
The edition commemorates the Center for Social Justice’s symposium on Rekindling the Spirit of Brown v. Board of Education: A Call to Action. Elaine Jones, President and Director-Counsel of the NAACP Legal Defense Fund, inaugurated the symposium with a captivating “Call to Action” on November 13, 2003. Delivering the Hon. Mario G. Olmos Lecture to a packed audience in Booth Auditorium, Ms. Jones recalled the political strategies that made Brown v. Board of Education possible and described the organized efforts required to insure equal opportunity for students of color in the future. Professor Cruz Reynoso, former Justice of the California Supreme Court, recalled Judge Olmos’ commitment to recruiting students of color to Boalt Hall during his student days.

On November 14, 2003, nearly fifty leading experts from around the country focused on the reasons why Brown has not been more successful in affording equal educational opportunities for all students and discussed strategies for surmounting those barriers in the future. The symposium benefited from more than half a century of litigation experience from Professor Jack Greenberg, counsel for plaintiffs in Brown v. Board of Education; Arthur Benson, the attorney for the schoolchildren in the Kansas City school desegregation litigation, Jenkins v. Missouri, which lasted from 1979 to 2003; Miranda Massie, counsel for the student intervenors in Grutter v. Bollinger, the Michigan Law School affirmative action case, and Catherine Lhamon, the ACLU attorney representing the plaintiffs in Williams v. California, the statewide class action suit that seeks to insure that all public school students have access to textbooks, trained teachers, and safe and adequate school facilities.

Many different perspectives on the challenge of rekindling the spirit of Brown came from law professors with expertise in education law such as Gary Blasi, Goodwin Liu, Rachel Moran, and Steve Sugarman; leaders of the civil rights bar like Deborah Escobedo, Eva Paterson and Thomas Saenz; and a dozen renowned social scientists like Nancy Denton, Reynaldo Macias, Waldo Martin, Jeannie Oakes, and Paul Ong. Author Merrideth Maran, journalist Peter Schrag, and community activists like Albi Soltani and Renato Almanzor contributed important viewpoints not often heard in academia. Lawyers working within the educational system such as Michael Russell and Dirk Tillotson as well as educators like Beverly Cross, Henry Der, Richard Gray, and Hae-Sin Kim were also able to shed light on what is actually happening in our schools.
Matt Gonzalez, President of the San Francisco Board of Supervisors, delivered the annual Raven Lecture, "The American City: A Tool for Progressive Change in the 21st Century," on Thursday, April 15, 2004, at 4:00 p.m. in Booth Auditorium.

A Texas native, Matt Gonzalez graduated from Columbia University in 1987 and received his J.D. from Stanford Law School in 1990. While in law school he was an editor of the Stanford Law Review and a member of the Stanford Environmental Law Journal. As a law student, Gonzalez also worked in the school's East Palo Alto Community Law Project on immigration law matters, participated in a mediation project at Menlo-Atherton High School, and worked for the California Appellate Project. During the 1990's Gonzalez was a trial lawyer handling felony cases in the Office of the Public Defender in San Francisco. In 1999, Gonzalez ran an impressive campaign for District Attorney, focusing on the need to prosecute illegal evictions, environmental crimes, and political corruption. Although he was a political novice, he finished third in a field of five candidates, receiving just over 11% of the vote. In December 2000, Gonzalez was elected to the San Francisco Board of Supervisors, representing District 5. He was the first member of the Green Party to win elective office in San Francisco, garnering over 65% of the vote in a runoff election. Since his election, Gonzalez has been a strong advocate for progressive causes, including affordable housing, police accountability, and environmental protection. He has worked to pass successful ballot measures reforming the Planning Commission, the Ethics Commission, the Police Commission, and the city's election process. Gonzalez is also a strong supporter of the arts and hosts a monthly art opening in his office at City Hall. In January 2003, Gonzalez was elected president of the Board of Supervisors by his colleagues. Matt Gonzalez narrowly lost his first bid for mayor last fall.

