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# Letter from Dean Erwin Chemerinsky



Like all faculty at major universities, law professors are expected to engage in research and scholarship. The writing of law faculty helps improve the law, advances knowledge, and educates people about legal issues. Countless positive changes in the law and our legal system have been the result of scholarship by law professors.

Law professors write for many different audiences and engage in many different types of scholarship. Some is written primarily for judges and lawyers, considering crucial areas of legal doctrine, seeking to illuminate it and guide its future. Some writing by law faculty — such as casebooks and treatises — are directed at law students and other instructors. These allow us to educate a wider audience than just those in our classrooms. Sometimes scholarship is intended for other academics, engaging in a scholarly dialogue that enhances understanding of the law. And sometimes law professors write for a general audience seeking to inform and educate non-lawyers as well as attorneys about the law.

At the same time, research and scholarship by faculty contributes greatly to what they bring to the classroom and to their teaching. Having professors engaged in thinking and writing about cutting edge issues is vital to preparing our students to practice at the highest levels of the profession.

One of the things that I am most proud of about Berkeley Law is the scholarship of our faculty.

It is a prolific faculty engaged in every type of scholarship. This brochure provides a description of what they have written in just the last year or so. I hope you enjoy learning about it and perhaps are inspired, as I was in perusing this, to read some of the articles and books that are listed. I hope, too, that you enjoy reading about our eight new faculty members, our new and revitalized centers, and the exciting work of our centers and clinics. It is a special time at Berkeley Law and I am excited to share this with you.

Warmly,

A handwritten signature in black ink that reads "Erwin Chemerinsky". The signature is written in a cursive, flowing style.

Erwin Chemerinsky  
Dean and Jesse H. Choper Distinguished Professor of Law  
University of California, Berkeley School of Law

# STERLING SCHOLARS

*The arrival of eight powerhouse professors  
further bolsters a world-class faculty*



Eight professors have just joined the Berkeley Law faculty, continuing a transformational run of hiring during Dean Erwin Chemerinsky's tenure.

Senior scholars Hanoch Dagan, Dhammika Dharmapala, Ofer Eldar, Veronica Aoki Santarosa, and Ayelet Shachar bring decades of research and teaching experience. They're joined by José Argueta Funes, Elena Chachko, and Diana Reddy, who are in their first faculty jobs but also come to the school with impressive backgrounds.

"I am thrilled by the outstanding new faculty joining Berkeley Law," Chemerinsky says. "They are both terrific lateral hires and great entry-level faculty, and they teach and write in many different disciplines and thus strengthen the law school's coverage in many areas."

Since 2017, when Chemerinsky was hired as dean, the school has added 34 professors, bolstering its already impressive faculty with an infusion of new ideas, scholarly agendas, and methodological chops. More than half hold doctorate degrees in law or another social science, including all eight new hires.

"Their areas of expertise span the law school curriculum: employment law, contracts, property law, law and economics, legal history, national security law, and corporate law," says Professor Daniel Farber, who led the appointments committee. "These incoming faculty will enrich Berkeley's teaching and research for years to come."





*“This is the best fit for me intellectually. There are just so many people here doing great work, and it’s also clearly a place where the students are really driven to make the most of their education. That’s really appealing.”*

## Assistant Professor José Argueta Funes

Born and raised in El Salvador, Argueta Funes moved to the United States to attend college at the University of Virginia and earned a J.D. at Yale Law School. He expects to defend his dissertation in history at Princeton this fall. It studies the history of adoption laws in Hawai‘i as a way to illuminate his main research focus: How American law developed in the context of empire and racial subordination.

Argueta Funes was drawn to the Berkeley Law faculty’s deep roster of social scientists, particularly in the fields of history, sociology, and philosophy.

## Assistant Professor Elena Chachko

During her year as a fellow at the Miller Institute for Global Challenges and the Law beginning in December 2020, Chachko got a taste of Berkeley Law’s vibrant intellectual life and forged a fruitful scholarly relationship with Professor Katerina Linos, the center’s co-faculty director.

After finishing her Doctor of Juridical Science and becoming the inaugural Rappaport Fellow at Harvard Law School — she earned her LL.B. from the Hebrew University of Jerusalem — Berkeley seemed like an ideal place to begin her career as a professor.

Chachko developed an interest in the interface between law and geopolitics after spending several years in diplomacy and intelligence analysis. Her work spans a variety of fields, from administrative law to online platform governance.

*“I found it to be an incredibly open, vigorous, and lively academic community, both in terms of the scholarship that’s being done and the student body.”*







*“I can already see opportunities for scholarly projects with my new Berkeley colleagues.”*

## Professor Hanoch Dagan

Dagan, who taught at Tel Aviv University for almost three decades, is a world-renowned scholar of private law theory. He’s also the founding director of the new Berkeley Center for Private Law Theory (see page 55), which will study and foster dialogue about the legal building blocks that most profoundly affect our social and economic life — property, contract, and tort law, as well as central aspects of family law, trust law, work law, and more.

As a scholar, he tries to offer a compass to navigate between the positive and the normative — the law as it is and as it should be — pointing the way to reforms towards a more just and fair society.

Dagan, who earned his LL.M. and J.S.D. from Yale, says he’s excited about building relationships with Berkeley Law’s faculty, which he calls “inspiring and generative,” and its students.

## Professor Dhammika Dharmapala

An expert on taxation and public finance, the economic analysis of law, and corporate finance and governance, Dharmapala comes to the law school after nine years at the University of Chicago, and it’s a homecoming: He earned his Ph.D. in economics at UC Berkeley.

He says several things drew him to Berkeley Law: Its historical and current strength in law and economics and business law, the extraordinary campus-wide depth in public finance, and the opportunity to teach and advise in the school’s Ph.D.-granting Jurisprudence and Social Policy (JSP) Program.

*“Law and economics has a great tradition at Berkeley Law, from which I benefited immensely as a Ph.D. student. Berkeley Law also has an outstanding current cohort of scholars in law and economics and in business law.”*





*“Berkeley has one of the most prolific business law faculties in the world, and obviously it’s a school that has a very strong commitment to social justice. So it’s a perfect combination for somebody with my interests.”*

## Professor Ofer Eldar

Eldar, who earned a Ph.D. and a J.S.D. from Yale, is also an economist. Working in the realm of corporate governance and entrepreneurial finance, he’s interested in studying the growing influence of firms that combine profit and social missions, and studying government policies to encourage corporations to pursue social goals.

Coming from Duke, where he was a professor of law, economics, and finance for seven years, is a big change. But the concentration of venture capital firms in the Bay Area and Silicon Valley was a big lure, as was Berkeley Law’s longstanding and ongoing roster of law and economics scholars and its Berkeley Center for Law and Business.

## Assistant Professor Diana Reddy

For Reddy, who received her Ph.D. from the JSP Program in May — she also holds a law degree from NYU and a master’s degree in sociology from Stanford — joining Berkeley Law’s faculty is a dream outcome. After spending time working with the school’s professors as mentors and advisors as she developed her dissertation on labor law and public perceptions of labor unions, she finds it “extraordinary” to now be their colleague.

Reddy describes herself as a scholar of “work as an institution,” focusing on “how the regulation of work matters for economic inequality, social stratification, and the quality of our democratic institutions.” Doing that, she says, requires a wider lens.

*“I am thrilled by the intellectual and methodological diversity at Berkeley Law. Having been trained in the JSP Program, my scholarship is instinctively interdisciplinary; it invokes sociological theory, political science methods, legal doctrine, legal history, and more. At Berkeley, there are experts in each of those individual areas and profound excitement about using interdisciplinary work to look at long-standing social problems in new ways.”*







## Professor Ayelet Shachar

Shachar is an internationally renowned scholar who has taught and published on an exceptionally wide variety of topics, including citizenship theory, immigration law, highly skilled migration and global inequality, multiculturalism and women's rights, law and religion in comparative perspective, and the tenuous relationship between human rights law and territorial conceptions of sovereignty.

As an international and comparative law scholar, she says she's benefited greatly from studying and working in multiple countries and legal systems. Shachar clerked for Chief Justice Aharon Barak of the Supreme Court of Israel before earning her LL.M. and J.S.D. from Yale. She comes to Berkeley after a distinguished tenure at the University of Toronto.

When Berkeley Law came calling, the intellectual draw was irresistible, she says, from the cutting-edge work done at the school to leading interdisciplinary research centers across the Berkeley campus.

*"Research is a collaborative enterprise and so inspired by conversations. And the Berkeley Law faculty has a tradition of rigorous and innovative interdisciplinary and creative thinking."*

## Professor Veronica Aoki Santarosa

An economist whose research incorporates the additional threads of law and history, Santarosa is another in the law school's long line of distinguished interdisciplinary scholars.

Her scholarship is deeply rooted in original archival sources and draws on all three disciplines for theory, methodology, and paradigms to understand how the law creates and supports markets, with a focus on the role of legal innovations in the rise of financial capitalism.

Among other degrees, including from her native Brazil, she holds an LL.M. and a Ph.D. in economics from Yale.

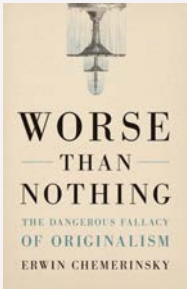
What lured her away from the University of Michigan Law School, where she was a professor for 12 years, was the chance to teach and advise graduate students at the JSP Program, the diversity of Berkeley students along many dimensions, and the powerhouse faculty with wide-ranging scholarly interests.

*"It's a very, very rare law school in the sense that for me there's a strong group of people working on topics that are so closely related to my fields of expertise. Given all of these dimensions, I just hope I'll have enough hours in the day for everything I want to do."*



# Bookshelf

Berkeley Law faculty are prolific authors. Here's a sampling of their many recent or forthcoming books.

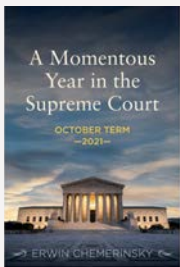


## ERWIN CHEMERINSKY

### Worse Than Nothing: The Dangerous Fallacy of Originalism

YALE UNIVERSITY PRESS, 2022

Originalism, the view that the meaning of a constitutional provision is fixed when it is adopted, was once the fringe theory of a few extremely conservative legal scholars but is now a well-accepted mode of constitutional interpretation, with three of the Supreme Court's nine justices explicitly embracing it. Chemerinsky gives a comprehensive analysis of the problems that make originalism unworkable as a method of constitutional interpretation.



## ERWIN CHEMERINSKY

### A Momentous Year in the Supreme Court: October Term 2021

ABA BOOK PUBLISHING, 2022

This review of the Supreme Court's October 2021 Term looks back at the major cases addressed by the Court and provides a valuable focus on the implications of these decisions. Chemerinsky takes a neutral tone, neither praising nor criticizing the decisions, and organizes the case essays by topic.

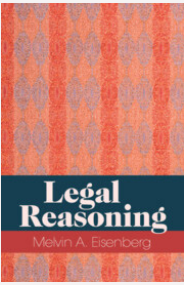


## ERWIN CHEMERINSKY AND SETH DAVIS [CO-AUTHORS WITH FRED O. SMITH, JR. AND NORMAN W. SPAULDING]

### Federal Courts in Context

ASPEN PUBLISHING, 2023

This casebook takes a novel approach to the law of federal jurisdiction, beginning from the premise that the federal courts course trains future leaders in the profession and its content is tied in fundamental ways to the legacies of slavery, colonization, the labor movement, and other tectonic shifts in American law and society. The structure of federal court jurisdiction, epicycles of reform and retrenchment, and the moral stakes of the doctrine come into much sharper relief when the course is contextualized in this way. The course also becomes more intellectually engaging, inclusive, and responsive to the demands of a diverse 21st century profession by foregrounding these concerns rather than leaving them implicit. The book achieves this by framing the doctrine with clear explanations of the histories and practical consequences of federal courts doctrines.



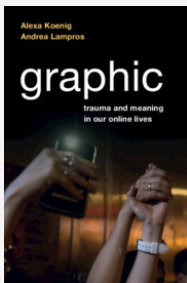
## MELVIN A. EISENBERG

### Legal Reasoning

CAMBRIDGE UNIVERSITY PRESS, 2022

The common law, which is made by courts, consists of rules that govern relations between individuals, such as contracts and torts (the law of private wrongs). *Legal Reasoning* explains and analyzes the modes of reasoning utilized by the courts in making and applying common law rules. With accessible prose and full descriptions of illustrative cases, this book is a valuable resource for anyone who wishes to get a hands-on grasp of legal reasoning.

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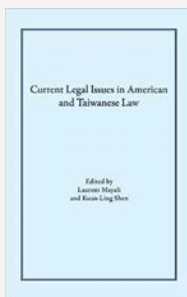
## ALEXA KOENIG [CO-AUTHOR WITH ANDREA LAMPROS]

### Graphic: Meaning and Trauma in our Online Lives

CAMBRIDGE UNIVERSITY PRESS, 2023

Drawing on the latest social science research, original interviews, and their experiences co-founding and running the world's first university-based digital investigations lab, Koenig and Lampros provide practical tips for maximizing the benefits and minimizing the harms of being online. In the wake of the global pandemic, they ask: How are people processing graphic news as they spend more time online? What practices can newsrooms, social media companies, and social justice organizations put in place to protect their employees from vicarious trauma and other harms? The video of George Floyd's murder is not the first viral image to capture the world's attention and it won't be the last, but it marks a moment in the history of graphic content and raises the question of when, how — and even if — we should be watching what others post online.

