Dear friends and supporters,

Your continued belief in the Henderson Center’s mission allowed us to enhance existing programs and create new programs to raise students’ awareness of under-recognized social justice issues and provide them with the tools to address them.

Faculty Director Mary Louise Frampton developed and taught a new course on Legislative Advocacy. At the request of students we rolled out an experimental anti-racism, anti-oppression six-part series, which will continue in the fall. We co-sponsored programs led by the Berkeley Journal of Gender, Law & Justice; the Asian American Law Journal; Berkeley La Raza Law Journal; Women of Color Collective; Students for Environmental & Economic Justice; and the Boalt Hall Environmental Law Society.

Students were enthralled this spring by two visits to campus by the Henderson Center’s namesake. In February, the Honorable Thelton E. Henderson, together with documentary filmmaker Abby Ginzberg, participated in a Q&A session with students after the screening of Soul of Justice: Thelton Henderson’s American Journey. Again in April, Judge Henderson attended the symposium that honored and celebrated his 30 years on the bench.

In all, students are actively engaged in Henderson Center programs and activities and depend on the Henderson Center both to prepare them for social justice careers and also to enrich their law school experience.

I thank you on their behalf.

Wilda L. White ’83
Executive Director
CALL FOR NOMINATIONS

2010 Hon. Thelton E. Henderson Social Justice Prize

Deadline: July 12, 2010

The Thelton E. Henderson Center for Social Justice at Boalt Hall is accepting nominations for the 2010 Honorable Thelton E. Henderson Social Justice Prize.

The Henderson Center annually awards a prize to a Berkeley Law (Boalt Hall) graduate admitted to the bar in the last seven years who best exemplifies the intellectual rigor, integrity, courage and vision that are distinctive of the Honorable Thelton E. Henderson.

The nominee should meet the following criteria:

- Graduated from Berkeley Law (Boalt Hall);
- Admitted to the bar within the last seven years;
- Demonstrated a commitment to social justice through use of the law to challenge societal inequities;
- Made a significant contribution to under-represented and/or disadvantaged communities; and
- Engaged in professional work that reflects the intellectual rigor, integrity, courage and vision that are distinctive of the Honorable Thelton E. Henderson.

The 2010 prize will be presented at an award ceremony on October 28, 2010.

Previous Social Justice Prize Recipients

2009 Yungshun Park ’05
Staff Attorney
Asian Pacific American Legal Center

2008 Alegría De La Cruz ’03
Directing Attorney, Migrant Farmworker Project
California Rural Legal Assistance

2007 Christopher Daley ’03
Co-Director, Transgender Law Center

2006 Tirien Steinbach ’99
Director, Decriminalization of Poverty Practice
East Bay Community Law Center

Nomination forms are available by calling 510.642.6969 or online at: http://www.law.berkeley.edu/files/2010_NominationFormforSocialJusticePrize.pdf

Mail or e-mail the nomination form and supporting materials by July 12, 2010, to:

Thelton E. Henderson Center for Social Justice
UC Berkeley School of Law
897 Simon Hall #7200
Berkeley, CA 94720-7200
E-mail: henderson.center@law.berkeley.edu

...civil rights lawyer, activist, feminist, writer, poet, law professor and ordained priest >>

Henderson Center Seeks Donations to Fund Pauli Murray Endowed Lecture

There could perhaps be no better symbol of Berkeley Law’s commitment to its social justice mission than an endowed lecture and Chair in honor of Pauli Murray who received an LLM degree from Boalt in 1945 and has been heralded as a “one-woman civil rights movement.” Spearheaded by the Henderson Center, the Campaign to Fund the Pauli Murray Endowed Lecture seeks to raise $100,000, to create an endowed lecture at Berkeley Law to commemorate the life and raise awareness of the groundbreaking scholarship of Murray. Murray was an attorney, law professor, civil rights activist, author, poet and the first Negro woman ordained an Episcopal priest. An endowment in her honor would be the first for a person of color at the law school.

Income from the endowment will be used to pay for the expenses of bringing to campus each year a lecturer whose scholarship and activism best exemplify the pioneering work and spirit of Pauli Murray.

