Home at Last: Newly Named, the Regional Institute Finds Fertile Ground in the Law School

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Home at last

Newly named, the Regional Institute finds fertile ground in the Law School

One of the University at Buffalo’s showcase services to the community – providing economic and demographic information and sophisticated research to policymakers throughout Western New York – is building on its success through a new collaboration with UB Law School.

The Law School has always had substantial involvement in the Institute for Local Governance and Regional Growth, newly named the Regional Institute. Former Dean Barry B. Boyer, for example, co-directed the institute’s State of the Region Project to gauge the region’s performance in 11 key areas, and several Law School faculty members have contributed their expertise and research to other institute projects.

Now the institute is formally affiliated with the Law School, affording new opportunities for collaboration and for bringing the University’s academic and policy expertise to bear on some of Western New York’s most intractable quality-of-life challenges.

The new alignment only makes sense,” said Dr. Kathryn A. Foster, director of the institute, which was founded in 1997. “We have always had one foot in academics and one foot in policymaking,” she says. “When I came on as director in September 2005, I wanted the institute to have an academic setting that matched our academic goals. We looked at a number of organizational options for how to do that, and decided that alignment with the Law School made good sense.”

Given the Law School’s size and strength, its long history of interdisciplinary studies, and the existence of the Baldy Center for Law and Social Policy and the Jaeczk Center for State and Local Democracy, the Law School fits well with the mission of the institute, which is to leverage the resources of the University to address key governance and quality-of-life issues in the Buffalo Niagara region.

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Law School Report

Oishei Foundation grant supports the Regional Knowledge Network

To help ensure that Buffalo Niagara has ready access to reliable information on critical regional issues, the John R. Oishei Foundation has awarded the University at Buffalo’s Regional Institute $336,371 to develop phase two of the recently launched Regional Knowledge Network.

Online at http://rkn.buffalo.edu, the Regional Knowledge Network (RKN) is a powerful new resource for the bi-national Buffalo Niagara region featuring data, maps, lists and resources for 10 regionally critical topic areas, and dynamic user-driven tools for accessing such information. The institute launched the first phase of RKN in March 2006.

As a source of reliable information on the binational region encompassing the eight counties of Western New York and the Niagara Peninsula of Southern Ontario, RKN improves regional understanding and provides capacity for research and smart decision-making in the region. The site serves a diverse audience of government officials, regional leaders, community activists, researchers, students and citizens.

“This grant will allow the institute to take the Regional Knowledge Network to an entirely new level of sophistication,” said Kathryn A. Foster, director of the institute.

“The infusion of resources from the John R. Oishei Foundation enables RKN to become an extremely practical and valuable first-stop for regional information.”

The John R. Oishei Foundation’s mission is to enhance the quality of life for Buffalo-area residents by supporting education, health care, scientific research and the cultural, social, civic and other enabling needs of the community. The foundation was established in 1940 by John R. Oishei, founder of Trico Products Corp.

— By Rachel M. Teaman
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connection points. Said Dean Nils Olsen: “It is important that these sorts of intensive institutes have a home in an academic program. They work best and have the most impact if they are part of an academic department. The institute is designed to provide policy support to local governments in the region, and there are many scholarship opportunities in that area. This is an enormous addition to our program and academic interest in these subject areas.”

The new alignment is consistent with UB President John B. Simpson’s strategic planning initiative, called UB 2020. Under the umbrella of Civic Engagement and Public Policy, an area of strategic strength being coordinated through the Law School, renewed emphasis on interdisciplinary study and research, and further outreach to the community, are key components of the UB 2020 initiative.

The institute, which is housed in Beek Hall on the South Campus, works with scholars from throughout the University, in departments ranging from urban planning to chemistry. But Foster points to four areas in which Law School faculty are likely to have special impact:

- Governance reform, such as new or revised charters for county or smaller governments. Former UB President and Law School Professor William R. Greiner has active engagement in this arena.
- The study of the region’s changing demographics, such as a current project on Buffalo Niagara’s aging population. Law School Professor Anthony H. Szczygiel works on that project, bringing his expertise in Medicare and other issues affecting an older population. Szczygiel directs the Law School’s Elder Law Clinic.
- Regional economic development, including the hot-button issues surrounding a proposed casino in downtown Buffalo, with all its implications for Native American sovereignty, treaties and contracts. Baldy Center Director Lynn M. Mather and Professor James A. Gardner are involved in this area of research.
- Cross-border issues to include the proposed Western Hemisphere Transport Initiative, which seeks to require a passport for Americans to travel into Canada, and other homeland security issues. This area also would include environmental issues affecting the Great Lakes, involving Professors Boyer, Beck Hall on the South Campus, works with scholars from throughout the University, in departments ranging from urban planning to chemistry. But Foster points to four areas in which Law School faculty are likely to have special impact:

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What we do is about governance and policy,” Foster said. “The Law School has a very deep bench and a strong track record in policy, especially with its clinical program. Law in general is very much a part of governance. There seemed to be a number of good

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A satellite view of the region.
The rules of democracy

A long-established UB Law research center is shifting focus with the advent of a new director, bringing faculty and student energies to investigate the ways that laws and legal institutions – particularly state constitutions – structure American politics at the state and local levels.