SPRING SYMPOSIUM:
THE NEW METROPOLIS: SOCIAL CHANGE IN AMERICA'S CITIES

The Raven Lecture opened a symposium titled “The New Metropolis: Social Change in California’s Cities” on April 16, 2004. Co-sponsored with the UC Berkeley Institute for the Study of Social Change and the UC Berkeley Center for Latino Policy Research, the conference focused on the ways in which globalization, immigration, and other economic and social trends have been transforming the ethnic, racial, and economic landscapes of California’s metropolitan areas. This symposium is part of a broader research project initiated by the Institute for the Study of Social Change. Panel topics included “The Emerging Latino Majority: Transforming Urban Life in California,” “Ethnic and Economic Restructuring: Comparing Northern and Southern California Cities;” “Mobilizations and Movements: The Pursuit of Social Justice in the Bay Area;” and “Roundtable: A Conversation with Community Leaders” with Angela Blackwell, James Head, Junious Williams, Ada Chan, and Sylvia Rosales-Fike.
**2003-2004 RUTH CHANCE LECTURES**

**Spring 2004**

**Bill Kennedy**, Managing Attorney, Legal Services of Northern California, and **James Daggs**, Executive Director, Sacramento Valley Organizing Community (SVOC) - “The Lawyer’s Role in Support of Community Organizing“


**Jose Padilla**, Executive Director, California Rural Legal Assistance, and **Deborah Escobedo**, Staff Attorney, Multicultural Education, Training & Advocacy (META) - “25 Years of Poverty Law: Thoughts of Battered Servants”

**Van Jones**, Founder and Executive Director, Ella Baker Center for Human Rights (EBC) – “Books Not Bars: Defeating California’s Incarceration Industry”

**Michelle Alexander**, Director, Stanford Law School Civil Rights Clinics and Former Director of The ACLU Racial Justice Project - “The New Jim Crow”

**Shirley Hufstedler**, Senior of Counsel, Morrison & Foerster - “As It Was, As It Is, and As It Might Become”

**Fall 2003**

**Jonathan Hiatt**, General Counsel, American Federation of Labor Congress of Industrial Organizations—“Confronting the Lack of Freedom to Choose a Union: Labor's Agenda”

**Andrew I. Huff**, Staff Attorney, Indian Law Resource Center—“Indian Rights Lawyering”

**Eva Paterson**, Executive Director, Equal Justice Society” - What’s Race Got To Do With It?”

**Maria Blanco**, National Senior Counsel, Mexican American Legal Defense and Educational Fund (MALDEF) –“Proposition 54: Legislating Race and Ethnicity”

**Olivia Wang**, Staff Attorney, Legal Services for Prisoners with Children - “Building a Movement as an Activist Attorney: Working with Battered Prisoners”

**David D. Cole**, Professor, Georgetown University Law Center - “Enemy Aliens and American Freedoms: Why Defending the Rights of Foreign Nationals In the War on Terrorism Defends Us All”

**Ramon Arias**, Executive Director, Bay Area Legal Aid—“Civil Legal Services in the Bay Area”.

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**The Honorable Shirley Mount Hufstedler Delivered a Ruth Chance Lecture**

The Honorable Shirley Hufstedler, Senior of Counsel, Morrison & Foerster, Los Angeles, delivered a Ruth Chance Lecture on Monday, April 26, from 12:45-1:45 p.m. in 115 Boalt Hall. Ms. Hufstedler was appointed Judge of the Los Angeles County Superior Court in 1961, a position to which she was elected a year later, and in 1966 she was elevated to the Court of Appeals. President Lyndon B. Johnson appointed her Judge of the United States Court of Appeals for the Ninth Circuit in September 1968. She served in that capacity for 11 years before President Carter selected her to be the first United States Secretary of Education. Ms. Hufstedler returned to private life in 1981 to teach and practice law. She was a partner in the firm of Hufstedler & Kaus, now merged into Morrison & Foerster where she is Senior of Counsel.
PROFESSOR DAVID COLE DELIVERED A RUTH CHANCE LECTURE