DONATE ONLINE

www.law.berkeley.edu/HendersonCenter.htm

About Pauli Murray

As early as the 1930s, Murray was participating in restaurant sit-ins in an effort to desegregate Washington, D.C. restaurants and refusing to sit in the back of the bus, and endured prosecution, conviction, and imprisonment for her civil disobedience. In 1945, while a student at Boalt Hall, Murray wrote and the California Law Review published the seminal article on equal opportunity in employment. Five years later, she authored States’ Laws on Race and Color, which Thurgood Marshall called “the Bible for civil rights lawyers.”

The NAACP adopted her approach in Brown v. Board of Education and borrowed the arguments she made in a seminar paper she wrote while a law student at Howard University Law School where she was the only woman in her class and graduated first in her class.

In 1961, President John Kennedy appointed her to the President’s Commission on the Status of Women. In 1965, she co-authored the groundbreaking law review article “Jane Crow and the Law: Sex Discrimination and Title VII,” in which she drew parallels between sex-based discrimination and Jim Crow. This work laid the groundwork for extending the scope of civil rights laws to protect women. The following year she co-founded the National Organization for Women (NOW).

She was a founding faculty member of Ghana Law School and later served as a Professor of Law and Politics at Brandeis University. At the age of 62, Murray entered the General Theological Seminary, even before the Episcopal Church had approved women as candidates for ordination.

She died in 1985. Her autobiography, Song in a Weary Throat: An American Pilgrimage, was published posthumously in 1987.

08-03-2010
Q & A with Judges LaDoris Cordell and Thelton E. Henderson

In April, the Henderson Center, together with the Dean’s Office, convened a symposium to honor and celebrate Judge Henderson’s 30 years on the bench. The brainchild of former Berkeley Law professor, Norman Spaulding, the symposium drew over 100 attendees who heard preeminent jurists, legal scholars, former Judge Henderson law clerks and practitioners discuss Judge Henderson’s landmark decisions in the areas of Civil Rights, Environmental Law and Prison Reform.

Berkeley Law Professor Leti Volpp, a former Judge Henderson Law Clerk and Karen Kramer, also a law clerk, were central in planning the symposium. During the symposium, panelist Judge LaDoris Cordell (ret.) conducted an impromptu interview of Judge Henderson who was sitting in the audience.

JUDGE CORDELL

Judging is not taught in law school. It’s not taught anywhere. When I was appointed to the bench in 1982, I was given the phone number of the robe’s store. I was given the keys to the courthouse and a good luck shout-out. That was it. So as I read the civil rights decisions of Judge Henderson in preparation for this panel, I quietly wondered about the Judge’s start on the bench. What was his experience? Who was his mentor? And where did he get his robe? So rarely when we are presented with the opportunity to review the decisions of great jurists do we think about their preparation for the job. Most of us know the story of Judge Henderson’s life—if you don’t, watch the movie; the widely viewed documentary about the Judge will tell you much of his upbringing and his education and about his landmark decisions. But what was it like for him; this courageous judge, when he started judging 30 years ago? Was it hard? Was it easy? What was he thinking? So I asked him, “Judge,” I asked, “How was it that you came to be a judge? Was it a life-long dream? A spur of the moment thing?”

JUDGE HENDERSON

…No. I had left Stanford after working there for eight years and set up my own practice, and I might mention, that the reason I did that was that I taught trial advocacy at Stanford, and over the years I thought, “Boy, I’ll bet I’d be a pretty good lawyer now if I implemented all these things I was teaching.” So I had a yearning to go back to practice. So, I was busy building up my practice and one day I got a letter, out of the blue; I wasn’t thinking about a judgeship - from a committee saying, “Your name has come to our attention as a kind of person Senator Cranston is thinking of appointing to the bench. If you are interested, here is an application. My partner said, ‘Do it. We hear that he is going to appoint a woman, the first woman’ (and that was Marilyn Patel, as it turned out) ‘and the first Hispanic’ (and that turned out to be Bob Aguilera) ‘and the second Black’ - Cecil Poole was on the bench at the time - (and that turned out to be me). But had not that letter come, I would still be practicing with Rosen, Remcho & Henderson.

JUDGE CORDELL

So then I asked the Judge, well what training did you have for undertaking this federal judgeship?

