**ASSOCIATE BILINGUAL EDITOR**

Yuna Scott

**ASSOCIATE TECHNICAL EDITOR**

Robert Adams

**ARTICLES EDITOR**

Robert Adams

**ARTICLES EDITOR**

Kenneth Louie

**ARTICLES EDITOR**

Sasha Stauffer

**SENIOR STAFF MEMBER:**

Phillip Jones

**FACULTY ADVISORS:**

Douglas Donoho, Professor of Law

Roma Perez, Professor of Law

**JUNIOR STAFF MEMBERS:**

Carmen Alonso  
Yelina Angulo  
Nicole Bagdadi  
Kunal Bhathija  
Lisa Escapa-Lima  
Mar Estrach  
Laura Garcia

Tal Harari  
Liz Kata  
Kevin Koushel  
Cory Lapin  
Courtney Milam  
Melissa Miranda  
Armand Murach

Theresa Nga Nguyen  
Luz Nieto  
Leilani Sorogon  
Xia Xia Terranova  
Dominique  
Venetsanopoulos  
Matthew Wasserman

---

NOVA SOUTHEASTERN UNIVERSITY  
SHEPARD BROAD LAW CENTER

---

ADMINISTRATION

Athornia Steele, B.A., J.D., *Dean of the Law School & Professor of Law*  
Leslie Larkin Cooney, B.S., J.D., *Associate Dean for Academic Affairs & Professor of Law*  
Josh Metz, B.S., B.S., B.A., C.P.A., *Director of Finance and Administration*  
Catherine Arcabascio, B.A., J.D., *Associate Dean for International, Online and Graduate Programs and Professor of Law*  
Jennifer McIntyre, B. S., M.S., *Assistant Dean for Online Programs*  
Janet Mosseri, B.S., J.D., *Associate Director for Student Affairs*  
Lynn Acosta, B.A., M.S., *Assistant Dean for Student Services*  
William Perez, B.A., *Assistant Dean for Admissions*  
Linda F. Harrison, B.A., J.D., *Associate Dean, Critical Skills Program & Associate Professor of Law*  
Bernadette Carnegie Baugh, B.S., M.S.M.F.T., *Administrative Director, Critical Skills Program*  
Nancy Kelly Sanguigni, B.S., M.B.A., *Assistant Dean for Clinical Programs*  
Robert Levine, B.S., J.D. *Assistant Dean of Career Development, & Adjunct Professor*  
Jennifer Jarema, B.A., M.S., *Director of Communication and, Publications & Special Events*  
Doug Kruse, B.A., M.S., *Director of Development*  
Eric Young, B.A., M.L.S., J.D., *Director Law Library & Technology Center, Head of Information Services and Assistant Professor of Law*

FACULTY

John B. Anderson, B.A., J.D., LL.M., *Distinguished Visiting Professor of Law*  
Catherine Arcabascio, B.A., J.D., *Associate Dean, International Programs and Professor of Law*  
Timothy Arcaro, B.S., J.D., *Academic Director AAMPLE and Online Programs, and Professor of Law*  
Heather Baxter, B.A., J.D., *Assistant Professor of Law*  
Brion Blackwelder, B.S., J.D., *Director, Children & Families Clinic & Associate Professor of Law*  
Ronald Benton Brown, B.S.M.E., J.D., LL.M., *Professor of Law*  
Randolph Braccialarghe, B.A., J.D., *Professor of Law*  
Barbara Britzke, M.A.T., J.D., LL. M, *Critical Skills Program Instructor*  
Johnny C. Burris, B.G.S., J.D., LL.M., *Professor of Law*  
Marilyn Cane, B.A., J.D., *Professor of Law*

