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Law School Report

BUFFALO LAW REVIEW



Barbara D. Klippert '75 was an honoree.

Law Review Dinner marks community initiatives and scholarly work

A year of accomplishment and outreach for the staff of the *Buffalo Law Review* was celebrated at the journal's 18th annual year-end dinner. Managing editor Leah R. Mervine emceed the event, held in the elegant Buffalo Club on April 17. Anshu S.K. Pasricha, editor in chief, noted that five issues of the *Law Review* were published in 2006-07. The Class of '07, he noted, was the first to publish 10 issues of the journal over two years. Pasricha also said that the *Buffalo Law Review* has improved its rankings among the nation's law reviews, and that upcoming issues will include a tribute to the late UB Law Professor Lou Del Cotto and the text of the 2008 Mitchell Lecture, a scholarly examination of the writ of habeas corpus, by U.S. District Court Judge James Robertson.

In keeping with UB President John Simpson's initiative to make the University a greater force for good in the Western New York community, *Law Review* staffers formed a partnership with the law magnet program at Buffalo's Bennett High School, conducting workshops for the students, teaching them about legal research and writing, and giving them a taste of what they might expect in law school.

As it has in the past, the *Law Review* staff honored UB Law alumni who honed their craft while working on the legal journal. This year's honorees were Barbara D. Klippert '75, a partner in the New York City law firm McKee Nelson, and Dennis R. McCoy '77, a partner in the firm Hiscock & Barclay, in Buffalo.

Klippert, reflecting on her life at UB, remembered coming to the North Campus in

its earliest stages, when the Law School was the first department to move into its building. "Nothing was there but mud," she said, "and the wind was horrible. We had just moved to Amherst from downtown. The *Law Review* office was the only place we could sit down outside the classroom."

A former case and comment editor of the *Law Review* and currently a member of the Dean's Advisory Council, Klippert has worked with UB Law students to help them find that crucial first job in the field. "It has been very important to me to do my best to help students at UB Law School to get jobs," she said. "It has been an incredible honor for me, and a pleasure, to interact with the students. You are incredible, each and every one of you."

Further, she said, UB Law training serves its graduates well because "we appreciate things, and know what it is to work hard," Klippert said. "You will ask questions, you will think about what you are doing, you will put in that extra effort, and not just go in to work and put in your hours and ignore everything around you. You value thinking,

THE ART OF THE ESSAY

Annual Buffalo Law Review issue draws national attention

and being a person, and being a part of something much larger than you.”

McCoy, a former case and comment editor of the *Law Review* and 2006-07 president of the UB Law Alumni Association, said, “As an alumnus, it makes me proud to see folks like you who are continuing and enhancing a tradition I was a part of. You certainly have made our Law School a much better place, and one with a better reputation, because of your presence there.”

Noting that Dean Nils Olsen has announced his intention to step down at the end of the calendar year, McCoy said that this time of transition at the Law School brings with it opportunities to strengthen the school’s ties with its graduates. “We want to bring the Law School closer to the alumni,” he said. “Your role does not end at



Editor Anshu S.K. Pasricha '07 presents an award to Michelle A. Daubert '07.

graduation.

“All of you in the *Law Review* have been leaders,” McCoy said. “The *Law Review* is the premier publication of the Law School. Our challenge is not only to take the *Law Review* in a good direction, but the Law School as well.”

Three student awards were presented to *Law Review* staff members. The Carlos C. Alden Award, presented to the senior making the greatest contribution to the publication, went to Jeffrey A. Davis. The Justice Philip Halpern Award, which goes to a senior for excellence in writing on the *Law Review*, was given to Michelle A. Daubert. And four Associate Publication Awards, for excellence in writing, went to Andrea B. Ott, Jeffrey P. Gleason, John T. Lynch and Regina L. Reading.

New this year, the staff members presented the Bennett Casenote Award, to a Bennett High School student demonstrating excellence in writing. The recipient was Justin Szewczyk.

The incoming editor in chief of the *Buffalo Law Review* is Amy C. Frisch '08.

The *Buffalo Law Review* is distinguishing itself among its peers – and taking a chance – by publishing an annual issue almost unique among American law journals: the essay issue.

The December 2007 issue will be the fourth devoted solely to essays. Whereas many law reviews feature an essay or two among the copiously footnoted articles and legal notes that are their bread and butter, *Buffalo Law Review* has pioneered the all-essay issue.

Essays, says Sachin Kohli '06, editor-in-chief of the journal in 2005-06, tend to be shorter than articles, so the issue can incorporate more voices. And in style, he says, they distinguish themselves: “The arguments are not really as built up and solidified. You want people to be creative and explore. We were definitely going for a more colloquial style, more informal.”

Kohli, who now does merger and corporate acquisitions work at Weil, Gotschal & Manges, in New York City, says the editors called upon UB Law professors – including David Westbrook, who has advised the journal on its essay issue and wrote the introduction to the first one – to identify authors who might be invited to contribute to the issue. “They helped us identify who would give us an essay and not just a law review article dressed up as an essay,” Kohli said.

Anshu S.K. Pasricha, editor in chief in 2006-07, says the essay issue – one of five issues published in a typical *Law Review* year – helps to distinguish the *Buffalo Law Review* in the crowded law review field.

“The *Michigan Law Review* has an annual issue devoted to book reviews, and it is really prestigious to have a book reviewed in that issue,” Pasricha said. “There is a spotlight cast on that book. We are doing the same sort of thing. What we are looking for are nascent ideas for people to throw out to the legal community, and they basically tear it to pieces. The author is really putting forth his ideas rather than just an analysis of a problem.”

The writers of these essays are taking a risk, he said, because the legal academic community still sees articles, not essays, as the test of a legal mind. “In legal scholarship, especially when you are a young professor, you cannot put things on paper without worrying

about the impact on your reputation,” Pasricha said. “But people should not be afraid of thinking on paper. They should not worry that their reputations will be sullied.”

“An annual essay issue is exciting to someone who is not necessarily interested in the name of the journal, but wants an audience to read the ideas.”

The *Buffalo Law Review* has improved its rankings in recent years, said Pasricha, who now practices corporate law at Sullivan & Cromwell, in New York City. In the most recent rankings by Washington and Lee University Law School, Buffalo’s law review was the 44th most cited based on impact and total citations, and the 37th most cited based on impact.

But the essay issue, he said, “actually hurts our rankings. The rankings are based on how many times people cite us, and how many footnotes are in our issue.” Essays, because they use fewer footnotes, do not fit into that formula.

Nevertheless, he said, “Rankings by themselves do not mean anything. The more important point is how we do in terms of our reputation among schools, and how law professors think about the *Buffalo Law Review*.”

Amy C. Frisch '08, the *Law Review*’s current editor in chief, says, “Different law reviews have different perspectives on what an essay is. The point of an essay is to intrigue the reader, to have an open discussion about a certain topic.

“In an article, you set up a legal dilemma, discuss what has been done in the past, then propose a solution. The *Buffalo Law Review* has gone back to the traditional roots of what an essay is – not just an article with fewer footnotes. We try to encourage our essay authors to get back to the traditional essay, which is intended to take a risk about a legal topic that they may not have explored before, to try to give it new light.”

The editors still ask UB Law professors to recommend potential authors. They also, Frisch said, do “a little bit of research on the authors to see what they have written in the past and see what their style is. We allow them to write on a topic of their choice, and we never really know what we are going to get.”