James A. Gardner, who is the Law School’s Joseph W. Belluck and Laura L. Aswal Professor of Civil Justice, became director of the Edwin F. Jaeckle Center for State and Local Democracy in mid-2005. “We are trying to revive the center’s original mission,” he said, “and to serve as a resource for those who are working in this area.”

Gardner brings with him a longtime research interest in law and democracy, particularly “subnational democracy” – governance on the state and local levels. “Most of where democracy actually occurs is at those levels,” he said, “and there has been very little research into this area.”

Besides Gardner, the Jaeckle Center, which was founded in 1980, comprises UB Law faculty members William R. Greiner, James L. Magavern ’59, Lynn Mather and John Henry Schlegel. They are joined by UB faculty in urban planning, political science, English and American culture, as well as two Jaeckle Fellows. Affiliated faculty are teaching in the areas of state and local government, law, economic development, county government and state constitutional law.

As with all structures that encourage the exchange of ideas, part of the mission of the center is to facilitate cross-pollination. “If you can create a framework within which like-minded people can get together and compare notes, that is how we serve a project,” Gardner said. A new Web site also helps explain and promote the center’s mission.

The principal ongoing project at the center is to compile a database of state constitutions – both current and historical – in order that researchers can look at the ways those constitutions have specified how state legislators are elected. For example, Gardner said, many constitutions defined election districts county by county, but legislatures also have drawn election districts along political lines. “People are very suspicious that politicians are drawing districts to stack the deck,” he said.

State constitutions have a long and messy history, beginning with the constitution that governed Massachusetts even before the Founding Fathers hammered out the U.S. Constitution. “In 1776, there was very little experience with this,” Gardner said. “Nobody wanted a monarchy, but what would replace it was mostly a matter of speculation. Nobody knew what would work.” The writers of state constitutions, he said, sometimes patterned them after the U.S. constitution, sometimes struck out on their own. As a result, state constitutions differ greatly from each other and also from the federal document.

Gardner is also working on two papers about gerrymandering, the controversial practice of manipulating the boundaries of election districts for electoral advantage. In states where discipline has been added to this game, a plausible theory, he said, is that this contributes to the polarization of political debate. In non-competitive districts, the theory goes, the public servant has to appeal only to his or her own party voters, and this pushes the politician further from the political center – and thus further away from those of the opposing party.

A new project will look at the subjects state legislation deals with, asking the question: How much of this legislation deals with local matters, and how much with state matters? The hypothesis, Gardner said, is that the way state constitutions are written will influence on which level lawmakers spend most of their energies.

Also in the preliminary stages is planning for a conference to be held at UB Law, on the topic of how local legislatures work – the nitty-gritty of democracy as it is practiced in towns, villages and county legislatures. “A lot of really important law gets made on that level,” Gardner said. “This conference would be the first sustained attention it gets.”

Accomplishments of the Jaeckle Center Include:

• Created a certificate program in State and Local Government offering courses designed to prepare students to practice in that area
• Established externships for students who work directly with legislators and other government officials on public issues
• Saved millions of dollars in Medicaid money by working with county governments
• Provided the expertise to obtain more than $1 billion in external funding to good projects and construct and manage affordable housing in Western New York
• Helped a variety of governmental entities enforce regulations and solve problems involving waste disposal, and provided guidelines in reclaiming old industrial sites and putting them to productive use
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The Regional Institute

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Friedman is working on an institute project that perhaps is emblematic of how focused academic attention can make for better governance. Planned is Alternatives to Incarceration, a major effort to alleviate chronic overcrowding at the Erie County Holding Center. The other option is a new county jail – at a cost of $100 million of the taxpayers’ money.

“Working with the county and a holding center task force, the institute will examine practices of the criminal justice system from the point of arrest onward. ‘We want to look at decision points in the system,’ Friedman said, ‘and make some suggestions as to where they could make other choices along the way.’

For example, she said, a substantial segment of the Holding Center population has mental health issues and perhaps could be better served by treatment, not jail. Similarly, many indigent inmates spend days in their cells awaiting court- assigned counsel, one option being considered to ease that situation is establishment of an alternative to incarceration clinic, in which law students would represent indigent defendants at bail hearings.

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Foster invites Law School alumni who are interested in the institute’s programs or regional initiatives to call her or Friedman “and talk about what is on their mind.”

The institute’s Web site, www regional-institute.edu, has complete information about its work.
The rules of democracy

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