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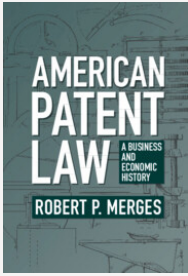


## LAURENT MAYALI [CO-AUTHOR WITH KUAN-LING SHEN]

### Current Issues in American and Taiwanese Law: Comparative Perspectives

THE ROBBINS COLLECTION, 2023

This book is the culmination of a collaboration between National Taiwan University's College of Law and the Robbins Collection and Research Center at Berkeley Law. The essays included in this volume engage with topics including comparative criminal law, regulatory law, administrative law, the judiciary, and more. These essays were presented at a multiyear series of conferences that brought together scholars from both universities.



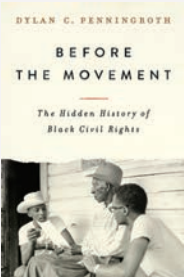
## ROBERT P. MERGES

### American Patent Law: A Business and Economic History

CAMBRIDGE UNIVERSITY PRESS, 2023

This book is a comprehensive history of the U.S. patent system from 1790, with an emphasis on how patents have been used by private enterprise for the pursuit of business goals. It highlights how Congress and the courts have adapted patent rules to support socially beneficial business practices, and tried (at times successfully) to modify those rules to re-channel investment and effort away from socially harmful practices, such as extortionate litigation.

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## DYLAN C. PENNINGROTH

### Before the Movement: The Hidden History of Black Civil Rights

W.W. NORTON, 2023

Based on long-forgotten sources found in the basements of county courthouses, *Before the Movement* recovers a vision of Black life allied with, yet distinct from, “the freedom struggle.” Penningroth challenges the familiar story of the civil rights movement as a product of Northern lawyers venturing South, demonstrating that Black people had long exercised “the rights of everyday use,” and that this lesser-known private-law tradition paved the way for the modern vision of civil rights.

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## MARJORIE SHULTZ AND DAVID B. OPPENHEIMER [CO-AUTHORS WITH MICHAEL K. BROWN, MARTIN CARNOY, ELLIOTT CURRIE, TROY DUSTER, AND DAVID WELLMAN]

### Whitewashing Race: The Myth of A Colorblind Society

UNIVERSITY OF CALIFORNIA PRESS, 2023

This updated edition of the classic work includes the most recent evidence, including the racially disparate effects of the COVID-19 pandemic. While some progress has been made, the authors argue that real racial justice can be achieved only if we actively attack and undo pervasive structural racism and its legacies.

## Other Works

**ADAM BADAWI [CO-AUTHOR  
WITH ANTHONY J. CASEY]**

Business Associations: Cases  
and Materials

2023

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**ADAM BADAWI [EDITOR]**

Corporate Law and Economics  
(Encyclopedia of Law and  
Economics, 2nd ed.)

EDWARD ELGAR, 2023

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**ANNE BLOOM [CO-EDITOR WITH  
DAVID ENGEL AND RICHARD  
JOLLY]**

Research Handbook on Civil  
Justice

FORTHCOMING 2024

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**ERWIN CHEMERINSKY [CO-  
AUTHOR WITH LAURIE L.  
LEVINSON]**

Criminal Procedure: Adjudication,  
4th Ed.

ASPEN PUBLISHING, 2023

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**SETH DAVIS [CO-AUTHOR WITH  
NELL NEWTON ET. AL.]**

Cohen's Handbook of Federal  
Indian Law

LEXISNEXIS, FORTHCOMING 2023

**MELVIN A. EISENBERG**

Modern Contract Law

WEST ACADEMIC, 2023

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**JONATHAN D. GLATER [CO-  
EDITOR WITH AMY GADJA]**

The Law and Higher Education,  
5th ed.

WEST ACADEMIC, FORTHCOMING 2023

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**ORIN KERR [CO-AUTHOR  
WITH NANCY J. KING AND EVE  
BRENSIKE PRIMUS]**

Kamisar, LaFave, and Israel's  
Modern Criminal Procedure, 16th  
ed.

WEST ACADEMIC, 2023

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**ORIN KERR [CO-EDITOR WITH  
YALE KAMISAR, WAYNE R.  
LAFAVE, JEROLD H. ISRAEL,  
NANCY J. KING, AND EVE  
BRENSIKE PRIMUS]**

Advanced Criminal Procedure:  
Cases, Comments, and Questions,  
16th ed.

WEST ACADEMIC, FORTHCOMING 2023

Basic Criminal Procedure: Cases,  
Comments, and Questions, 16th  
ed.

WEST ACADEMIC, 2023 FORTHCOMING  
2023



**PETER S. MENELL [CO-AUTHOR  
WITH ALLISON A. SCHMITT]**

Patent Case Management: A  
Comprehensive Guide for District  
Court, ITC, and PTAB Litigation

LEXIS, 2022

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**PETER S. MENELL [CO-AUTHOR  
WITH DAVID ALMELING,  
VICTORIA A. CUNDIFF, JAMES  
POOLEY, REBECCA WEXLER,  
ELIZABETH ROWE, AND PETER  
TOREN]**

Trade Secret Case Management  
Judicial Guide

FORTHCOMING 2023

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**PETER S. MENELL [CO-AUTHOR  
WITH MARK A. LEMLEY, ROBERT  
P. MERGES, AND SHYAMKRISHNA  
BALGANESH]**

Intellectual Property Statutes: 2023

CLAUSE 8 PUBLISHING, 2023

Intellectual Property in the New  
Technological Age: Volume I -  
Perspectives, Trade Secrets, and  
Patents 2023

CLAUSE 8 PUBLISHING, 2023

Intellectual Property in the New  
Technological Age: Volume II -  
Copyrights, Trademarks, and State  
IP Protections 2023

CLAUSE 8 PUBLISHING, 2023

**FRANK PARTNOY [CO-AUTHOR  
WITH ELIZABETH POLLMAN]**

Business Organizations: A  
Contemporary Approach, 4th ed.

WEST ACADEMIC, FORTHCOMING 2023

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**LAURA RILEY**

Homeless Advocacy

CAROLINA ACADEMIC PRESS, 2023

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**AMANDA L. TYLER [CO-AUTHOR  
WITH WILLIAM BAUDE, JACK L.  
GOLDSMITH, JOHN F. MANNING  
& JAMES E. PFANDER]**

Hart & Wechsler's The Federal  
Courts and the Federal System,  
Supplement to the 7th ed.

FOUNDATION PRESS, 2023

# Faculty Scholarship



## KATHRYN ABRAMS

Herma Hill Kay Distinguished Professor of Law  
Faculty Director, Center on Reproductive Rights and Justice

B.A., Harvard University (1980)

J.D., Yale University (1984)

### **Movement Storytelling and the Transformation of the Dreamer Narrative**

*Abrams, Kathryn*, 33 Berkeley La Raza L.J. 31 (2023)

### **Dominance Feminism: Placing Sexualized Power at the Center**

*Abrams, Kathryn*, in *The Oxford Handbook of Feminism and Law in the United States* (Chamallas, Martha; Williams, Verna eds., 2022)

### **Open Hand, Closed Fist: Practices of Undocumented Organizing in a Hostile State**

*Abrams, Kathryn* (2022)

### **Social Movements and Emotion Cultures: Learning from the Undocumented Immigrants' Movement**

*Abrams, Kathryn*, in *Feeling Democracy* (Tobias, Sarah; Stein, Arlene eds.)  
Forthcoming

### **Toward a Responsive Landscape: The Role of Social Movements in Vulnerability Theory**

*Abrams, Kathryn*, in *Law, Vulnerability, and the Responsive State: Beyond Equality and Liberty* (Fineman, Martha; Spitz, Laura eds., 2024) Forthcoming



## CATHERINE ALBISTON

Jackson H. Ralston Professor of Law | Professor of Sociology  
Faculty Director, Center for the Study of Law and Society  
Faculty Co-Director, Center for Law and Work

B.A., Stanford University (1987)

M.A., Stanford University (1989)

J.D., UC Berkeley School of Law (1993)

Ph.D., UC Berkeley (2001)

### **Law's Normative Influence on Gender Schemas: An Experimental Study on Counteracting Workplace Bias against Mothers and Caregivers**

*Albiston, Catherine; Correll, Shelley*, Law & Soc. Inquiry (2023) Forthcoming

### **Expressiveness, Cost, and Collectivism: How the Design of Preference Languages Shapes Participation in Algorithmic Decision-Making**

*Albiston, Catherine; Robertson, Samantha; Nguyen, Tonya; Hu, Cathy; Nikzad, Afshin; Salehi, Niloufar*, Proceedings of the 2023 CHI Conference on Human Factors in Computing Systems Article No.: 600 (2023)



## ABHAY ANEJA

Assistant Professor of Law

B.S. Wake Forest University, (2006)

J.D., Stanford Law School (2018)

Ph.D., UC Berkeley (2019)

### How Representation Reduces Minority Criminal Victimization: Evidence from Scheduled Castes in India

*Aneja, Abhay; Ritadhi, S.K.*, 38 J. Law Econ. Organ. 675 (2022)

### Can Political Parties Improve Minority Wellbeing? Evidence from India's "Silent Revolution"

*Aneja, Abhay; Ritadhi, S.K.*, 158 J. Dev. Econ (2022)

### The Costs of Employment Segregation: Evidence from the Federal Government Under Woodrow Wilson

*Aneja, Abhay; Xu, Guo, Q.J.* Econ. (2022)

### Financial Inclusion in Politics

*Aneja, Abhay; Wood, Abby; Grumbach, Jake*, NYU L. Rev. (2022)



## JOSÉ ARGUETA FUNES

Assistant Professor of Law

B.A., University of Virginia (2013)

M.A., Princeton University (2015)

J.D., Yale Law School (2019)

Ph.D., Princeton University (expected 2023)

### The Civilization Canon: Common Law, Legislation, and the Case of Hawaiian Adoption

*Argueta Funes, José*, 71 UCLA L. Rev. (2023) Forthcoming



## ABBYE ATKINSON

Professor of Law

B.A., UC Berkeley (1997)

J.D., Harvard Law School (2009)

### Borrowing and Belonging

*Atkinson, Abbye*, Calif. L. Rev. (2023) Forthcoming



## ALAN J. AUERBACH

Robert D. Burch Professor of Law and Economics  
Director, Robert D. Burch Center for Tax Policy and Public Finance

B.A., Yale University (1974)  
Ph.D., Harvard University (1978)

### Macroeconomic Frameworks: Reconciling Evidence and Model Predictions from Demand Shocks

*Auerbach, Alan J.; Gorodnichenko, Yuriy; Murphy, Daniel, Am. Econ. J.: Macroeconomics (2023) Forthcoming*

### U.S. Inequality and Fiscal Progressivity: An Intragenerational Accounting

*Auerbach, Alan J.; Kotlikoff, Laurence; Koehler, Darryl, J. Pol. Econ. (2023) Forthcoming*

### Fiscal Equivalences

*Auerbach, Alan J., in Fiskalische Nachhaltigkeit: Von der ökonomischen Theorie zum politischen Leitbild - Festschrift für Bernd Raffelhüschen zum 65. Geburtstag (Hagist, Christian; Kohlstruck, Tobias eds., 2022)*

### Tax Policy Design with Low Interest Rates

*Auerbach, Alan J.; Gale, William G., 36 Tax Pol'y & Econ. 93 (2022)*

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## ADAM BADAWI

Professor of Law

B.A., UC Berkeley (1996)  
J.D., UC Berkeley School of Law (2003)  
Ph.D., UC Berkeley (2004)

### The Business Judgment Rule

*Badawi, Adam B., in Corporate Law and Economics. Volume 11 Encyclopedia of Law and Economics, 2d (Badawi, Adam B. ed., 2023) Forthcoming*

### Business Associations: Cases and Materials

*Badawi, Adam B.; Casey, Anthony J. (2023) Forthcoming*

### Corporate Law and Economics. Volume 11 Encyclopedia of Law and Economics

(Badawi, Adam B. ed., 2d ed. 2023) Forthcoming

### Does Voluntary Financial Disclosure Matter? The Case of Fairness Opinions in M&A

*Badawi, Adam B.; Cain, Matthew; Davidoff Solomon, Steven, J.L. & Econ. (2023) Forthcoming*

### Social Good and Litigation Risk

*Badawi, Adam B.; Partnoy, Frank, 12 Harv. Bus. L. Rev. 315 (2022)*

### How Informative Is the Text of Securities Complaints?

*Badawi, Adam B., J.L. Econ. & Org. (2022)*



## ANDREW BAKER

Assistant Professor of Law

B.S., Georgetown University (2009)

J.D., Stanford University (2017)

Ph.D., Stanford University (2021)

### **Courtroom Valuation, Rulified Finance, and the Promise (and Perils) of Machine Learning**

*Baker, Andrew C.; Talley, Eric; Gelbach, Jonah B., J. Inst. & Theoretical Econ. (2023) Forthcoming*