JUDGE HENDERSON

Absolutely none. They have a judge’s school for federal judges but it’s given periodically. And so when I took the bench the judge’s school was about four months away because they have to wait for enough new judges to make it worthwhile. So by the time the judging school came along, I was judging, and I felt I needed school. I had never attended. I just kept on judging and learning the techniques. And the coolest technique I learned was when I had a problem on the bench, I would say, “Oh, it looks like it’s time for a break, counsel.” And I would run down the hall to Bob Peckham, “What do I do?” So that’s sort of the way I learned to do it.

JUDGE CORDELL

So do you remember, Judge, your first day?

JUDGE HENDERSON

I remember my first day and Cecil Poole, who had gone up to the 9th Circuit, was my mentor; one of my mentors, and he wisely told me, “Don’t get on the bench with something hard. Do a case management conference when you just talk about the progress of the case. And that’s what I did. The first day I had a number of case management conferences and a script, and I was pretty nervous, but I was able to do that. I didn’t have to rule on anything. I just had to, you know, sort ofrawn at the right time and do the thing judges do. And when I didn’t have an answer, just sort of say, “Hmmmm. Okay.” – “you know those things work well and so the first day was that. And then the following Monday, I decided… I was going to hear my first motions and I had questions and I was ready. And I peppered them with a lot of questions and then took the motion under submission and figured it out with my wonderful law clerks.

JUDGE CORDELL

So at some point, it is clear you became comfortable wearing the robe. How long did it take for that to happen?

JUDGE HENDERSON

It was a work in progress I think. And I would say, really LaDoris, 30 years later, I’m still learning and changing my techniques and revising the way I do it. One of the things our court does, we have retreats and we do best practices sessions when new things come up and we talk about it and I very often say, “Oh, I like that,” and we adopt them. So I’ve evolved over the years and I think I am still evolving.

JUDGE CORDELL

So early on, what aspect of the job was the most difficult for you?

JUDGE HENDERSON

Oh gosh. Well two things: My first clerk, I remember I had a T.R.O. motion against the Navy-Alameda Naval Station. And the clerk came in and I was being asked to enjoin the Navy; and I said, “Can I enjoin the Navy?” and it was hard to realize all this power I had. So it was hard to get used to that, but really, the hardest thing was sentencing on Monday afternoons. I had my civil calendar in the morning; that was relatively easy, at least emotionally. Sentencing, I was … I found myself sentencing people to jail for really long times and before the sentencing guidelines, a typical argument would be: three bank robberies. We had a trial; we found guilty; and defense counsel would say, “Well Judge, this is really a drug problem. We have to give him six months and then send him to Delancey Street or some rehabilitation.” Prosecutors would say, “Oh no, Judge. Next time he will have a real gun and kill somebody; sentence is five years for each of those; tack them on and 25 years; and I could have done either of those, or any. And that was a responsibility I was not emotionally ready for. And eventually, I was so emotional I had to take extra shirts when I got off the bench; I was drenching wet from just the anxiety of having that kind of domination over someone’s life. That was the hardest for me.

JUDGE CORDELL

Thank you, Judge.
Honoring 30 Years on the Bench - Henderson Symposium

Row One (L—R): Paul Sorn, Legal Co-Director, National Employment Law Project; Richard Davis, Partner, Lozeau Drury LLP; Michael Chu, Law Clerk to the Hon. Thelton E. Henderson ’62; Mellori Lumpkin ’52, and Danielle Hinton ’30.

Row Two (L—R): Hon. Thelton E. Henderson ’62 and Karen Kramer; Christopher Edley, Jr., Dean, Berkeley Law; Hon. Thelton E. Henderson ’62 with past and current law clerks; Barry Kinberg, Distinguished Senior Fellow and Lecturer in Residence, Berkeley Law.

Row Three (L—R): David Oppenheimer, Director of Professional Skills and Clinical Professor of Law, Berkeley Law; Paul Sorn, Legal Co-Director, National Employment Law Project; LaDoris Cordell (ret.) and Brad Seligman, Executive Director, Impact Fund; Hon. Thelton E. Henderson ’62 and Jeanette Henderson.