Professor David Cole gave the Ruth Chance lecture entitled “Enemy Aliens and American Freedoms: Why Defending the Rights of Foreign Nationals In The War on Terrorism Defends Us All.” Professor Cole started his career as a staff attorney for the Center for Constitutional Rights where he litigated a number of major First Amendment cases, including Texas v. Johnson, United States v. Eichman, which established that the First Amendment protects flag burning, and National Endowment for the Arts v. Finley, which challenged the constitutionality of content restrictions on federal arts funding. He continues to litigate First Amendment and other constitutional issues as a volunteer staff attorney at the center. He has published in a variety of areas, including civil rights, criminal justice, constitutional law and literature. He is the legal affairs correspondent for The Nation, a columnist for Legal Times, a commentator on National Public Radio; All Things Considered, and the author of No Equal Justice: Race and Class in the American Criminal Justice System (New Press, 1999), which was named Best Nonfiction Book of 1999 by the Boston Book Review and best book on an issue of national policy in 1999 by the American Political Science Association.

2003-2004 PRACTITIONERS IN RESIDENCE

JONATHAN HIATT

Jonathan Hiatt, General Counsel for the AFL-CIO, and Executive Director for the Lawyers Coordinating Committee, was the center’s Practitioner in Residence during the fall semester. Hiatt delivered a Ruth Chance Lecture, “Confronting the Lack of Freedom to Choose a Union: Labor’s Agenda,” and led a discussion with Professor Linda Krieger, Professor Barry Winograd, and Judge John True titled “How Legal Regulations of the Work Place and Collective Bargaining Can Mesh in Practice to Give Real Protection to Workers.” Mr. Hiatt was appointed General Counsel in 1995 by the Federation’s elected President, John J. Sweeney. Previously, Hiatt served for eight years as the General Counsel of the Service Employees International Union, a 1.5 million member labor organization based in Washington, D.C., where he directed the union’s legal department. Before that, he was a partner in a union–side labor law firm in Boston, Massachusetts, Angoff, Goldman, Manning, Pyle, Wanger & Hiatt. He joined the firm in 1974, after graduating from Boalt Hall and Harvard College.

VAN JONES

Van Jones, Founder and Executive Director of the Ella Baker Center for Human Rights, was the center’s spring 2004 Practitioner in Residence. Mr. Jones gave the Ruth Chance Lecture, “Books Not Bars: Defeating California’s Incarceration Industry,” and led a panel on current criminal justice issues with Professors Lis Semel and Chuck Weisselberg of the Boalt Hall Death Penalty Clinic, Professor Jonathan Simon from the Jurisprudence and Social Policy program and Professor Angela Harris. He also met with students and faculty in more informal settings and held office hours.

Born in rural west Tennessee, Mr. Jones is a 1990 graduate of the University of Tennessee at Martin and a 1993 graduate of the Yale Law School. He is a member of the Social Venture Network’s Membership of Committee and a 2002 recipient of the World Economic Forum’s Global Leader of Tomorrow Award.

The Ella Baker Center for Human Rights (EBC) is a national organization which challenges human rights abuses in U.S. prisons and studies alternatives to incarceration. EBC documents, exposes, and challenges human rights abuses within the United States criminal justice system, and combines policy reform, media advocacy, public education, grassroots organizing, direct-action mobilizing, cultural activism, new technology and legal services to accomplish its mission.


Charles Weisselberg on “You have the right to remain silent .. Maybe.” A discussion of Missouri v. Seibert, a case that was pending in the United States Supreme Court.

Kathryn Abrams on “Ashcroft v. Georgia: A Turning Point for Minority Political Power.”