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## KENNETH A. BAMBERGER

The Rosalinde and Arthur Gilbert Foundation Professor of Law

Faculty Co-Director, Berkeley Center for Law & Technology

Faculty Director, Helen Diller Institute for Jewish Law and Israel Studies

B.A., Harvard University (1990)

Henry Fellow, Cambridge University (1991)

J.D., Harvard Law School (1998)

### **Revisiting a Jurisprudence of Obligation**

*Bamberger, Kenneth A.; Mayse, Ariel Evan, 37 Touro L. Rev. 2115 (2022)*

### **Allocating Responsibility in Content Moderation: A Functional Framework**

*Mulligan, Deirdre K.; Bamberger, Kenneth A., 36 Berkeley Tech. L.J. 1091 (2022)*

### **Verification Dilemmas in Law and the Promise of Zero-Knowledge Proofs**

*Bamberger, Kenneth A.; Canetti, Ran; Goldwasser, Shafi; Wexler, Rebecca; Zimmerman, Evan J., 37 Berkeley Tech. L.J. 1 (2022)*

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## ERIC BIBER

Edward C. Halbach Jr. Professor of Law

A.B., Harvard College (1995)

J.D., Yale Law School (2001)

M.S., Yale School of Forestry & Environmental Studies (2001)

### **Measuring Local Policy to Advance Fair Housing and Climate Goals through a Comprehensive Assessment of Land Use Entitlements**

*Biber, Eric; O'Neill, Moira; Marantz, Nicholas J., 50 Pepp. L. Rev. 505 (2023)*





## ANNE BLOOM

Executive Director, Civil Justice Research Initiative

B.A., Mount Saint Mary's University (1983)

J.D., University of Maryland (1988)

Ph.D., University of Washington (2003)

### Research Handbook on Civil Justice

(Bloom, Anne; Engel, David; Jolly, Richard eds., 2024) Forthcoming

### The Impact of Tort Reform in America: A Retrospective Review of the Evidence and Debates

*Bloom, Anne*, Ann. Rev. L. & Soc. Sci. (2024) Forthcoming

### The Politics of Civil Justice: From Roscoe Pound to Contemporary Debates

*Bloom, Anne; McCann, Michael* in *Research Handbook on Civil Justice* (Engel, David; Jolly, Richard; Bloom, Anne eds., 2024) Forthcoming

### The Impact of the “Gatekeeper” Philosophy on Litigants’ Rights to Trial by Jury

*Bloom, Anne*, NCJI 2023 Judges Forum Report (2023) Forthcoming

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## ANDREW D. BRADT

Professor of Law

Faculty Director, Civil Justice Research Initiative

B.A., Harvard College (2002)

J.D., Harvard Law School (2005)

### MDL Myths

*Bradt, Andrew D.; Baker, Lynn A.*, Texas L. Rev. (2023) Forthcoming

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### Race in the Machine: Racial Disparities in Health and Medical AI

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### Constitutional Law and Economics

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### Inequality and Regulation: Designing Rules to Address Race, Poverty, and Environmental Justice

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### Power and International Human Rights Imaginary: A Critique of Practice

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### Anthropological Approaches to Culture in Conflict Mediation

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### [The Unexamined Law of Deportation](#)

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### [Politic History](#)

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### [Community Energy Exit](#)

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### **The Gender Panopticon: AI, Gender and Design Justice**

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### Digital Witness: Using Open Source Information for Human Rights Investigation, Documentation, and Accountability

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Weisselberg, Charles, in *EU Fair Trial Rights in Criminal Proceedings* (Allegrezza, Silvia; Covolo, Valentina eds., 2022)



## REBECCA WEXLER

Assistant Professor of Law

Faculty Co-Director, Berkeley Center for Law & Technology

B.A., Harvard College (2005)

M.Phil., Cambridge University (2006)

J.D., Yale Law School (2016)

### Digital Privacy for Reproductive Choice in the Post-Roe Era

Wexler, Rebecca; Huq, Aziz Z., 98 *NYU. L. Rev.* 555 (2023)

### Trade Secret Case Management Judicial Guide

Menell, Peter S.; Almeling, David; Cundiff, Victoria A.; Pooley, James; Wexler, Rebecca; Rowe, Elizabeth; Toren, Peter (2023)

### Life, Liberty, and Data Privacy: The Global Cloud and the Criminally Accused

Wexler, Rebecca, 101 *Tex. L. Rev.* 1341 (2023)

### Ignorance of the Rules of Omission: An Essay on Privilege Law

Wexler, Rebecca, *Vand. L. Rev.* (2023)

### Verification Dilemmas in Law and the Promise of Zero-Knowledge Proofs

Bamberger, Kenneth A.; Canetti, Ran; Goldwasser, Shafi; Wexler, Rebecca; Zimmerman, Evan J., 37 *Berkeley Tech. L.J.* 1 (2022)



## JOHN YOO

Emanuel S. Heller Professor of Law  
Co-Faculty Director, Korea Law Center  
Director, Public Law & Policy Program

A.B., Harvard University (1989)

J.D., Yale Law School (1992)

### On Unilateral Presidential War Powers

*Yoo, John*, 45 Harv. J.L. & Pub. Pol'y 69 (2022)

### Who Counts? The 12th Amendment, the Vice President, and the Electoral Count

*Yoo, John; Delahunty, Robert J.*, 73 Case W. Rsrv. L. Rev.. 27 (2022)

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## EMILY RONG ZHANG

Assistant Professor of Law

B.A., Cornell University (2011)

J.D., Stanford Law School (2016)

Ph.D., Stanford University (2022)

### Questioning Questions in the Law of Democracy: What the Debate over Voter ID Laws' Effects Teaches About Asking the Right Questions

*Zhang, Emily Rong*, 69 UCLA L. Rev. (2022)

# Recent Honors and Accolades

Our accomplished faculty members are widely known and respected, including across disciplines. Here are some of the ways they've been recognized this year.



Professor Saira Mohamed (third from right) with six of Berkeley Law's eight American Society of International Law student fellows in Washington, D.C.

Professor **SAIRA MOHAMED** was elected vice president of the American Society of International Law, named an expert on the Moscow Mechanism of the Organization for Security and Cooperation in Europe (OSCE), won the National Institute of Military Justice's Kevin J. Barry Award, and received the prestigious Berlin Prize. While in Berlin, Mohamed, whose work has focused on the intersection between criminal law and human rights, will work on a project sparked by her previous scholarship about mass atrocities committed by soldiers.

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Professor **ANDREW BRADT** was appointed Associate Reporter to the Judicial Conference Advisory Committee on Civil Rules by U.S. Chief Justice John Roberts for a five-year term that began Jan. 1. He'll help shape the next evolution of the Federal Rules of Civil Procedure, which govern non-criminal proceedings in U.S. district courts.

**DAVID A. CARRILLO**, executive director of Berkeley Law's California Constitution Center, was elected chair of the California Law Revision Commission for 2022–23. Appointed in 2019, he now heads the agency that studies problem areas in the state's law and proposes reforms. The commission is currently engaged in studies of antitrust law, environmental reforms, and the Equal Rights Amendment.

Dean **ERWIN CHEMERINSKY** received the Ronald M. George Public Lawyer of the Year Award, given annually by the California Lawyers Association to a well-regarded practitioner "who has provided outstanding service to the public and possesses an exemplary reputation in the legal community and the highest of ethical standards."

**JEREMY FOGEL**, executive director of our Berkeley Judicial Institute, received the American College of Trial Lawyers' Samuel E. Gates Litigation Award, given to a lawyer who epitomizes ethical conduct, integrity, collegiality, and professionalism. A former state and federal judge who led the Federal Judicial Center for seven years, Fogel guides the institute's work promoting a resilient, independent judiciary and connecting it to academics.

Professor **JONATHAN D. GLATER** was appointed to the California Civil Rights Council, which issues regulations that implement the state's civil rights laws, conducts inquiries, and holds hearings.

Professor **SONIA KATYAL** won a Dukeminier Award — again — for her UCLA Law Review article "The Gender Panopticon: AI, Gender, and Design Justice." She's the first three-time recipient of the annual honor, which recognizes the best papers on sexual orientation and gender identity law.

"Privacy and/or Trade," a University of Chicago Law Review article by Professor **PAUL M. SCHWARTZ** with Anupam Chander, was named a winner of the annual Privacy Papers for Policymakers awards. Given by the nonprofit Future of Privacy Forum, the awards honor scholarship that's useful to policymakers within the U.S. Congress, federal agencies, and international data protection authorities.

Professor **CHRISTOPHER TOMLINS** was awarded the Law & Society Association's 2023 Harry J. Kalven Jr. Prize, which honors empirical scholarship that contributed most effectively to advancing research in the field. A renowned legal historian, Tomlins joins a long list of faculty from our Jurisprudence and Social Policy Program to win the award, including Frank Zimring, Lauren Edelman '86, Philip Selznick, Robert Kagan, and Malcolm Feeley.



Herma Hill Kay Memorial Lecture



Irving Tragen Lecture on Comparative Law



Irving Tragen Lecture on Comparative Law



2023 California Law Review Symposium



2023 California Law Review Symposium



Asian American Law Journal Spring 2023 Symposium



# Intellectual Inspiration

Throughout the academic year, Berkeley Law hosts a slew of thought-provoking events, many of them annual celebrations. Here are a few highlights from the 2022-2023 academic year.

## **HERMA HILL KAY MEMORIAL LECTURE**

Speaker: Kathleen M. Sullivan, “Whatever Happened to the Equal Rights Amendment?”

## **STEFAN A. RIESENFELD ’37 SYMPOSIUM**

“Seeking Truth and Accountability – Mass Atrocities in the 21st Century” (co-sponsored by the *Berkeley Journal of International Law* and the Miller Institute for Global Challenges and the Law)

Keynote speaker and Riesenfeld Award winner: Sevgil Musaieva, Editor-in-Chief of *Ukrainska Pravda*

## **2023 CALIFORNIA LAW REVIEW SYMPOSIUM**

“Section 1983 and Police Use of Force: Building a Civil Justice Framework” (presented in partnership with the Civil Justice Research Initiative, with support from the American Association for Justice’s Robert L. Habush Endowment)

Selected speakers: Berkeley Law Dean Erwin Chemerinsky and Professor Osagie K. Obasogie; Los Angeles County District Attorney George Gascon; Oakland civil rights lawyer John Burris ’73; former American Civil Liberties Union legal director Paul Hoffman; Seton Hall law professor Ndjueh MehChu.

## **IRVING TRAGEN LECTURE ON COMPARATIVE LAW**

Speaker: Court of Justice of the European Union Judge Thomas von Danwitz, “The Role of the Court of Justice in the Course of European Integration”

## **27<sup>TH</sup> ANNUAL BTLJ-BCLT SYMPOSIUM**

“From the DMCA to the DSA—A Transatlantic Dialogue on Online Platform Liability and Copyright Law” (co-sponsored by the Berkeley Center for Law & Technology and the *Berkeley Technology Law Journal*)

## **2023 UNDERHILL LECTURE**

Speakers: Former President of the Supreme Court of the United Kingdom Lady Brenda Hale, Baroness Hale of Richmond, and Berkeley Law Professor Amanda Tyler

## **HARRY & JANE SCHEIBER LECTURE IN OCEAN LAW & POLICY**

Speaker: Nilüfer Oral, director of the Centre of International Law at the National University of Singapore, “Climate Change and the Oceans: An Existential Challenge for International Law”

## **ASIAN AMERICAN LAW JOURNAL SPRING 2023 SYMPOSIUM: LET’S GET GOING! LESSONS FROM THE YOUNG LAWYERS WHO OVERTURNED KOREMATSU, HIRABAYASHI, AND YASUI**

Speakers: Lorraine Bannai; Dale Minami ’71; Peggy Nagae; Rodney Kawakami; the Hon. Judge Mary M. Schroeder; Dean Erwin Chemerinsky; Quyen Ta ’03; Eric Yamamoto ’78; Karen Korematsu.



“Berkeley Law’s centers are crucial in advancing our mission of improving the law. I am thrilled that we are creating three new centers — on criminal justice and society, on Indian law, and on private law — as well as revitalizing the Center for Reproductive Rights and Justice. Each will involve students in their cutting-edge work in important areas of law.”

Dean Erwin Chemerinsky



PHOTO BY DARIUS RILEY

2Ls Jordan Hefcart (left) and Cassidi Mignuolo, co-leaders of Berkeley Law’s Reproductive Justice Project, are eager to work closely with the resurgent Center on Reproductive Rights and Justice.

# Expanding Excellence

*New and revitalized centers add to Berkeley Law's wide-ranging research and policy initiatives*

Berkeley Law hosts more than two dozen research centers and initiatives where faculty, researchers, and students work to improve our laws and society across a spectrum that stretches from the changing climate to the struggle for racial justice.

This academic year, three new centers and a rebooted one will tackle vexing problems, offer pragmatic student training, and further elevate the school's public mission.

The Criminal Law & Justice Center, Berkeley Center for Private Law Theory, and Center for Indigenous Law and Justice join the school's domain, while the Center on Reproductive Rights and Justice is being reborn in the aftermath of the U.S. Supreme Court's landmark ruling in *Dobbs v. Jackson Women's Health Organization*.

Read on for more about our newest additions and updates from our existing centers.