Row Four (L—R): Hon. Thelton E. Henderson ’62 with Henderson Center spring 2010 Work-Study Students Brandon Pham, Redhika Parasher and Natalie Cearley; Eva Paterson, Executive Director, Equal Justice Society; Barbara Babcock, Judge John Crown Professor of Law, Emmerita, Stanford Law School and Charles Helpern; Scholar in Residence, Berkeley Law; Hon. Wayne Rawd (ret.), Professor in Practice, Berkeley Law; Robert Weisberg, Professor of Law and Faculty Co-Director, Stanford Criminal Justice Center, Stanford Law School; Hon. Nathan H. Thompson, United States District Court, Middle District of Alabama; Edward W. Swanson, Partner, Swanson, Morehouse & Haller LLP; Richard B. Kuhns, Professor of Law, Washington University School of Law; Jonathan Simon ’87, Professor of Law and Faculty Co-Chair, Berkeley Center for Criminal Justice; Berkeley Law (Front Row) Brandon Pham; Mary Louise Frumpton, Faculty Director, Henderson Center, and the Hon. Thelton E. Henderson ’62; Deborah A. Shaw, Luke W. Cole Professor of Environmental Law and Director, Environmental Law Clinic, Stanford Law School.

Row Five (L—R): Hon. Thelton E. Henderson ’62 and Frances Davis ’53; Camille Parmer ’39; Elinor Swift, Professor of Law, Berkeley Law and Justice Mar ’72; Clifford Rechtschaffen, Special Assistant to California Attorney General Jerry Brown; Hon. Thelton E. Henderson ’62 and Let Volpe, Professor of Law, Berkeley Law; Holly Doremus ’93, Professor of Law, Berkeley Law; Elizabeth Eng ’15, Member, Henderson Center Advisory Council; Hon. Thelton E. Henderson ’62 and Wilda White ’73, Executive Director. Thelton E. Henderson...
Caroline Bettinger-Lopez

In March, students had the unique opportunity to meet and hear from the protagonist, if you will, of a U.S. Supreme Court case, and the attorney who has embarked upon an ambitious legal strategy that seeks to unseat the Supreme Court as the court of last resort.

The Henderson Center welcomed Jessica Gonzales, the litigator in _Town of Castle Rock v. Gonzales_, 545 U.S. 748, (2005) and her attorney, Caroline Bettinger-Lopez who was in residence for two and one-half days as part of the Henderson Center’s Practitioner-in-Residence program.

After the Supreme Court threw out Gonzales’ civil rights lawsuit against her local police agency for failing to enforce a restraining order that would have prevented her estranged husband’s killing of the couple’s three girls, Bettinger-Lopez filed a petition (Gonzales _v._ United States) in the Inter-American Commission on Human Rights, claiming that the U.S. was responsible for human rights violations because of the police agency’s inaction and the Supreme Court decision holding that the police agency had no duty to enforce a domestic restraining order.

In her Ruth Chance lecture, Bettinger-Lopez explained how a human rights framework – which focuses on governmental accountability for state acts and omissions that violate basic notions of dignity, civility and citizenship – might be used to combat domestic violence. Gonzales spoke of her transformation from victim to survivor to litigant to international activist. Her story has been chronicled on _60 Minutes_ and a documentary film is in progress.

Real-Time Strategic Planning Roundtable

During the residency, the Henderson Center convened a roundtable to brainstorm human rights strategies for domestic violence advocacy. Because decisions of the Commission are not enforceable against the United States, roundtable attendees concentrated on using the momentum and moral authority of what was hoped to be a positive decision from the Commission to create a multi-dimensional strategy that would include litigation, legislative and public advocacy, community education and organizing, coalition and movement-building, and advocacy through the media.

In addition to Bettinger-Lopez, Gonzales, and Berkeley Law students, roundtable participants included Nancy Lemon ’80, Director, Berkeley Law Domestic Violence Law Practicum; Anu Menon ’05, Analyst, San Francisco Department on the Status of Women and Representative of the Convention for the Elimination of All Forms of Discrimination Against Women; Chivy Sok, International Human Rights Advocate; Alice Miller, Senior Fellow, The Hon. G. William and Adriana Miller Institute for Global Challenges and the Law and Berkeley Law Lecturer in Residence; and Kate Stinson, Student, Columbia University School of Law Human Rights Clinic.