Norman Spaulding, on Robert S. Chang, “Toward A Race-Conscious Pedagogy In Legal Education,” 4 S.Cal Rev.L and Women’s Studies 33

**SOCIAL JUSTICE THURSDAY SEMINARS WITH BOALTL HALL PROFESSORS: THE FIRST YEAR CURRICULUM THROUGH A SOCIAL JUSTICE LENSE**

**SPRING 2004 SCHOLAR IN RESIDENCE: MARY HELEN MCNEAL**

Mary Helen McNeal is Clinical Director and Professor at the University of Montana School of Law. In addition to directing and teaching in the clinic, Professor McNeal’s courses included Public Interest Lawyering. Professor McNeal’s scholarship in the equal justice area has focused primarily on ethical issues in poverty law practice. Her research and writing while at Boalt Hall address perspectives on poverty practice gleaned from her practice experience, “civil Gideon,” particularly in light of provisions in the Montana constitution, and legal services delivery models, especially as they affect rural populations. She is also working on a project that explores the relationship between culture and the practice of law. She spent the first semester of her sabbatical practicing at the Legal Aid Bureau in Baltimore, Maryland, where she had worked for several years before entering the academy

**FALL 2003 SCHOLAR IN RESIDENT: RICHARD DELGADO**

Professor Richard Delgado is Professor of Law and Derrick A. Bell Fellow at the University of Pittsburg where he teaches Civil Procedure, U.S. Races and the Justice System, and Critical Race Theory Seminar. Professor Delgado, a 1974 graduate of Boalt Hall, is one of the leading commentators on race in the United States. He is the author of over 100 journal articles and 15 books. His work has been reviewed in The Nation, The New Republic, The New York Times, The Washington Post, and The Wall Street Journal. His books have won eight national book prizes, including the Gustavus Myers Award for outstanding book on human rights in North America, the American Library Association’s Outstanding Academic Book, and a Pulitzer Prize nomination. The Chronicle of Higher Education recently listed him as one of three leading Latino public intellectuals.

Professor Delgado’s wife, legal writer Jean Stefancic, accompanied him to Berkeley as a Visiting Scholar. While at Boalt Hall, Professor Delgado worked on a book about lawyers’ discontents, co-authored with Jean Stefancic
**Mary Louise Frampton**, Director of the Center for Social Justice, and **Jeff Selbin**, Executive Director of the East Bay Community Law Center (EBCLC), are co-teaching a Social Justice Advanced Research Seminar titled *Delivery of Legal Services to Low-Income Clients & Communities*. This course leverages the close relationship between the law school and the EBCLC to engage students in exploring one of the recurring challenges facing the anti-poverty and access to justice movements: the delivery of legal services to low-income clients and communities. Students are helping design and implement a research protocol that includes defining and measuring the effectiveness of two current delivery models. Students are studying the relative merits of full representation and limited scope (“unbundled”) assistance, and the efficacy of multidisciplinary and holistic models. A central goal of the course is to generate empirical data to assist legal services programs and practitioners in making intelligent decisions about delivery models, thus enhancing the quality and impact of representation that clients are receiving. Frampton and Selbin have been named Bellow Scholars by the Public Interest Committee of the American Association of Law Schools (AALS). Named in memory of clinical pioneer and lifelong social justice advocate **Gary Bellow**, the award honors projects that involve law students and faculty in anti-poverty or access to justice work.

**SPRING 2004 SOCIAL JUSTICE ADVANCED RESEARCH SEMINAR**

**DELIVERY OF LEGAL SERVICES TO LOW-INCOME CLIENTS & COMMUNITIES**

**Kathryn Abrams** and **Angela P. Harris** are teaching the Social Justice Workshop this spring on *Law & Sexuality*. This seminar examines the current tensions between feminist theory and queer theory, and sexuality as a central place in our society where “law” and “culture” meet. The workshop focuses on the politics of sexuality and the body; feminist and queer perspectives on sexuality and the body; regulating sexuality and the body; state and non-state regimes and New Frontiers in feminist and queer theory: sexual harassment, moral panics (including child sexual abuse and AIDS), and sex work.