# Criminal Law & Justice Center

Chesa Boudin has spent his life grappling with incarceration and its far-reaching implications. As the center's founding executive director, he sees an ideal opportunity to build on his work aimed at transforming the criminal legal system in significant ways.

His parents, former members of the radical political group Weather Underground, spent over six combined decades in prison for participating in a 1981 Brinks truck robbery that led to the death of two police officers and a security guard. Boudin was 14 months old at the time.

Raised by adoptive parents in Chicago, Boudin became a Rhodes Scholar, went to Yale Law School, and clerked for two federal judges. He worked as a public defender, was elected San Francisco District Attorney in 2019, and spent 2½ years in that role before being recalled in June 2022.

"A lifetime of visiting my biological parents in prison and my work as a public defender and district attorney have made clear that our system fails to keep communities safe and fails to treat them equitably," Boudin says. "I'm thrilled to join the nation's premier public law school and engage with brilliant scholars and students to drive meaningful change by elevating the lived experience of those directly impacted."

Policy advocacy, research, conferences, and education form the center's cornerstones. They will involve legislative initiatives, impact litigation coalitions, policy papers, pilot programs, and statistical analyses that address foundational problems — including structural inequities related to poverty and racism.



Boudin plans to bring in formerly incarcerated people and reform movement leaders, bolster curricular criminal offerings, foster research collaboration, enhance student training and practice opportunities, and strengthen off-campus partnerships.

After watching politics get in the way of good policy as DA, Boudin says he's excited to engage "with people doing deep thinking, not just sound-bite thinking, about what good policy should really look like in this space." Eager to illuminate issues "too often dominated by fear mongering and scare tactics rather than facts and law," Boudin will prioritize follow-through.

"Too often, we celebrate legislative reform ... without examining how and if these new laws are actually being implemented," he says. "Whatever criminal justice outcome we desire, we have to be cognizant of where the rubber meets the road and what change should actually look like."

## PEOPLE

**Clinical Professor Ty Alper**, *Co-Director, Death Penalty Clinic*

**Clinical Professor Stephanie Campos-Bui**, *Co-Director, Policy Advocacy Clinic*

**Professor Jonathan D. Glater**

**Professor Rebecca Goldstein**

**Professor Andrea Roth**

**Clinical Professor Jeff Selbin**, *Faculty Director, Policy Advocacy Clinic*

**Clinical Professor Elisabeth Semel**, *Co-Director, Death Penalty Clinic*

**Professor Jonathan Simon**

**Professor Charles Weisselberg**

**Professor Rebecca Wexler**

# Berkeley Center for Private Law Theory

Professor Hanoch Dagan, who joined the faculty this year after three decades at Tel Aviv University (see page 3), is one of the world's foremost private law scholars. He knows that for some in the legal academy, private law hasn't become public knowledge.

To Dagan, private law forms the very foundations on which people govern their daily affairs. He describes the building blocks of private law — property, contracts, torts — as the building blocks of our lives.

“Where we define our property rights, the meaning of our contracts, and the meaning of our wrongs defines us as a society. That's really what private law theory entails,” says Dagan. “This is what our center will investigate in different ways: some of the basic science of law.”

He plans to integrate students, prioritize projects, and maximize on- and off-campus collaborations and has already enlisted the expertise of several Berkeley Law professors for the center, including Andrew Bradt, Mark Gergen, Manisha Padi, Abbye Atkinson, and David Singh Grewal.

“We want to reinvigorate interest in private law and consolidate its understanding within the vision of a just society,” Dagan says. “This center should be the home for that, which means involving the knowledge and perspectives of lawyers, political scientists, historians, business ethicists, philosophers, and more. It will be an international center with global connections. Private law was under the radar for a while, and Berkeley is an important home for this recent reinvigoration.”

In the spring semester, the center will hold two international conferences: a workshop on contract theory and a conference on the normative foundations of the market co-organized with the University of Pennsylvania's Wharton School of Business.

In 2024-25, Dagan plans to start a fellowship program to bring two international postdoctoral students to the center as well as two to four doctoral fellows studying at Berkeley.

“My hope is that they'll become core members of the center for that year, along with Berkeley Law faculty,” Dagan says. “I'm aiming to help them become important voices in private law theory and join the legal academy in the United States and elsewhere.”





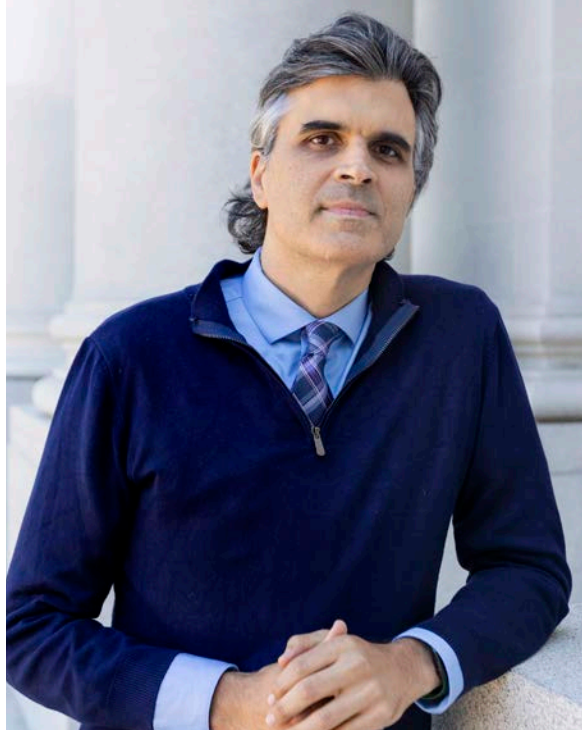
# Center for Indigenous Law and Justice

While the center is in the process of hiring an executive director and may not formally launch until January, momentum for it has been steadily increasing for years. Berkeley Law's Native American community has grown and unified considerably since the arrival of Professor Seth Davis, the center's faculty director, in 2018.

A prominent Indian law scholar, Davis supported students as they revived Berkeley Law's Native American Law Students Association chapter and credits Dean of Admissions Kristin Theis-Alvarez for her concerted efforts to create a law school pipeline and related support for Native students. Less than 1 percent of law school applicants identify as Native American.

Davis also serves as faculty supervisor for the student-led Native American Legal Assistance Project, which does pro bono work on myriad issues that Native peoples face.

"Native and non-Native students involved in Indigenous issues here at Berkeley have built an incredible community," he says. "They are eager for an institutional home which encompasses that community and the intellectual life around Native issues that includes engagement between Native nations and the law school. In addition, constituencies we've worked with on and off campus see real potential at Berkeley Law for greater work in this area."



The center aims to facilitate meaningful ways for interested students, faculty, and staff to work with tribal nations and on Indigenous issues, and to offer programming including conferences, networking events, training sessions, and student fellowships.

"We want to provide research that serves these communities and supports them as they exercise their sovereignty through self-government and advocacy," Davis says. "When we meet with representatives from tribal nations, we'll ask what their goals are, what their needs are, and in what ways they'd like to engage with us to help provide research that serves those goals and needs."

Other law schools have centers in this field, but Davis hopes that Berkeley Law's addition will confront broad issues of justice and redress that are local, national, and global.

"I think that's crucial for Berkeley in particular, in light of the university's history in holding Native ancestors and belongings and the campus being on unceded Ohlone land," he says. "There's an imperative for us to be thinking about what not just the law requires, but what justice requires."

# Center on Reproductive Rights and Justice

Founded in 2012, the center was the first law-school-based interdisciplinary think tank on reproductive issues and a key hub for academics, practitioners, advocates, and activists. But when the previous executive director departed, and the faculty director finished her term in close succession in early 2022, activity waned.

With countless new challenges following the Supreme Court overruling *Roe v. Wade* in *Dobbs*, Professor Kathryn Abrams knew the center had a renewed purpose and worked with Professor Emerita Kristin Luker, the center's founding co-director, to rev it up again. As she searches for a new executive director, Abrams is planning programming, laying the fundraising groundwork, updating the center's website, and more.

"The reproductive rights and justice landscape changed radically when the Supreme Court overruled *Roe* with an opinion that validated originalism, looked to the mid-19th century for its vision of women's rights, and turned the question of regulating abortion back to the states," Abrams says.

With the U.S. now a patchwork of state systems with immense variety and harsh consequences for those in restrictive states, the center will connect scholars with practitioners, advocates, and organizers to develop strategic initiatives.

The center will support coalitions that amplify the voices of those most affected, and offer research and advocacy support for programs that address reproductive inequalities, including but not limited to access to abortion. These might include such initiatives as extending postpartum care under Medicaid, requiring insurance coverage for health-care workers such as midwives and doulas, and advancing research and policy that address the drivers of racial disparities in maternal mortality.

Lunch talks, partnerships with student-led groups, coursework, and externships are also on the agenda.

"We hope to offer fellowships for summer work and ultimately post-doctoral fellowships because students are a key constituency of the center," Abrams says. "We aim to help prepare the next generation of legal advocates for reproductive rights and justice, and create a more knowledgeable and engaged public that can be part of state and local solutions."





# Berkeley Center for Law and Business

## *Business is at a crossroads. Berkeley Law provides direction*

The Berkeley Center for Law and Business is dedicated to leveraging the power of business to help solve some of society's most difficult challenges. We're a bridge linking boardrooms with government, civil society, and academia to create momentum and align priorities. We believe business has a unique ability to scale solutions that are needed to create a more just and equitable society.

We aim to be the leading venue for conversations about sustainability, corporate governance, equity and inclusion, financial fraud, mergers and acquisitions, venture capital, small business, and other important policy issues. If there is a debate about law and business, we want to lead the discussion.



PHOTO BY BRITTANY HOSEA-SMALL

### Our New Executive Director

Angeli Patel is a Berkeley Law alumna who was drawn back by the opportunity to make an impact in the corporate arena. The business world should be a place where conversations about innovating to meet society's needs are happening, she says, and law schools need to be as engaged as business schools in the dialogue over the role of corporations. With its deep roster of talented professors and bright, creative, and activated students, she knows BCLB is uniquely positioned to lead.

"The world is facing a number of challenges, including climate change, social injustices, and a changing workforce. They're complex and interconnected and require a concerted effort from all sectors of society to address them," she says. "Business has a unique role to play in meeting these challenges. The Berkeley Center for Law and Business is committed to providing direction and dialogue that leverages the power of business to create a more sustainable and equitable world."

## MARQUEE INITIATIVES

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- *Business in Society Institute: A Socially Impactful Business Law Program*

Investors, regulators, employees, and the public are increasingly asking companies to manage their environmental and social impact. The global pandemic, racial injustice, rising income inequality, and climate change are heightening the demands for capitalism to take account of its stakeholders.

As an institute within BCLB, the BISI is leading the way in defining and advancing a legal and policy agenda that encourages companies to account for stakeholders and the environment.

- *Startup@BerkeleyLaw: Driving Innovation*

Berkeley Law serves law students, entrepreneurs, and investors by delivering educational programs and services on critical issues faced by early-stage companies.

- *Women in Business Law Initiative: Making the Legal World More Inclusive*

Designed to address the many challenges to achieving gender equity in law and business, the Women in Business Law Initiative has offered best-in-class career development, mentorship, and networking programs to help students and professionals excel both in their lives and their careers since 2016.

## CUTTING-EDGE RESOURCES

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- *Berkeley Forums on M&A and Corporate Governance*: These sessions draw a wide swath of executives, lawyers, and academics to discuss some of the most pressing issues facing the business world today.
- *Berkeley Boosts*: Our series of webinars — many offering CLE credit — explore legal, business, and civil justice related topics. These 30- to 60-minute sessions are available in a free archive on our website.

- *Art, Finance, and Law Project*: This emerging initiative strives to be at the forefront of interdisciplinary discussions where hot topics such as repatriation, artificial intelligence, and fraud in the art world are addressed. A monthly newsletter, Canvas, keeps interested readers up to date, and the project also hosts an annual symposium featuring leaders in the field.

## PEOPLE

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Angeli Patel, *Executive Director*

### Affiliated Berkeley Law Faculty

Professor Abhay Aneja

Professor Abby Atkinson

Professor Kenneth Ayotte

Professor Adam Badawi

Professor Kenneth A. Bamberger

Professor Emeritus Richard Buxbaum

Professor Robert Cooter

Professor Aaron Edlin

Professor Ofer Eldar

Professor Stavros Gadinis

Professor Jonah B. Gelbach

Professor Sonia Katyal

Professor Prasad Krishnamurthy

Professor Katerina Linos

Professor Manisha Padi

Professor Frank Partnoy

Professor Victoria Plaut

Professor Emeritus Daniel Rubinfeld

Professor Rachel Stern

Professor Molly Van Houweling

# Berkeley Center for Law & Technology

## *Where law meets innovation*

For over 25 years, the Berkeley Center for Law & Technology (BCLT) has been Berkeley Law's focal point for teaching, research, conferences, and student activities on issues at the intersection of law and technology. With the largest law and tech faculty of any law school, we offer the most extensive curriculum, covering a huge spectrum of some of today's most pressing legal, practical, and ethical issues.

We foster the beneficial and ethical advancement of technology by guiding the development of intellectual property law, information privacy law, and related areas of law and public policy as they interact with business, science, and technical innovation.