Kathy Cerminara, B.S., J.D., LL.M., *Professor of Law*  
 Meg Chandelle, B.S., M.B.A., J.D., *Director of Advanced Lawyering Skills & Values & Adjunct Professor of Law*  
 David R. Cleveland, B.A., J.D., *Associate Professor of Law*  
 Phyllis G. Coleman, B.S., M.Ed., J.D., *Professor of Law*  
 Leslie Larkin Cooney, B.S., J.D., *Associate Dean of Academic Affairs and Professor of Law*  
 Jane Ellen Cross, B.A., J.D., *Director of Caribbean Law Programs and Associate Professor of Law*  
 Debra Moss Curtis, B.A., J.D., *Professor of Law*  
 Michael J. Dale, B.A., J.D., *Professor of Law*  
 Mark Dobson, B.A., J.D., LL.M., *Professor of Law*  
 Douglas Lee Donoho, B.A., J.D., LL.M., *Professor of Law*  
 Olympia Duhart, B.A., J.D., *Associate Professor of Law*  
 Lynn A. Epstein, B.S., J.D., *Professor of Law*  
 Michael Flynn, B.A., J.D., *Professor of Law*  
 Amanda Foster, B.A., J.D., *Associate Professor of Law*  
 Pearl Goldman, B.C.L., M. Phil., LL.B., J.D., LL.M., *Professor of Law*  
 Colleen Grady, M.S., Ed., J.D., *Critical Skills Program Instructor*  
 Robert Gregg, J.D., *Critical Skills Program Instructor*  
 Joseph M. Grohman, B.A., M.A., J.D., *Professor of Law*  
 Richard Grosso, B.S., J.D., *Director, Environmental & Land Use Law Clinic and Associate Professor of Law*  
 Gwen Thayer Handelman, B.A., J.D., *Scholar in Residence*  
 Joseph D. Harbaugh, B.S., J.D., LL.B., LL.M., *Dean Emeritus & Professor of Law*  
 Linda F. Harrison, B.A., J.D., *Associate Dean, Critical Skills Program & Associate Professor of Law*  
 Joseph Hnylka, B.A., J.D., *Assistant Professor of Law*  
 Areto Imoukhuede, B. A., J.D., *Associate Professor of Law*  
 Robert M. Jarvis, B.A., J.D., LL.M., *Professor of Law*  
 Alicia Jackson, M.P.A., J.D., *Critical Skills Program Instructor*  
 Judith Karp, B.A., M.L.S., J.D., *Professor of Law*  
 Shahabudeen Khan, B.S., J.D., *Assistant Professor of Law*  
 Ishaq Kundawala, B.A., J.D., *Associate Professor of Law*  
 P. Camille Lamar, B.A., J.D., *Associate Professor of Law*  
 Elena Langan, B.A., J.D., *Director of First Year LSV Program and Associate Professor of Law*  
 Robert C. Levine, B.S., J.D., *Assistant Dean, Career Services & Adjunct Professor of Law*  
 James B. Levy, B.A., J.D., *Associate Professor of Law*  
 Kenneth Lewis, B.A., J.D., *Assistant Professor of Law*  
 Donna Litman, A.B., J.D., *Professor of Law*  
 Elena Marty-Nelson, B.A., J.D., LL.M., *Professor of Law*  
 Michael R. Masinter, B.A., J.D., *Professor of Law*  
 Jani E. Maurer, B.A., J.D., *Professor of Law*  
 Howard Messing, A.B., J.D., *Professor Emeritus of Law*  
 Joel A. Mintz, B.A., J.D., LL.M., J.S.D., *Professor of Law*  
 Hugh Mundy, B.A., J.D., *Assistant Professor of Law*  
 Hedy Muransky, B.A., M. Ed., J.D., *Critical Skills Program Instructor*