**SPRING 2004 SOCIAL JUSTICE WORKSHOP: LAW & SEXUALITY**

**SPRING 2004 SOCIAL JUSTICE ADVANCED RESEARCH SEMINAR**

**DELIVERY OF LEGAL SERVICES TO LOW-INCOME CLIENTS & COMMUNITIES**

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**FALL 2003 SOCIAL JUSTICE WORKSHOP: CORPORATE ACCOUNTABILITY**

**Richard M. Buxbaum** taught the fall 2003 Social Justice Workshop on Corporate Accountability. The course grew out of the center’s spring 2003 symposium, “The Corporate in Social Context: An Agenda for the Future.” The first component of this workshop offered basic corporate law taught from a social justice perspective. Students learned the legal framework of owner-manager relationships, with an emphasis on legal mechanisms of accountability. The second section addressed the historical debate about whether and how the corporation should take the interests of persons other than the investor into account and how economic globalization and global trade and investment regimes have changed the terms of that debate today. The third – and major – workshop component offered a survey of various concrete tools for increasing corporate social responsibility through mechanisms both internal (market-based regulation) and external (civil liability, domestic regulation, and international regulation). Here students learned from practitioners using, among other tools, the Alien Tort Claims Act, RICO and Anti-Racketeering Acts, specifically focused federal and state legislation such as the California Garment Workers Statute, and both court-ordered and “soft-law” codes of conduct. Students also learned how comparative law and current U.N. initiatives bear on corporate accountability.
On January 9, 2004, the Alameda County Bar Association (ACBA) presented the Community Service Distinguished Service Award to the East Bay Community Law Center (EBCLC). EBCLC was founded by the students of Boalt Hall in 1988, and it is now the largest provider of legal services to low-income residents in the East Bay. Jeff Selbin, Executive Director of EBCLC, commented, "It’s a very nice honor that is made possible by our affiliation with Boalt law school and the substantial services to the community provided by Boalt students under the training and supervision of our staff." Selbin has practiced as a supervising clinician for 13 years, is a Lecturer at Boalt Hall and co-teaches Community Law Practice at EBCLC, the companion seminar for Boalt students enrolled in the clinical program.

To celebrate Indigenous Peoples Month the center co-sponsored with the Native American Law Association (NALSA) a panel on “Hot Topics Facing Indigenous People Today” that addressed the challenges American Indians are tackling today. Panel members were Phil Frickey, Richard W. Jennings Professor of Law, Jenny Kim, California Indian Legal Services, Meredith Drent, Alexander Berkey Williams & Whethers, and Kelly Meyers, National Indian Justice Center.

The center celebrated Professor Marjorie Shultz’s new book, Whitewashing Race: The Myth of A Color Blind Society, at a book-signing in her honor on Tuesday, October 7. Called “an empirically grounded assault on the vast body of colorblind orthodoxy” by Lani Guinier, Whitewashing Race is the culmination of two years’ work by a team of highly respected sociologists, political scientists, economists, criminologists, and legal scholars, who challenged the claim made by Ward Connerly and others that the United States has "solved its race problem."

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In the spring of 2003 the Center received a grant from the Levi Strauss Foundation to develop a Five-Year Strategic Plan for the center. A strategic planning committee composed of three members of the Advisory Council, three student representatives, a representative of the center’s Executive Committee, two faculty members, and a member of the Development Office at the law school has been hard at work. The firm of Zimmerman Lehman is facilitating the planning process and providing fundraising expertise.
The Center for Social Justice Advisory Council of preeminent jurists and lawyers dedicated to social justice provides valuable advice and support to the center and is actively involved in center activities. The members of the Advisory Council include: Hon. Thelton Henderson, Hon. John Racanelli, Ret., Hon. John M. True, Angela Blackwell, Barbara S. Bryant, Jolie Bales, Mario L. Barnes, Irma D. Herrera, Abby Ginzberg, Dale Minami, Rena L. O’Malley, Bernida Reagan, Brad Seligman, and Ellen Widess. In each newsletter, we will feature two Advisory Council members.