Established in 1995 with a focus on intellectual property, BCLT has expanded over the years to encompass privacy, cyber-crime and cybersecurity, digital entertainment, biotech, telecommunications regulation, and many other areas of constitutional, regulatory, and business law that are affected by new technologies.

## **A New Structure to Reflect our Breadth**

With 20 faculty co-directors covering all areas of tech and IP law, BCLT can identify quickly emerging legal issues and organize research to address them.

To harness this wealth of knowledge and experience, BCLT coordinates and oversees eight separate centers:

- ▶ AI, Platforms & Society Center
- ▶ Asia IP & Competition Law Center
- ▶ Broadband, Internet, and Telecommunications Law Center
- ▶ IP & Competition Law Center
- ▶ Life Sciences Law & Policy Center
- ▶ Privacy & Cybersecurity Center
- ▶ Media, Entertainment & Sports Law Center
- ▶ Center for Technology, Justice, and the Courts

## HIGHLIGHTS

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- *Revolutionizing Continuing Legal Education:* In the last year, BCLT has been able to provide over 15,000 hours of advanced legal training for lawyers around the country through its innovative online B-CLE platform. In keeping with our public mission, we've offered it for free.
- *New AI, Platforms & Society Center:* We've launched a new multidisciplinary center focused on artificial intelligence and network platforms. In the first partnership between Berkeley Law and the CITRIS research center, Berkeley Law Professor Tejas N. Narechania and CITRIS Policy Lab Director and UC Berkeley Goldman School of Public Policy Associate Research Professor Brandie Nonnecke are working together to drive original research and policy analysis on this important topic.

## FACULTY HIGHLIGHTS

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- Professor Sonia Katyal won a Dukeminier Award for her article "The Gender Panopticon: AI, Gender, and Design Justice," published last year in the *UCLA Law Review*.
- Professor Paul M. Schwartz's article "Privacy and/or Trade," published in the *University of Chicago Law Review*, was one of this year's winners of the 13th annual Privacy Papers for Policymakers awards, given by the nonprofit Future of Privacy Forum.
- Professor Rebecca Wexler and Clinical Professor Catherine Crump brought their expertise to the White House, as a senior policy advisor for science and justice at the Office of Science and Technology Policy and a senior policy advisor for criminal justice for the Domestic Policy Council.
- Professor Peter S. Menell and Berkeley Judicial Institute Executive Director Jeremy Fogel collaborated with the World Intellectual Property Organization (WIPO) in conceiving, designing, and advising "An International Guide to Patent Case Management for Judges," which was released earlier this year. Menell and Allison Schmitt, who directs BCLT's life sciences center, co-wrote the chapter on the United States.
- In an essay for a special *Science* issue on generative AI, Professor Pamela Samuelson examined the copyright questions raised by the rapid development of the technology, particularly through lawsuits brought by visual artists and writers.

## PEOPLE

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Wayne Stacy, *Executive Director*

### Faculty Co-Directors

Professor Kenneth A. Bamberger  
Visiting Professor Colleen Chien  
Clinical Professor Catherine Crump,  
*Director of the Samuelson Law, Technology & Public Policy Clinic*  
Professor Catherine Fisk  
Professor of Law in Residence  
Chris Jay Hoofnagle  
Professor Sonia Katyal  
Professor Orin S. Kerr  
Professor Peter S. Menell  
Professor Robert P. Merges

Professor Deirdre K. Mulligan,  
*UC Berkeley School of Information*  
Professor Tejas N. Narechania  
Professor Brandie Nonnecke, *UC Berkeley Goldman School of Public Policy*  
Professor Osagie K. Obasogie  
Professor Andrea Roth  
Professor Pamela Samuelson  
Professor Paul Schwartz  
Clinical Professor Erik Stallman  
Clinical Professor Jennifer M. Urban  
Professor Molly Van Houweling  
Professor Rebecca Wexler



A background image showing a crowd of people with their hands raised in the air, overlaid with a large, semi-transparent rainbow flag. The image has a greenish-yellow tint.

# Berkeley Center on Comparative Equality and Anti-Discrimination Law

*Bringing together academics, advocates,  
and activists from six continents to address  
discrimination and inequality*

Our center has over 1,000 members from every continent but Antarctica, working together across borders to bring the knowledge generated in universities to practitioners and activists. We develop projects and mentor early career academics and advocates through working groups in Global Systemic Racism, Gender Violence/Harassment, Disability Rights, LGBTQI+ Rights, Climate Equality, Digital Equality, Pay Equity, and Equity & Criminal Justice.

Our webinars, conferences, online courses, and books help catalyze cross-border collaborations to explore new approaches to addressing discrimination and inequality. Our policy papers, amicus briefs, and interventions leverage the skills of students from Berkeley and beyond to participate in important equality debates around the globe.

## HIGHLIGHTS

- With our partner the Equality Law Clinic at the Free University of Brussels, we published a policy paper on abortion and reproductive rights as a gender equality issue.
- Working with Berkeley students and recent graduates, David Oppenheimer submitted an *amicus curiae* brief in the Harvard/UNC diversity admissions case before the U.S. Supreme Court on behalf of a group of law school deans.
- We submitted an *amicus* brief before the Inter-American Human Rights Commission on racist violence by the U.S. Border Patrol.
- With our partner the Open Societies Foundation, we prepared a report on Islamophobia in Europe.
- Our Global Systemic Racism Working Group held two workshops as it works on producing a book of essays on the topic.
- Each year our annual meeting (2021 in Cape Town; 2022 in Hong Kong; 2023 in Utrecht; 2024 in Bangalore) features presentations of over 100 academic papers on comparative equality law, often by Ph.D. candidates and recent graduates, plus panel discussions with leading equality law scholars and activists.

## PEOPLE

Clinical Professor David Oppenheimer, *Faculty Director*

Charlie Tsunoda, *Administrative Director*

Julianna Bass, *Postgraduate Fellow*



Panelists from the opening session on climate change and equality law at the center's annual meeting, held at the University of Utrecht.





# Berkeley Judicial Institute

*Building bridges between judges and academics to promote an ethical, resilient, and independent judiciary*

With unique access to the hearts and minds of judges and other professionals working within the judicial system, the Berkeley Judicial Institute offers insights into the judiciary that no other organization provides. We study judges as people: How do they remain independent yet accountable to the law? How do they stay resilient? How do they handle the stresses of their work and their public role? What are their blind spots and implicit biases? Through extensive interviewing and focus groups with judges, lawyers, and scholars drawn from a range of disciplines, we discover how judges feel, think, behave, and make decisions. What influences them, and why? And, finally, what are the solutions to the problems we uncover?

## HIGHLIGHTS

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- Executive Director Jeremy Fogel became an outspoken advocate for the U.S. Supreme Court to adopt a to reinforce its transparency and bolster its credibility through testimony before the Senate Judiciary committee and many critical conversations with the media.
- Fogel, Pepperdine Law Professor — and former BJI research director — Mary Hoopes, and California Supreme Court Associate Justice Goodwin Liu authored a study on law clerk diversity that will be published in the *Harvard Law Review* later this year. Justice Sonia Sotomayor cited the paper in her dissent in the landmark decision striking down affirmative action in college admissions.
- BJI held a three-part virtual series encouraging judges and the press to communicate more effectively and ethically toward the goal of better public understanding and education on the courts.
- The institute also studied the response of federal courts to the strictures imposed by the COVID-19 pandemic.
- Fogel received the Samuel E. Gates Litigation Award from the American College of Trial Lawyers, which recognizes “a lawyer who epitomizes ethical conduct, integrity, collegiality, and professionalism.”

## PEOPLE

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**Judge Jeremy Fogel**, *Executive Director*

**Professor Peter S. Menell**, *Faculty Director*

**Katherine Hood**, *Director of Research*

**Denise Neary**, *Director of Judicial Education*

**Justin Tri Do**, *Events and Communications Coordinator*



U.S. District Judge Haywood S. Gilliam Jr. and BJI Executive Director Jeremy Fogel at a judicial education event for Indian judges in November 2022.



# California Constitution Center

*The first and only center at any law school devoted exclusively to studying the constitution and high court of the state of California, the California Constitution Center analyzes California constitutional law, studies the state high court, and examines public policy issues.*

The California Constitution Center studies California's state constitution and high court by publishing scholarship, offering courses, and producing academic conferences. It also provides expertise on public policy issues through legislative testimony, analysis on SCOCABlog.com, and commentary in legal and popular news media. The center sometimes consults with advocates and stakeholders and files amicus briefs.





CCC Executive Director David A. Carrillo was elected chair of the California Law Revision Commission for 2022–23. Appointed in 2019, he now heads the agency that studies problem areas in the state’s law and proposes reforms. The commission is currently engaged in studies of antitrust law, environmental reforms, and the Equal Rights Amendment.

After making preliminary decisions on how to reform a law, the commission issues a tentative proposal, solicits public comment, considers that input, and typically makes a final published recommendation to the legislature and governor. Historically, over 90% of its recommendations have been enacted into law, affecting more than 22,500 sections of California statutory codes.

## HIGHLIGHTS

- Our 2022 judicial conference on the California Supreme Court featured multiple justices as well as academics and practitioners.
- The center filed an amicus brief in *Castellanos et al. v. State of California et al.*, arguing that Proposition 22 should be upheld because California’s electorate and legislature have coextensive plenary legislating power, and excluding workers’ compensation (or any subject) from the initiative would partly invalidate the electorate’s lawmaking power by creating a new subject matter exemption from the initiative power.
- The center released two policy papers: an analysis on personal service contracts to the California legislature, and an analysis of emergency executive powers to the California Law Revision Commission.
- Carrillo and co-author Darien Shanske argued for using proportionality in home rule disputes in the *Cardozo Law Review*.
- Writing with Stephen M. Duvernay, Carrillo authored “Citizen Enforcement Laws Threaten Democracy” in the *Fordham Law Voting Rights & Democracy Forum*.
- Carrillo explored Chief Justice Tani Cantil-Sakauye’s “mission to bring order from chaos” in the *California Supreme Court Historical Society Review*.
- He also wrote and co-authored numerous op-eds on a variety of topics, including state court takeaways from the *Dobbs v. Jackson Women’s Health Organization* decision and the future of Proposition 8.

## PEOPLE

David A. Carrillo, *Executive Director*

Professor John Yoo, *Faculty Director*



# Center for Consumer Law & Economic Justice

*Working toward a society where economic security  
and opportunity are available to all*

As the country's leading academic hub for the study and practice of consumer law and advocacy, the center spearheads a nationwide effort to pursue economic justice.

Berkeley Law was the first leading American law school to establish a center for consumer protection law, thanks to a gift from celebrated litigator Elizabeth Cabraser '78. This year, the center celebrates its fifth anniversary as a cornerstone of the consumer rights renaissance.

The center works toward fair and equal access to a marketplace free of fraud and predatory practices, while fostering scholarship, developing policy, generating curriculum, and building community. Through briefs, comments, and counsel in major proceedings around the country, the center has become an increasingly influential voice on behalf of low-income consumers.

Every year, the center co-convenes more than 20 regular statewide and national gatherings of consumer law experts, advocates, and students. The center provides support to professors, students and practitioners in law schools across the United States, helping to foster economic justice programs in a cohort that now includes two dozen law schools. The center has become a repository of consumer law research, a laboratory for policy ideas, and a training ground for law students and attorneys eager to build an economically just society.

## HIGHLIGHTS

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- In the fall of 2024, Berkeley Law will offer its 20th different course in the field of consumer law, a number that surpasses every other law school in the world.
- In *Biden v. Nebraska*, the student loan debt cancellation case, U.S. Supreme Court Justice Elena Kagan relied on material from the center's amicus brief for her dissent from the Court's decision striking down the Biden Administration's order that would have provided millions of low- and moderate-income Americans with relief from student loan debt.
- Through the Consumer Law Advocates, Scholars & Students (CLASS) Network and its inaugural director, David Nahmias '18, the center has brought together a fast-growing web of government agencies and nonprofits that are working with interested law students around the nation on pressing issues of economic justice.
- Professor Prasad Krishnamurthy has become a frequent and valued voice in California and national media through op-eds, media coverage, and service on two state commissions: the California Department of Financial Protection's Debt Collection Advisory Committee and a California Law Revision Commission panel examining the state's antitrust laws. He is also a trusted and deeply respected commenter on consumer financial issues in the California legislature.
- The center — with help from Berkeley Law students Dylan Solomon '25, Kavya Dasari '23, Adam Pukier '24, Eva Thomas '25, and Bennett Williams '25 — submitted a comment supporting a proposed Federal Trade Commission rule to simplify the process of unsubscribing from services that automatically renew, such as Amazon Prime and Netflix. The proposed rule itself relies heavily on an earlier public comment from Professor Chris Jay Hoofnagle, who called for an easy "one-time 'no' rule" that would require businesses to accept a consumer's first "cancel" request.