Timothy A. O'Brien, B.A., M.A., J.D., *Distinguished Visiting Professor of Law*  
 Roma Perez, B.A., J.D., *Associate Professor of Law*  
 Pouncy, Charles, B.A., J.D., LL.M., *Distinguished Visiting Professor of Law*  
 Patricia Murphy Propheter, M.A. Ed., J.D., *Critical Skills Program Instructor*  
 Rodney Rawls, J.D., LL. M., *Critical Skills Program Instructor*  
 Gail Levin Richmond, A.B., M.B.A., J.D., *Professor of Law*  
 Michael L. Richmond, A.B., M.S.L.S., J.D., *Professor of Law*  
 Eloisa C. Rodriguez-Dod, B.B.A., M.B.A., J.D., *Professor of Law*  
 Bruce S. Rogow, B.B.A., J.D., *Professor of Law*  
 Marc Rohr, B.A., J.D., *Professor of Law*  
 Raul Ruiz, B.A., J.D., *Critical Skills Program Instructor*  
 John Sanchez, B.A., J.D., LL.M., *Professor of Law*  
 Florence Shu-Acquaye, LL.B., LL.M., J.S.M., J.S.D., *Professor of Law*  
 Charlene Smith, B.A, M.A., J.D., LL.M., *Professor of Law*  
 Athornia Steele, J.D. *Dean and Professor of Law*  
 Michele Struffolino, M.A Ed., JD., *Assistant Professor of Law*  
 Fran L. Tetunic, B.A., J.D., *Director, Alternative Dispute Resolution Clinic & Associate Professor of Law*  
 Kathryn Webber, B.A., J.D., *Assistant Professor of Law*  
 James D. Wilets, B.A., M.A., J.D., *Professor of Law*  
 Tania Williams, B.A., J.D., LL. M., *Critical Skills Program Instructor*  
 Steven Wisotsky, B.A., J.D., LL.M., *Professor of Law*  
 Eric Young, B.A., M.L.S., J.D. *Assistant Dean for Law Library and Technology Services/Assistant Professor of Law*

## ADJUNCT FACULTY

Scott Atherton, B.S., J.D.	Neil Karadbil, B.A., J.D.
Ross Baer, B.A., J.D.	Ken Kugler, B.A., J.D.
Steve Ballinger, B.A., J.D.	Warren Kwavnick, B.C., J.D.
Courtney Bannan-Strader, B.S., J.D.	Barbara Landau, B.A., J.D., LL.M.
Roshawn Banks, B.S., J.D.	Steven Leigh, B.S., M.S., J.D., Ph. D.
Lorna Banister, B.S., J.D.	Allan M. Lerner, B.A., J.D.
Marilyn Batista-McNamara, B.S., J.D.	Robert Levine, B.S., J.D.
Leyza Blanco, B.A., J.D.	James Lewis, B.A., J.D.
Gabrielle Bouza, B.S., J.D.	Juan Lopez-Campillo, B.A., J.D., LL.M.
Mark Bromley, B.S., J.D.	Rochelle Marcus, B.S., M.ED., J.D.
Dale A. Bruschi, B.S., J.D.	Lisa A. McNeils, B.A., J.D.
Robert Campbell, B.A., J.D., M.P.H., Ph.D.	Catherine M. Michael, B.A., J.D.
Lydia Cannizzo, B.H.S., J.D.	Elena R. Minicucci, B.A., J.D.
Meg Chandelle, B.S., M.B.A., J.D.	Seema Mohapatra Reddy, B.A., M.P.H.,