A transcript of the roundtable and a video recording of the Ruth Chance lecture are available upon request.
Henderson Center Program Administrator
Mary Elliott Retires

Mary Elliott, the Henderson Center’s Program Administrator since 2007, retired in April to pursue her twin passions of teaching and music. Mary was a gracious and knowledgeable leader who organized Henderson Center symposia, speaker series, galas and a myriad of other programs and events.

Just before she retired, she led the creation of a web-based tribute to Francine Diaz, a Boalt Hall LLM who died tragically in a car accident on the first day of her summer clerkship. A prize has been established in her honor in 1987 but the history of the award and the memory of Francine Diaz had not been properly memorialized.

Mary’s web-based tribute corrected that omission to the appreciation of Francine Diaz’s family and the Berkeley Law community. (To view the web page please go to www.law.berkeley.edu/7748.htm.)

Mary first came to Berkeley Law as the administrator for the Center for Environmental Law and Policy (CEELP) in 2004. So outstanding an employee was she that in 2006 she won the Chancellor’s Outstanding Staff Award.

For Mary, the highlights of her career at the Henderson Center were forging wonderful friendships with Berkeley Law staff, faculty, and students, meeting the brilliant and passionate practitioners and visionaries who participated in Henderson Center events, working with the Henderson Center Advisory Board, and becoming involved with the Henderson Center’s restorative justice work and the restorative justice roundtables at San Quentin Prison. Mary is retaining her ties with Berkeley Law as a volunteer, facilitating the restorative justice collaborations between Berkeley Law and San Quentin Prison.

Mary holds a Ph.D. in literature and taught literature and composition at the University of Wisconsin and Sonoma State University. She also holds a Master’s degree in early music. She will be putting both to use in her retirement. She will teach at San Quentin and will continue playing the viola de gamba at concerts throughout the Bay Area.

Alumni News >>>

Meredith Desautels ‘08 Named 2010 Skadden Fellow

Meredith Desautels ‘08 has been named a 2010 recipient of a Skadden Fellowship by the Skadden Fellowship Foundation. While at Berkeley Law, Desautels studied with Faculty Director Mary Louise Frampton who she credits with helping her win the Fellowship.

Desautels will receive funding for two years to implement a reentry project with the Lawyers’ Committee for Civil Rights of the San Francisco Bay Area. Her project will help formerly incarcerated African American women re-enter their communities. The project will provide direct legal services, including assistance with criminal record expungement, family reunification and housing and employment rights advocacy. As part of the project Desautels will conduct a community outreach campaign, collaborating with community stakeholders, educating the public about reentry issues and advocating for system-wide prison reform.

“Dear Professor Frampton, You have been so instrumental in this process, and I cannot thank you enough for all of the support you have given me in starting out my career. I feel so lucky to have had your guidance.”

E-mail from Meredith Desautels to Mary Louise Frampton, Henderson Center’s Faculty Director

Individual Donations: Spring 2010

$10,000 and Up
Guy ‘69 & Jeanine Sapenstein
Vicki De Goff ’72 & Dick Sherman
$1,000 - $5,000
Marcus Cordova ’04
Judith Droz Keyes ’75
Manjit & Hardip Pannu - Paul Murray Campaign
David Rosenfeld ’73
Theresa Stewart ’81
Hon. John M. True III ’75
Wilda L. White ’83 - Paul Murray Campaign
Shirley Woo ’74
$500 - $999
Carl E. Douglas ’80
Kath J. Pugh ’90
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Allison Ehlers ’03
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Henderson Center Researchers Present at LSA Annual Meeting

Henderson Center researchers Michael Sumner and Carol Silverman along with Faculty Director Mary Louise Frampton, Atteeyah Hollie ’10 and community partner Rita Alfred traveled to Chicago in May, to present their research on restorative justice in schools to an international audience at the annual meeting of the Law and Society Association. The presentation was the culmination of a two-year research project during which Henderson Center researchers observed the implementation of a restorative justice program at an Oakland, California middle school. The report documenting the successful implementation of the program will be released this fall.

Restorative justice is a philosophy based on a set of principles that guide the process of conflict and harm. In schools, restorative justice can be used as an alternative to traditional discipline policies based on zero tolerance that result in exclusionary practices, disparate outcomes and adversarial relationships; restorative justice also prevents students who have been wronged from those who caused the harm from being punished, which can be destructive to relationships, not attention to rules and process.