## PEOPLE

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**Professor Jonathan Glater**, *Faculty Director*

**Ted Mermin**, *Executive Director*

**David Nahmias**, *Staff Attorney and CLASS Network Director*

**Ben Hiebert**, *Program Administrator*

### Faculty Advisors

**Professor Abhay Aneja**

**Professor of Law in Residence Chris Jay Hoofnagle**

**Professor Abbye Atkinson**

**Professor Prasad Krishnamurthy**

**Professor Manisha Padi**



The background of the page is a dark blue illustration. It features a crowd of people, with some faces clearly visible in the foreground. Overlaid on the crowd is the text 'EQUAL RIGHTS' in a light blue, sans-serif font. The text is partially obscured by the people's heads and shoulders. The overall tone is serious and focused on social justice.

# Center for Law and Work

*A hub on the UC Berkeley campus for expertise in labor and employment law, we're meeting urgent workers' rights issues head on*

Work in the United States is changing rapidly, as historically unprecedented economic inequality, technological shifts, persistent failures to adapt immigration and work-family policies to human and business needs, and weak social safety net programs spark union organizing, business outsourcing, and a search for more just and equitable employment policies. The Center for Law and Work, which celebrated its formal launch with its founding executive director in April 2022, brings together under one banner the many expert and scholarly resources in labor and employment at the law school, on the UC Berkeley campus, and in our large alumni community of advocates, activists, and practitioners. We incubate ideas and develop solutions that put the needs of all workers front and center.

Structural changes in the economy demand major work-related policy changes, and we are well positioned to lead that conversation. Our faculty, students, and campus are at the forefront of understanding the new labor market — and drafting those new policies.

CLAW serves as the university's home for cross-disciplinary scholarship in the work law arena and for the professional development of J.D., LL.M., and Ph.D. students and alumni. We integrate faculty and student research from the law school with research from other campus faculty and organizations, such as the Institute for Research on Labor and Employment and *Berkeley Journal of Employment and Labor Law*.

## HIGHLIGHTS

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- In its first year under founding Executive Director Christina Chung, CLAW held its inaugural symposium exploring California's innovative "SEED" program funding worker co-op development led by grassroots organizations that mobilize undocumented and other marginalized workers — as a compelling strategy to raise labor standards in low-wage industries. The symposium brought together over 100 participants and experts, including worker leaders, worker centers, co-op developers, federal, state, and local officials, community groups and advocates, philanthropists, scholars, and students. CLAW's upcoming publication will identify the key elements of California's promising model for developing high-road workplaces built and led by workers.
- CLAW's newly-launched Law & Policy Notes examined hot-button work law topics, including the U.S. Supreme Court decision in *Viking River Cruises v. Moriana*. Chung and Faculty Co-Director Catherine Fisk drafted a leading analysis of how the majority opinion misconstrued a seminal California statute (PAGA), which allows a plaintiff to litigate representative claims on behalf of other employees even when the plaintiff's individual claim must be arbitrated. A recent California Supreme Court decision confirmed that analysis.
- Chung authored an *amicus* brief on behalf of CLAW and 28 prominent labor and constitutional law scholars (including Dean Erwin Chemerinsky and Faculty Co-Directors Fisk and Catherine Albiston), in support of California's petition for rehearing en banc in *Olson v. State of California*, a Ninth Circuit case of national significance addressing California's ABC test of worker misclassification.
- Last spring, Fisk and Chung taught a work law seminar featuring lawyers from state and federal government, nonprofits, unions, and the private bar who are engaged in significant legal, policy, and organizing efforts. The course introduced students to creative ways beyond traditional litigation that lawyers contribute to the larger movement for economic justice.
- Fisk, consistently sought out by national media for her expert legal views, provided her insights in news articles and op-eds on a spectrum of high-profile labor and employment issues. Albiston, a thought leader on workplace bias based on race, gender, and caretaker status, was spotlighted in the media for her cutting-edge scholarly analysis of barriers to taking paid family leave and proposal of legislative reforms.
- CLAW welcomed Professor Diana Reddy as our new faculty co-director. Her article "After the Law of Apolitical Economy: Reclaiming the Normative Stakes of Labor Unions" was recently published in the *Yale Law Journal*.

## PEOPLE

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Christina Chung, *Executive Director*

Professor Catherine Fisk, *Co-Faculty Director*

Professor Catherine Albiston, *Co-Faculty Director*

Professor Diana Reddy, *Co-Faculty Director*

# Center for Law, Energy, & The Environment

*Accelerating the implementation of equitable  
and effective policy solutions*

CLEE envisions a sustainable and equitable future and believes solving our most pressing environmental challenges requires accelerating the implementation solutions through actionable research, training, and engagement.

CLEE combines pragmatism, experience, and collaboration to address our most pressing climate change and environmental challenges from the local to global scale. Through actionable research and partnership, we ask “how” questions in order to develop and implement equitable and effective legal and policy solutions. Our expert staff leverages the strengths of the world’s leading public research university to engage community leaders, government, business, and other stakeholders; to lead timely and practical research initiatives; and to train leaders to take action on our most pressing environmental problems. Our position in California allows us to take advantage of the State’s environmental leadership to test and scale promising solutions.

Training environmental leaders is a core element of CLEE’s approach to solving environmental challenges. CLEE helps administer the Energy and Environmental Law curriculum, provides research opportunities for students, and supports student-led groups and initiatives. CLEE also administers GrizzlyCorps, an AmeriCorps program that places recent college graduates in rural California communities to support resilient communities.

## HIGHLIGHTS

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- *U.S. EPA-Funded Initiative for Water Security:* CLEE has assembled an interdisciplinary team from UC Berkeley, UC Davis, UC Law SF, and UCSC to promote the adoption of enhanced aquifer recharge (EAR) nationally. Our program integrates legal and institutional considerations with scientific, economic, and life-cycle consideration to develop a holistic approach to EAR decision-making. By integrating applied research, innovative decision-support tools, and public engagement, we hope to unlock the potential to enhance national water security.
- *Partnering to Realize Equitable EV Infrastructure Deployment:* We launched the EV Equity initiative to advance equitable deployment of EV charging infrastructure, working directly with California local governments. Over the course of this multiyear effort, we will work with stakeholders to conduct mapping exercises to identify highest-priority charger locations based on a range of locally appropriate factors; develop implementation roadmaps, guidebooks, and other resources; propose policy and legislative solutions as appropriate; and support implementation efforts wherever possible.
- *Audio Shorts Go National:* CLEE's short-form audio show, "Climate Break," is now co-produced with NPR affiliate KALW 91.7 FM in the San Francisco Bay Area, which broadcasts locally and distributes through the national NPR podcast platform. The show, which is produced with the support of graduate and undergraduate students from diverse fields of study such as science, law, policy, and economics, is also available on Apple Podcasts and other podcast platforms.
- *Integrating Climate in the IMF's Primary Purpose and Function:* An increasing number of world leaders recognize the need to reform the International Monetary Fund (IMF) to unlock trillions in climate funding. Experts across NGOs, academia, and government have proposed detailed financial policy reforms. To complement these efforts, CLEE's Project Climate is evaluating the possibility of amending the charter of the IMF to include climate impacts and the role of climate change as part and parcel of every IMF intervention and investment, under the theory that climate is perhaps the biggest threat to economic stability.
- *Bringing Research to Policymakers:* CLEE launched a multiyear Sacramento Briefing Series in 2023. The program will strengthen the impact of CLEE's research products by delivering them directly, in real life, to executive and legislative branch policymakers and their staff in Sacramento, as well as potentially to other interested members of the public, the philanthropic community, and the media.
- *Forging A Shared Path to a Net-Zero Future:* The California-China Climate Institute published an 11 paper Climate Action Opportunities Paper Series, authored by more than three dozen experts from across the U.S. and China. The series identified key opportunities for the world's biggest emitters to accelerate climate action and deliver on the U.S.-China Joint Glasgow Declaration on Enhancing Climate Action in the 2020s they agreed to at COP26.

## PEOPLE

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**Professor Daniel Farber**, *Faculty Director*

**Louise Bedsworth**, *Executive Director*

**Ken Alex**, *Director, Project Climate*

**Fan Dai**, *Director, California-China Climate Institute*

**Ethan Elkind**, *Director, Climate Program*

**Michael Kiparsky**, *Director, Wheeler Water Institute*

**Affiliated Berkeley Law Faculty**

**Professor Eric Biber**

**Professor Holly Doremus**

**Lecturer Robert Infelise**

**Professor Sharon Jacobs**

**Clinical Professor Claudia Polsky**, *Director, Environmental Law Clinic*



The background of the page is a photograph of a large, multi-story building with many windows, likely a university building. The entire image is covered with a semi-transparent green overlay. A white diagonal line is visible in the top left corner.

# Center for the Study of Law and Society

*Providing a global home for the multidisciplinary study of law and society*

Founded in 1961, CSLS was the first university-based center for socio-legal research. Today the center is a global home for the multidisciplinary study of law and society. The center's mission is to support and raise awareness of law and society scholarship and build a community of scholars across the disciplines who are working in this area. CSLS focuses on three substantive areas: criminal justice, inequality, and democracy and civil society. We present a weekly speaker series of preeminent scholars, provide fellowships and training to graduate students from across the Berkeley campus, and host visiting scholars from around the world. Although housed at Berkeley Law, CSLS serves a community of scholars drawn from many UC Berkeley departments who come together at the center around a common interest in law and society.

## HIGHLIGHTS

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- The CSLS speaker series promotes multidisciplinary collaboration and brings students and faculty together to discuss current socio-legal research focused on one of the center's three pillars: criminal justice, inequality, and democracy and civil society.
- CSLS hosted six visiting scholars from China, Japan, the United Kingdom, and the United States, and one visiting student researcher from Switzerland. During their time in residence, scholars present their current research and receive feedback from CSLS affiliated faculty and students. CSLS has hosted over 300 scholars from a variety of disciplines from the U.S. and over 30 countries.
- CSLS BELS Fellows, advanced graduate students from a wide-range of disciplines (Graduate School of Education, Jurisprudence and Social Policy, history, political science, School of Social Welfare, sociology), presented their research and received feedback in a series of workshops led by CSLS Faculty Director Catherine Albiston.
- Thanks to a grant made possible by Frances Coles, a 1974 graduate of UC Berkeley's criminology program, CSLS awarded three new summer research grants to graduate students working in the field of law and society. This year's recipients are Ph.D. students Alinaya Fabros (sociology), Bonnie Cherry (Jurisprudence and Social Policy), and Sarah Lee (history).
- CSLS awarded this year's Graduate Student Paper Prize for outstanding law and society research to Dvir Yogev, a Jurisprudence and Social Policy Ph.D. student, for his paper, "Holding Justice Accountable: Intensive vs. Extensive Margins in Prosecutor Elections."

## PEOPLE

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Professor Catherine Albiston, *Faculty Director*  
Pamela Erickson, *Executive Director*

### Affiliated Berkeley Law Faculty

Professor Kathryn Abrams  
Professor Abhay Aneja  
Professor Kenneth A. Bamberger  
Professor Eric Biber  
Anne Bloom  
Professor Khiara M. Bridges  
Dean Erwin Chemerinsky  
Professor Emeritus Robert Cooter  
Professor Dhammika Dharmapala  
Professor Daniel A. Farber  
Professor Sean Farhang  
Professor Emeritus Malcolm Feeley  
Professor Catherine Fisk  
Professor Jonah Gelbach  
Professor Jonathan D. Glater  
Professor Rebecca Goldstein  
Professor Jonathan Gould  
Professor David Singh Grewal  
Professor David Hausman  
Professor Kinch Hoekstra  
Professor Emeritus Robert A. Kagan

Professor Sonia Katyal  
Professor Christopher L. Kutz  
Professor Katerina Linos  
Professor Emerita Kristin Luker  
Professor Saira Mohamed  
Professor Calvin Morrill  
Professor Osagie K. Obasogie  
Professor Manisha Padi  
Professor Dylan Penningroth  
Professor Victoria Plaut  
Professor Asad Rahim  
Professor Russell Robinson  
Professor Emeritus Daniel Rubinfeld  
Professor Emeritus Harry N. Scheiber  
Clinical Professor Jeffrey Selbin  
Professor Emeritus Martin Shapiro  
Professor Jonathan Simon  
Professor Steven Davidoff Solomon  
Professor Sarah Song  
Professor Christopher Tomlins  
Professor Leti Volpp  
Professor Charles Weisselberg  
Professor Emily Rong Zhang  
Professor Emeritus Franklin Zimring



# Civil Justice Research Initiative

*Exploring how the civil justice system can be made more available to everyone seeking relief through interdisciplinary, academically based, and independent research*

CJRI's mission is to systematically identify and produce highly credible, unbiased research on critical issues concerning the civil justice system, including expanding access to justice. Our research focuses on the growing limits on access to the court system, including inadequate funding of state and federal courts; increased use of compulsory arbitration clauses; restrictions on class-action lawsuits; and limits on punitive damages. The initiative also examines potential remedies to help level the judicial playing field for litigants. These efforts ensure that leaders, legislators, and courts have the factual research and data they need to set policy to ensure continued access to the courts.

## RESEARCH SPOTLIGHT

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CJRI published “Civil Litigation as a Tool in a Public Health Approach to Gun Violence,” by Robert S. Peck, Jonathan Corn, and Sanjana Manjeshwar. This report examines the role civil litigation against the gun industry plays in addressing gun violence, describes how artificial barriers have largely shielded gun manufacturers and dealers from legal accountability for the harm caused by their products, and discusses the direct and indirect public health benefits of civil litigation.