Michele Chang, B.A., J.D., M.H.A.  
 Judith Chorlog, B.S., J.D.  
 Howard Citron, B.S., J.D.  
 Steven M. Collard, B.A., M.Ed.  
 Michael Constantino, B.A., J.D.  
 Christopher Crane, B.S., J.D.  
 Charles Curtis, B.S., J.D.  
 Arthur Ted Daus, B.A., J.D.  
 Morton A. Diamond, B.A., M.D.  
 Robert F. Diaz, A.A., B.A., J.D.  
 Ken S. Direktor, B.A., J.D.  
 Susan Dubow, B.S.  
 Rebecca Feinberg, B.A., J.D.  
 Jane Fishman, B.A., J.D.  
 Luis Font, J.D.  
 Rex J. Ford, B.S., J.D.  
 Steve Friedland, B.A., J. D., LL. M.,  
 J.S.D.  
 John A. Frusciante, B.A., M.S., J.D  
 Myrna Galligano, B.A., J.D.  
 Jason Glusman, B.A., J.D.  
 Stuart Gold, B.A., J.D.  
 Adam S. Goldberg, B.S., J.D., LL.M.  
 Anthony Gonzalez, B.A., J.D.  
 Robert C. Grosz, B.A., M.S., Ed.D.  
 Tonja Haddad, B.A., J.D.  
 Ross Hartog, B.S., J.D.  
 Robert Hartsell, B.A., J.D.  
 Ann Hesford, B.A., J.D.  
 Douglas F. Hoffman, B.S., B.A.,  
 J.D.  
 Alfred Horowitz, B.A., J.D., LL.M.  
 Julie Hough, B.A., J.D.  
 Jacqueline Howe, B.A., J.D.  
 Cynthia Imperato, B.S., M.S., J.D.  
 William Isenberg, B.A., J.D.  
 Yasmin Jacob, B.A., J.D.  
 Judith Jarvis, B.A., J.D.  
 Linnea Johnson, B.A., J.D.  
 Nick Jovanovich, B.S., J.D., LL.M  
 Norman Kaplan, B.S., J.D., LL.M.  
 Daniel L. Kaufman, B.S., J.D.  
 Kenneth Morgan, Jr., B.A., J.D.  
 Alberto Moris, B.A., J.D.  
 Gerald Morris, B.A., J.D.  
 Charles Morton, B.A., J.D.  
 John Napolitano, B.A., J.D.  
 Matthew Nelles, B.S., J.D.  
 Alice Nelson, B.A., M.S.W., J.D.  
 Paul A. Nidich, B.A., J.D., LL.M.  
 William Nortman, B.A., J.D.  
 Mark Nurik, B.A., J.D.  
 Elizabeth Pendo, B.A., J.D.  
 Laura Pincus, B.A., M.A., J.D.  
 Gary A. Poliakoff, B.S., J.D.  
 Vanessa Prieto, B.A., J.D.  
 Rachael Ricci, B.A., J.D.  
 Israel Reyes, A.A., B.S., J.D.  
 Rebecca Rich, A.B., J.D., M.S.  
 Christine Rickard, B.A., J.D.  
 H. John Rizvi, B.S., J.D.  
 Michael Rocque, B.A., J.D.  
 Jose A. Rodriguez-Dod, B.S., J.D.  
 Denise Roland, B.A. J.D.  
 Jon Rosenthal, B.A., J.D.  
 Diana Santa Maria, B.A., J.D.  
 Jessica Santiago, B.A., J.D.  
 Philip G. Schlissel, B.A., J.D.  
 Carl Schoeppl, B.S., J.D.  
 Adam Schulman, B.A., M.S., Ph.D.  
 Robert Schwartz, B.A., J.D.  
 Neal Shniderman, B.A., J.D.  
 Jodi Siegel, B.A., J.D.  
 Samuel Smargon, Ph.D., J.D.  
 Scott Smiley, B.S., J.D.  
 Mindy Solomon, B.S., J.D.  
 Richard Stone, B.A., J.D.  
 Frank Terzo, B.A., J.D.  
 Debbie Thaler, B.A., J.D.  
 Ellen S. Tilles, B.A., M.S.W., Ed.S.,  
 J.D.  
 Damian Thomas, B.B.A., J.D.  
 Emilie Tracy, B.A., J.D.  
 Rhonda Wallach, B.S., J.D.  
 Daniel S. Weinger, B.B.A., J.D.  
 Jason Weiss, B.A., J.D.

Phyllis Kotey, B.A., J.D., M.A.  
Pamela Krauss, B.S., M.S., J.D.  
Ira Kurzban, B.S., J.D.

Harry Dohn Williams, B.A., J.D.  
Camille Worsnop, B.S., J.D., LL.M  
Bruce Zimet, B.A., J.D.

### **LIBRARY STAFF**

Eric Young, B.A., M.L.S., J.D. *Assistant Dean for Law Library and  
Technology Services and Assistant Professor of Law*  
Frank Novak, B.A., J.D., *Director of Network Services*  
Stephan Sobchak, B.S., *Technology Development  
Manager*  
Jason Rosenberg, B.A., M.B.A., M.I.S, *Information Systems Adm*  
Carol Yecies, B.A., J.D., *Associate Director for Reference Services*  
Becka Rich, B.A., J.D., M.S. *Senior Associate Director of Law Library  
and Technology Center and Adjunct Professor of Law*  
Mary Paige Smith, B.A., M.L.S., *Associate Law Library Director for  
Technical Services*  
Angie Stramiello, B.A., M.L.S., *Reference Librarian*  
Alison Rosenberg, B.A., J.D., *Reference/Electronic Services Librarian*  
Stephanie Hess, B.A., M.L.I.S., *Assistant Head of Technical Services,  
Acquisitions & Serials*