Abby Ginzberg is an award-winning filmmaker who began her career as a lawyer. She taught at Boalt Hall from 1975-76, and at New College School of Law from 1981-1985. She has worked full-time for the past 20 years as an educational video producer and director helping the legal profession to overcome discrimination within its own ranks as well as profiling positive alternatives for at-risk youth. She is currently producing a documentary titled No Place in Civilized Society: The Life and Times of Thelton Henderson. She is also working on a film about the Youth Treatment and Education Court’s academic program, which is a model high school for hard to reach, hard to teach youth in the juvenile justice system. She recently produced two films for the Judicial Council of California. Obstacle Courts, a film about problems faced by people with disabilities when seeking access to the courthouse has been used widely in judicial training throughout California. Summary Judgments has been used to train judges on race, gender and sexual orientation bias. Her film, Doing Justice: The Life and Trials of Arthur Kinoy won numerous awards, including a Silver Gavel from the ABA for promoting the public’s understanding of issues related to law. It was aired on KQED in February, 2004. Ms. Ginzberg is the President of the Impact Fund Advisory Board.

The Honorable Thelton Henderson is a United States District Judge for the Northern District of California in San Francisco. From September 1966 to May 1968, Judge Henderson served as Directing Attorney for the East Bayshore Neighborhood Legal Center in East Palo Alto. In 1968, he was appointed Assistant Dean at Stanford Law School, where he established a minority admissions program and assisted in developing Stanford's clinical program. During this time, Judge Henderson was also a Consultant for the U.S. Commission on Civil Rights, evaluating problems of minority communities in Northern California. He also worked as a consultant with the Office of Economic Opportunity, the Council on Legal Education Opportunity, the Carnegie Corporation of New York and the Ford Foundation’s Office of Public Education. In September of 1977, Judge Henderson left Stanford Law School to form Rosen, Remcho & Henderson, a firm engaged in general practice specializing in civil rights, civil liberties and constitutional law issues. He also taught part-time at Golden Gate University School of Law in San Francisco, in the areas in civil procedure and administrative law. On June 30, 1980, he was appointed by President Jimmy Carter to the U.S. District Court for the Northern District of California. From November 1990 through November 1997, Judge Henderson served as Chief Judge for the Northern District of California. When he completed his seven year term as Chief Judge in November 1997, he resumed his status as an active judge, and in November of 1998, Judge Henderson took Senior Status.

THE CENTER FOR SOCIAL JUSTICE DIRECTOR

Mary Louise Frampton was a civil rights lawyer in the San Joaquin Valley for 30 years before coming to Boalt to direct the Center for Social Justice. After serving as directing attorney of the Madera office of California Rural Legal Assistance, she remained in the valley to establish a firm specializing in land reform for small farmers and farmworkers, constitutional law, and employment discrimination litigation. She also represented death row inmates in federal habeas cases. While in practice she was an adjunct professor teaching constitutional law and employment discrimination and Associate Dean for Academic Affairs at the San Joaquin College of Law. Her publications include: “From the FCC’s Fairness Doctrine to Red Lion’s Fiduciary Principle,” 5 CIV. Rights-CIV.Lib. L. Rev. 89 (January 1970), and The Enforcement of Federal Reclamation Law in the Westlands
The Boalt Hall Center for Social Justice is a community of faculty, students, lawyers and advocates who are committed to fulfilling our nation’s promise of equality for all people. To achieve its social justice mission, the center provides and facilitates rigorous theoretical and practical training and support to law students in social justice advocacy and fosters creative scholarship that views the law in a larger social context and is both accessible to the public and responsive to the needs of disadvantaged communities. To promote these goals the Center works collaboratively with academics, practitioners, advocacy organizations, policy makers, and community groups.

In 2004, the co-chairs of the Student Advisory committee are Adrienne De Castro and Mike Lucas. The student advisory committee works with the center’s director to ensure that the center is responsive to student needs and concerns. Composed of representatives from social justice organizations and groups of students with diverse backgrounds, the board plays a crucial role in defining the center’s mission.

The center welcomes Chris Edley, Professor of Law at Harvard Law School and Co-Director of the Harvard Civil Rights Project, as Boalt Hall’s new dean effective July 1, 2004. Professor Edley will bring with him a wide range of high-level policy expertise. He served in both the Carter and Clinton administrations and currently serves on the U.S. Commission on Civil Rights.

The center is grateful to Boalt’s interim Dean, Bob Berring, for his steadfast leadership of the law school and his enthusiastic support for the center.
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