## HIGHLIGHTS

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- In June, CJRI, the RAND Institute for Civil Justice, and the Berkeley Judicial Institute hosted “The Civil Legal Aid Crisis In Eviction Cases: Options And Opportunities,” bringing together academics, advocates, and policymakers to discuss the crisis and identify accountable strategies for change.
- “Section 1983 And Police Use Of Force: Building A Civil Justice Framework,” a symposium co-hosted with the *California Law Review*, explored the importance of bringing a civil justice perspective to Section 1983 use of force litigation.
- “Conversations on Civil Justice” is an ongoing series of short webinars providing a scholarly perspective on a variety of civil justice issues to thousands of scholars, judges, and practitioners around the world who subscribe to the series and/or attend the program live. Recent topics include “Judicial Ethics and the Supreme Court” and “Climate Change Litigation.” Recordings are available through our website, [civiljusticeinitiative.org](http://civiljusticeinitiative.org).
- Professor and CJRI Faculty Director Andrew D. Bradt was appointed Associate Reporter to the Judicial Conference Advisory Committee on Civil Rules by U.S. Chief Justice John Roberts for a five-year term that began Jan. 1. He will help shape the next evolution of the Federal Rules of Civil Procedure, which govern non-criminal proceedings in U.S. district courts.

## PEOPLE

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Dean Erwin Chemerinsky

Professor Andrew D. Bradt, *Faculty Director*

Anne Bloom, *Executive Director*

Professor Catherine Albiston

Professor Sean Farhang

Professor Jonah B. Gelbach

Professor Osagie K. Obasogie

Clinical Professor Jeffrey Selbin



# Helen Diller Institute for Jewish Law and Israel Studies

*Educating leaders, elevating discourse*

The Helen Diller Institute provides our nation's future leaders with a rich academic forum for exploring the breadth and complexity of Israel and Jewish topics. Our programs expose students to world-class thought leadership while fostering a community of faculty and peers to support them throughout their college experience. At a time when polarization is more severe than ever, we bring integrity, nuance, and grit to restore civil discourse, creating dynamic spaces where students and the wider community can thoughtfully exchange ideas on complicated, deep-seated subjects. We are committed to elevating the discourse not merely as an intellectual exercise — but to cultivate more educated leaders for tomorrow.

The institute was founded in 2011 by a group of 15 faculty members across several disciplines on Berkeley's campus. Our affiliated faculty have grown to include 22 faculty members from fields as diverse as political science, sociology, economics, anthropology, history, Jewish studies, music, law, journalism, and business.

The institute houses two core programs that encompass the work that we do on Berkeley's campus and beyond — our Program on Israel Studies and our Program on Jewish Law, Thought, and Identity.

## HIGHLIGHTS

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- *Undergraduate Fellows Program:* The Undergraduate Fellow Program puts into practice the driving mission of the Helen Diller Institute — to educate students as future leaders. Students create robust academic programming around topics of their choice while working closely with professors, lecturers, and researchers in an intimate and casual setting. Fellows attend regular workshops focused on professional development topics and work closely with a mentor from the institute's community of fellowship alumni.
- *Visiting Faculty and Scholars Program:* Each year, the Visiting Faculty and Scholars Program brings Israeli faculty to teach Berkeley students across a variety of disciplines. Visitors engage in Helen Diller Institute programs throughout the year as speakers, moderators, and collaborators, building fruitful relationships with colleagues and students.
- *Global Internship Program:* The summer Berkeley Global Internship Program in Haifa is a partnership between the Helen Diller Institute, Yahel Israel, and the UC Berkeley Study Abroad Office. Participants in the Global Internship Program gain firsthand knowledge, connections, and international work experience through an academic internship in a social sector field of interest. Participants also earn six academic credits through two mandatory courses taken during the program — one in the classroom and one consisting of weekly educational field trips.
- *TAU-Berkeley Executive LL.M. Program:* The Tel Aviv–Berkeley Executive LL.M. Program brings dozens of Israeli lawyers, judges, and policymakers annually to learn at UC Berkeley and complete their LL.M. degree from Tel Aviv University. The partnership between Berkeley and Tel Aviv draws on both schools' strengths in intellectual property, public policy, and commercial law, and emphasizes a combination of theory and practice by integrating academic inquiry with interactions among peers in the legal, governmental, and high-tech sectors.
- *Libitzky Lecture on Israel and the Great Powers:* Created in 2020 to explore the strategic importance of Israel's relationships with different regional and global powers, the series hosts top scholars from around the world who are experts in the specific country or region and its relationship with Israel and delves into crucial questions at the intersection of Israeli foreign policy and global politics.
- *The Rosalinde and Arthur Gilbert Foundation Israel Studies Colloquium:* This monthly event is a vital forum for the Institute to cultivate a multidisciplinary academic community of scholars in Israel studies. Faculty and graduate students gather to present and discuss topics in Israel studies and share resources for expanding the scope of research and teaching.
- *Robbins Collection Lecture in Jewish Law, Thought, and Identity:* A partnership between the institute and the law school's Robbins Collection that has brought dynamic speakers to discuss critical topics within contemporary Jewish thought each year since 2010.

## PEOPLE

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**Professor Kenneth Bamberger**, *Co-Faculty Director*

**Professor Ron Hassner**, *UC Berkeley Department of Political Science, Co-Faculty Director*

**Rebecca Golbert**, *Executive Director*

**Leah Wagner-Edelstein**, *Deputy Director*





# Thelton E. Henderson Center for Social Justice

*Training lawyers to fight for social justice with passion  
and expertise*

We connect students, professors, lawyers, activists, and thinkers across and beyond campus to make relevant, vibrant conversations about law, power, equity, subordination, and privilege part of intellectual and social life at Berkeley Law. Established in response to California's Proposition 209 and named for the pathbreaking jurist and alumnus, we're proud to be the home of the school's active, diverse, and ever-growing social justice community, focused on building students' capacity to be effective social justice advocates for the long haul. We welcome anyone who believes advancing social justice is an integral part of the legal profession.

In order to serve Berkeley Law's social justice community, we explore race, class, sexual orientation, gender identity, environmental justice, feminist jurisprudence, reproductive justice, clinical education, disability law, immigration law, human and civil rights, and more.

We produce lectures, workshops, symposia, retreats, scholarships, conferences, celebrations, and community-building events.

## WHAT OUR STUDENTS HAVE TO SAY

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*“The Henderson Center is the heart of the social justice program and community at Berkeley Law.”*

*“It provides bridges between academic education and the real world.”*

*“It keeps me grounded. It reminds me why I came to law school in the first place.”*

*“The Henderson Center doesn’t leave the dialogue (and the work) to chance. That is, it guarantees substantive discussion of social justice and attracts social justice-minded students.”*

## HIGHLIGHTS

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- *“Core in Context” Discussions:* For many students committed to working for the marginalized, the first year of law school can be disorienting and the law’s path-dependency and hierarchy can seem at odds with social justice work. These early-semester conversations offer a welcome touchstone for our community’s newest members and features professors who teach core classes including Torts, Contracts, and Civil Procedure talking about how to interpret these courses through a social justice lens.
- *“Critical Foundations” Lectures:* The law can be used to advance social justice but it has also reproduced patriarchy, white supremacy, privilege, and normative boundaries to equity. This lecture series helps students identify exclusionary problems in the law and imagine alternatives, introducing them to feminist legal theory, critical race theory, queer theory, ableism, and the sociology of law — essential concepts that critique the status quo.
- *Student Support:* Our Henderson Center Scholars are 1Ls who receive scholarship funds as well as special mentorship opportunities. The Thelton E. Henderson Racial Justice Fellowship supports summer work for students who are engaged in racial justice work during law school.
- *Race and Law Certificate:* Through courses, clinical work, and pro bono opportunities, we give students the support and resources to study race and racism effectively and to recognize graduating students who are uniquely qualified to solve our most pressing racial injustice challenges.
- *Public Interest + Social Justice Certificate:* We administer a specialized certificate program for graduating J.D. and LL.M. students that recognizes successful completion of a course of study focused on public interest and social justice.

## PEOPLE

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Savala Nolan, *Executive Director*

Professor Ian Haney López, *Faculty Director*

Amalee Beattie, *Program Manager*



# Human Rights Center

## *Pursuing justice through science, technology, and law*

For almost 30 years, the Human Rights Center (HRC) has conducted investigations and researched violations of international criminal, humanitarian and human rights law in the United States and worldwide. HRC faculty, staff, and students collaborate with human rights organizations, international legal bodies, and news media to hold perpetrators accountable, support vulnerable communities, and combat disinformation. HRC has taught, trained, and provided fellowships to thousands of graduate and undergraduate students who now hold leadership positions within universities, courts, NGOs, media, and advocacy groups worldwide.

### **The Berkeley Protocol on Digital Open Source Investigations,**

developed in partnership with the Office of the U.N. High Commissioner for Human Rights and released in English in late 2020, is quickly becoming an indispensable tool for documenting human rights violations worldwide. The protocol sets out the first global guidelines for identifying, collecting, preserving, verifying, and analyzing digital content as evidence in criminal and human rights investigations. It is designed to meet the needs of legal practitioners working across a wide range of jurisdictions, and to guide journalists and researchers in finding and verifying alleged violations of human rights online. Since Russia's invasion of Ukraine in 2022, Ukrainian prosecutors have used the Berkeley Protocol to document potential war crimes, and HRC has trained investigators, civil society members, and journalists to adhere to the protocol when collecting evidence. In 2023, it was released in Arabic and Russian, and will be published in French, Spanish, and Mandarin — all of the U.N.'s official languages — before the end of the year.

## HIGHLIGHTS

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- In March 2023, HRC filed a second Article 15 Communication to the Office of the Prosecutor of the International Criminal Court (ICC) on cyber war crimes in Ukraine. The submission, prepared by HRC's Technology, Law & Policy team, presents the case for charging five specific Russian cyber-attacks perpetrated between 2014 and 2022 against Ukraine's critical civilian infrastructure as war crimes. All of the referenced attacks are attributed to Russian military intelligence unit 74455, known in the cybersecurity community as "Sandworm." The 2023 submission follows HRC's 2022 submission to the Office of the Prosecutor calling to prosecute Sandworm for Russian cyber-attacks perpetrated against Ukraine in 2015 and 2016. If accepted, it would be the first case of cyber war crimes, exploring unprecedented legal issues and bringing modern methods of warfare to the ICC's domain.
- HRC and the Institute for International Criminal Investigations brought together a group of open source investigators, sexual violence investigators, and gender experts to begin developing a guide on using digital open source methodologies to investigate sexual violence in conflict settings. Workshop participants were passionate in their discussion of how to create a victim-centered approach to online investigations of sexual violence. These perspectives are currently being synthesized into a companion guide to the Global Code of Conduct for Gathering and Using Information about Systematic and Conflict-Related Sexual Violence, also known as the Murad Code after Nobel Laureate Nadia Murad, an Iraqi Yazidi human rights activist.
- The Health and Human Rights Program continues to evaluate and develop innovative solutions to the crises of trafficking and commercial sexual exploitation (CSE) of foster youth in the Bay Area — efforts that may be seeded statewide and nationally. For the last three years, HRC has helped to design and evaluate a family-based foster care pilot, Family and Me (FAM), which centers youth who have experienced or are at risk of CSE. The program has been funded for another three years and is moving into the second phase of design and evaluation.
- In September 2023, HRC Co-Faculty Director Alexa Koenig and former Associate Director Andrea Lampros published their book, *Graphic: Trauma and Meaning in our Online Lives*. Drawing on the latest social science research, original interviews, and their experiences co-founding and running the world's first university-based digital investigations lab, Koenig and Lampros provide practical tips for maximizing the benefits and minimizing the harms of being online.
- The Human Rights Center and its longtime Salvadoran partners Asociación Pro-Búsqueda launched a report on the history of DNA reunifications in El Salvador titled "DNA Family Reunification Project: ProBúsqueda's History of Reuniting Families." Dedicated to Dr. Cristián Orrego Benavente, who ran HRC's Forensics Project until his death in 2018, the publication represents a mammoth effort and legacy. It is a resource for organizations seeking to conduct DNA-based reunifications, offering both an instructional and historical lens.

## PEOPLE

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[Eric Stover](#), *Co-Faculty Director*

[Alexa Koenig](#), *Co-Faculty Director*

[Betsy Popken](#), *Executive Director*

[Julie Freccero](#), *Health & Human Rights Director*

[Lindsay Freeman](#), *Technology, Law & Policy Director*

# Kadish Center for Morality, Law & Public Affairs

*Promoting research and reflection on moral philosophical issues in law and public life, with special concern for the substantive aspects of criminal law*

The Kadish Center was conceived and endowed by Sanford and June Kadish in January 2000 to help probe the theoretical and moral aspects of criminal law. Sanford Kadish, a Berkeley Law professor for 50 years, was a renowned and influential criminal law scholar. He was instrumental in the founding of the school's Jurisprudence & Social Policy (JSP) Program, as well as the Center for the Study of Law and Society.

The center continues his legacy on three tracks: First, by sponsoring formal lectures and research conferences to promote greater understanding of these issues among academic audiences and the wider public. Second, the center supplies research support for JSP students and occasionally for other scholarly visitors to Berkeley. Third, the center organizes a workshop in Law, Philosophy, and Political Theory.

## HIGHLIGHTS

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- The weekly Kadish Law, Philosophy, and Political Theory Workshop features visiting speakers from around the country and the globe. The seminar puts J.D. students alongside public policy students and graduate students from philosophy, political science, and other disciplines to ensure a rich multidisciplinary set of perspectives.
- The annual Kadish Lecture showcases a prominent scholar's work, with comments from other academics. The fall 2022 Kadish Lecture was given by Belgian political philosopher and political economist Philippe Van Parijs of the Université catholique de Louvain.
- The Weinstein Fellowship is a one-week residency at Berkeley Law by a distinguished scholar who works in moral, legal, or political philosophy. It was established by Carol Price to honor her dear friend, Craig Weinstein '78. The 2023 Weinstein Fellow is Princeton Professor Melissa Lane, who gave a seminar titled "Plato on Rule and Office: The Value and Limits of Proceduralism."

## PEOPLE

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**Professor Kinch Hoekstra**, *Faculty Director*

**Affiliated Berkeley Law Faculty**

Professor Jonathan Gould

Professor David Singh Grewal

Professor Christopher Kutz

Professor Eric Rakowski

Professor Sarah Song



# Miller Institute for Global Challenges and the Law

*An internationally-focused research and policy center addressing urgent challenges that demand innovative global approaches — including promoting the rule of law, climate and energy justice, anti-corruption, and human rights — through interdisciplinary collaborations and institutional partnerships*

Since 2007, the Honorable G. William and Ariadna Miller Institute for Global Challenges and the Law has been the heart of Berkeley Law's international enterprise. Founded and supported by the generosity of G. William and Ariadna Miller, the institute is a research, teaching, and policy center on international and comparative law.

Through interdisciplinary collaborations and institutional partnerships, the Miller Institute addresses urgent challenges that demand creative global approaches. Our work is guided by Berkeley Law's distinguished international and comparative law faculty and informed by the expertise of scholars and practitioners worldwide. The approach is collaborative, interdisciplinary, and strategic. Our initiatives and advocacy work target critical situations where we are uniquely equipped to promote lasting change.



## HIGHLIGHTS

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- The institute hosted the Northern California International Law Scholars Workshop at Berkeley Law in September 2022. Top faculty in the field gathered for this one-day conference to exchange recent scholarship on diverse topics, while student observers were enriched by the opportunity.
- Berkeley Law's impressive contributions to the American Society of International Law included Professor Saira Mohamed's election as Vice President of ASIL in March 2023; five current or recent students selected to discuss their work at the ASIL Midyear Research Forum in November 2022; and eight Miller-ASIL Student Fellows attending the Annual Meeting in Washington, D.C.
- The annual Stefan A. Riesenfeld '37 Symposium, "Seeking Truth and Accountability," held in March, was co-sponsored with the *Berkeley Journal of International Law* and featured keynote speaker and Riesenfeld Award winner Sevgil Musaieva, editor in chief of *Ukrainska Pravda*. Miller Institute Co-Faculty Director and Professor Laurel E. Fletcher and other panelists explored intersections of international law, accountability for mass atrocities, and journalism.
- The "Borderlines" podcast is about global problems in a world fragmented by national borders. Miller Institute Co-Faculty Director and Professor Katerina Linos invites experts to discuss cutting-edge issues in international law. Recent episodes include: "Democracies and International Law"; "Froam Genocide to Ecocide"; "Interpreting MetaCanons"; "100 Years of Development with Irving Tragen"; "The Future of International Organizations"; "IOM Unbound?"; topical author interviews, and much more. Listen and subscribe wherever you get your podcasts.
- Fifteen young scholars worked on original research as Miller Fellows mentored by Berkeley Law faculty.
- Twenty-seven outstanding students earned the 2023 Certificate of Specialization in International Law.

## PEOPLE

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**Chancellor's Clinical Professor**  
**Laurel E. Fletcher**, *Co-Faculty Director*  
**Professor Katerina Linos**, *Co-Faculty Director*

### Affiliated Berkeley Law Faculty

**Clinical Professor Roxanna Altholz**  
**Professor Kenneth A. Bamberger**  
**Professor Emeritus Richard Buxbaum**  
**Professor Elena Chachko**  
**Professor Seth Davis**  
**Professor Holly Doremus**  
**Professor Stavros Gadinis**  
**Rebecca Golbert**, *Executive Director, Helen Diller Institute for Jewish Law and Israel Studies*  
**Professor David Singh Grewal**  
**Adjunct Professor Alexa Koenig**, *Co-Faculty Director, Human Rights Center*

**Professor Prasad Krishnamurthy**  
**Professor Christopher L. Kutz**  
**Professor Laurent Mayali**  
**Professor Saira Mohamed**  
**Clinical Professor David Oppenheimer**, *Faculty Director, Center on Comparative Equality and Anti-Discrimination Law*  
**Professor Russell Robinson**, *Faculty Director, Center on Race, Sexuality & Culture*  
**Professor Ayelet Shachar**  
**Professor Emeritus Harry N. Scheiber**  
**Professor Rachel Stern**  
**Adjunct Professor Eric Stover**, *Co-Faculty Director, Human Rights Center*  
**Professor Charles Weisselberg**  
**Professor John Yoo**



# The Robbins Collection & Research Center

*Fostering comparative research and study in the fields of civil law and religious law*

The Robbins Collection is both a research center and a special collections library. Collection holdings include civil law, religious law encompassing the canon law of the Roman and Greek churches, and the Protestant churches; Jewish and Islamic law; and secular law including classical Roman law, *ius commune*, and English common law. In addition, the Robbins Collection publishes scholarly volumes in the areas of civil and religious law.

Our mission is to promote and sponsor comparative research and study in the fields of religious and civil law, including Jewish and Islamic law and the various Christian traditions. Accordingly, the Robbins Collection organizes workshops, public conferences, lectures, joint research ventures, and hosts scholars and fellows throughout the year. In addition we publish scholarly books as part of our “Studies in Comparative Legal Research” series.

## HIGHLIGHTS

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- *Comparative Law Symposium*: “Courts and Social Changes: Comparative Perspectives from Ibero-American and Asian Legal Systems” brought together an impressive group of jurists from diverse continents and legal traditions.
- *Publications*: The Robbins Collection recently published *Current Legal Issues in American and Taiwanese Law*, a new volume of contributions on current legal issues in Taiwan and in the United States as a part of our comparative legal studies series. These essays were presented at a series of workshops that took place over a period of four years at National Taiwan University College of Law and at Berkeley Law under the auspices of the Robbins Collection.
- *Robbins Fellowship Program*: For over 30 years, the Robbins Collection has sponsored scholars pursuing comparative research and study in the

fields of religious and civil law. Our fellows hail from across the globe, including the U.S. The program is a centerpiece of our mission and contributes to the vibrant intellectual community at Berkeley Law and beyond.

- *Robbins J.S.D. Fellowship*: A scholarship founded in 2019 for students in the Doctor of Juridical Science program, UC Berkeley’s most advanced law degree, brings promising scholars into the international intellectual community. Funding ranges from partial to full tuition waivers.
- *Robbins Collection Lecture in Jewish Law, Thought, and Identity*: This partnership between Robbins Collection and the Helen Diller Institute for Jewish Law and Israel Studies has drawn dynamic speakers to discuss critical topics within contemporary Jewish thought each year since 2010.

## PEOPLE

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### Affiliated Faculty

Professor Laurent Mayali, *Director*  
Hanna Buxbaum, *Visiting Professor*  
Lena Salaymeh, *Visiting Professor*

### Robbins Fellows

David De Concilio  
Francesco D’Urso  
Anna Maria Grazia Floris  
Laura Mercedes Velázquez Arroyo

### Robbins JSD Fellows

Helen Jennings  
Gunn Jiravuttipong  
Jelena Laketic  
Joonmo Park



## Robert D. Burch Center For Tax Policy & Public Finance

- *Promoting and disseminating research in tax policy and public finance to help stimulate informed discussion of tax policies of national significance.*
- Faculty Director: Professor Alan J. Auerbach



## Center on Race, Sexuality & Culture

- *Examining contemporary questions of identity and discrimination through the lens of intersectionality, considering how race, gender, and sexual orientation overlap to produce distinct experiences of vulnerability and resilience.*
- Faculty Director: Professor Russell K. Robinson



## The Institute For Legal Research

- *Combining research, teaching, and public service in constitutional law and history, criminal justice, and environmental law and policy. Home to the Sho Sato Program in Japanese and U.S. Law.*
- Faculty: Harry N. Scheiber (director), Charles Weisselberg (director, Sho Sato Program)



## Korea Law Center

- *Addressing the development of the Korean legal, constitutional, and political systems by bringing together scholars, judges, and others to foster a robust exchange of ideas.*
  - Affiliated faculty: John Yoo, Laurent Mayali, Sarah Song
- 



## Law, Economics, And Politics Center

- *Advancing interdisciplinary scholarship, ideas, and discussion in law, policy, economics, business, and government.*
  - Faculty Director: Professor Aaron Edlin
- 



## Public Law and Policy Program

- *Highlighting scholarship on issues of constitutional and administrative law, and the judicial and legislative process.*
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## Statewide Database

- *The redistricting database for the State of California and a nonpartisan resource on census data, elections and election data, districting on all levels, and voting rights.*
- Executive Director: Karin Mac Donald



# Clinical Program

## *Driving change through research*

Berkeley Law hosts 14 clinics that advance racial, economic, and social justice. We represent the unrepresented, challenge and change government policy, and repair injustices. Deeply rooted in the community, our work takes many forms: policy advocacy, research, direct services, litigation, counseling, and of course, teaching.

Designed to provide hands-on experience for students and first-rate legal services for clients, our clinics are led by faculty members who are highly regarded experts in their fields. The clinics' client-centered advocacy stems from groundbreaking research that fosters structural and systemic change.

### PEOPLE

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**Laura Riley**, *Director*

**Clinical Professors Roxanna Altholz and Ty Alper**,  
*Faculty Co-Directors*

**Zoë Polk and Rosa Bay**, *Executive Director and Co-Deputy  
Director, East Bay Community Law Center*

## NATIONAL LEADERS

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Our clinics are at the forefront of several successful nationwide movements:

- The Policy Advocacy Clinic has established a winning playbook to eliminate juvenile legal system fees and fines in as many states as possible — 20 so far. The national campaign to abolish these fees grew from several clinic reports, including “Making Families Pay: The Harmful, Unlawful, and Costly Practice of Charging Juvenile Administrative Fees in California.” Another study tracked the implementation of a bill abolishing juvenile fees in the state, which relieved families from over \$360 million in fee debt and helped raise awareness about the issue nationally. And this research-based advocacy is paying off: Last year,

the United States Department of Justice urged states and local courts to reduce criminal legal system fines and fees.

- Key research by the Death Penalty Clinic is helping courts and state legislatures tackle racial discrimination in jury selection. “Whitewashing the Jury Box: How California Perpetuates the Discriminatory Exclusion of Black and Latinx Jurors,” the clinic’s report on persistent racial discrimination by prosecutors in California jury selection, led directly to a new law reforming the selection of trial juries. Another clinic report with similar findings was part of a challenge to a Kansas death penalty statute.

## POLICY CHANGEMAKERS

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Our clinics influence the California statehouse and beyond. Here are a few examples of our work:

- The International Human Rights Law Clinic’s report, “Living with Impunity: Unsolved Murders in Oakland and the Human Rights Impact on Victims’ Family Members,” found that the family members of Black murder victims in Oakland, California, often face financial burdens, trauma, and hostile and discriminatory treatment by the Oakland Police Department. In response, the Alameda County Grand Jury investigated the department’s discriminatory practices regarding crime victims’ rights and verified the report’s findings, instructing the department to take specific action.
- The East Bay Community Law Center (EBCLC), which houses the Clinical Program’s eight community-based clinics, and the Policy Advocacy Clinic co-authored a report on civil assessments as members of the statewide coalition Debt Free Justice California, sparking a law that relieved millions of Californians of more than \$1.3 billion in civil assessments for things like jaywalking, traffic stops, or loitering. Other research helped lead to a new law making phone calls in state prisons free.

- The Environmental Law Clinic’s report “The Dark Side of the Sun: How PACE Financing Has Under-Delivered Green Benefits and Harmed Low-Income Homeowners” exposed predatory practices in a program through which homeowners finance rooftop solar and energy efficiency measures. The report has spurred substantial policy debate, induced new state controls on PACE financing, and was recently cited by the Consumer Financial Protection Bureau in support of proposed federal regulations on clean-energy financing.
- The Samuelson Law, Technology & Public Policy Clinic authored two reports, one partnering with EBCLC, about the use of electronic monitoring of youth in the California juvenile legal system. Their findings showed that electronic monitoring technology is widespread in California, with 90 percent of counties using it to track young people. Some counties, including Alameda County, which includes Oakland, have reduced their use of electronic monitoring and simplified their rules as a result of advocacy by the clinic, EBCLC, and local juvenile advocates.



PHOTO BY BRITTANY HOSEA SMALL

The logo for Berkeley Law, featuring a vertical line to the left of the text.

# Berkeley Law

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