

The Advisor

December, 9 2013

THE WEEKLY NEWSLETTER OF THOMAS JEFFERSON SCHOOL OF LAW

TJSL December 2013 Graduation

Thomas Jefferson School of Law's Fall Commencement will be held on Saturday, December 14, 10 a.m., at Copley Symphony Hall in downtown San Diego. Approximately 85 graduating students will receive *juris doctor* degrees.

TJSL is proud to announce that the commencement speaker will be Board of Trustees Member San Diego Superior Court Judge Browder Willis, who is a 1983 graduate of the law school.

Judge Willis has been a San Diego Superior Court Judge for the last 12 years, since working in the District Attorney's

Office. Before law school, Judge Willis served as an officer in the U.S. Army. He has previously served on the Board of Directors for the Earl B. Gilliam Bar Association, was Vice President of the Deputy District Attorneys Association, and has served on the Public Lawyers Committee of the San Diego County Bar, the Inns of Court and the Juvenile Diabetes Research Foundation. Judge Willis' recognitions include the 2008 Judicial Officer of the Year awarded by Chief Probation Officers of California, the 2008 Thomas Jefferson School of Law Alumnus of the Year, the 2010 STAR Award and the San Diego County Juvenile Justice Commission Outstanding Jurist Award in 2011.

The class Valedictorian is Tristin Sullivan-Leppa, Summa Cum Laude. "Law school has been a dream of mine since I was a young teen and I am so excited to finally be graduating," said Sullivan-Leppa. "I am so grateful for the wonderful experiences I have had here at TJSL and for all the amazing friends I have made along the way. It is an amazing feeling to know that all of my hard work has paid off and I am honored to be named the valedictorian of this graduating class," said Sullivan-Leppa. "It took a lot of hard work, dedication, and support from my wonderful family. I was also extremely lucky to have had some awesome Professors who were always willing to provide guidance and encouragement. A special thanks to Professor Sandra Rierson for all of her help with my law review note."

Sullivan-Leppa was also named to the 2014 edition of Who's Who Among Students in American Universities and Colleges and is involved with the TJSL Law Review. "I was honored when Danielle Gilbert appointed me to Technical Editor on our Law Review's Editorial Board. As Technical Editor I have helped spearhead a new online journal for Law Review."

Upon graduation, Sullivan-Leppa will be moving back home to Washington State where she will begin studying for the WA bar exam. "My husband and I are eager to begin the next phase of our life!"

The doors open at 9 a.m. at [Copley Symphony Hall](#), 750 B Street, San Diego.



Dr. Richard Gendler

TJSL awards J.S.D. to Dr. Richard Gendler for Chapter 13 Bankruptcy Research

After a successful dissertation defense on October 22, 2013, Thomas Jefferson School of Law awarded the degree of Doctor of Science of Law, called a "J.S.D." degree, to Dr. Richard S. Gendler. Dr. Gendler is the senior shareholder of Richard S. Gendler & Associates, P.A. in South Florida where his practice focuses on consumer bankruptcy. In 2009, Dr. Gendler earned his LL.M. at TJSL. The J.S.D. is a research-based doctoral degree, the most advanced law degree in the United States. It requires three to five years of legal research and writing on a unique issue of law that makes a substantial and novel contribution to a field of study. The J.S.D. degree is equivalent to a Ph.D. in law, which first requires the completion of the Bachelor, J.D., and LL.M. degrees.

"It is an honor to have received my J.S.D. from the Thomas Jefferson School of Law. I am grateful to Dean William Byrnes and Dr. Robert Munro for encouraging me to pursue my J.S.D. after completing my LL.M. at Thomas Jefferson," Dr. Gendler said about his award. He continued, "I am also most appreciative of the countless hours Dean Arnold Rosenberg and Professor Katherine Porter spent reviewing and critiquing my study in their supervisory capacities. Had it not been for the remarkable support and encouragement I received throughout the process, this enormous and life-changing achievement would not have been possible."

Associate Dean William Byrnes added, "Dr. Richard Gendler has undertaken ground-breaking empirical research for his Ph.D. of all Chapter 13 cases that were filed in the Southern District of Florida from 2009.

Dr. Gendler scrutinized the effectiveness of cure of mortgages on homeowners' principal residences relative to the use of lien stripping in Chapter 13 plans, both for underwater and non-underwater mortgages. We will see mention of his policy recommendations in Congressional testimony, think tank policy papers, and his research cited in decisions."

Dr. Gendler replied, "I am pleased that my dissertation has been held in such high regard amongst those so highly revered in the field of insolvency law. It is an overwhelming sense of fulfillment to know that my findings will make its way to the consciousness of those in the Judiciary and Congress whom are in a position to effectuate an equitable balance between creditor and debtor rights."

Professor Byrnes said of the awarding of the degree, "I think Dr. Gendler has captured the essence of the doctoral program's mission to combine a robust professional experience with in-depth academic analysis of a challenging policy that requires a fresh look by its stakeholders."

Richard Gendler added "Struggling homeowners are in desperate need of bankruptcy reform so that they may more readily use the process as an effective means of saving their homes. It is with distinct pleasure that I can deliver to them my study's findings in their support."

Continued on next page...

Richard Gendler continued...

Assistant Dean Arnold Rosenberg of California Western School of Law said, "Dr. Gendler's contribution to the current debate about cramdown of home mortgages, particularly in rebutting arguments raised by others regarding its possible effect on the availability of mortgage credit, is extremely important and should receive the attention of policy makers and scholars in this field."

Dr. Gendler's dissertation supervisor was Dean Arnold Rosenberg as well as Katherine Porter, Professor of Law at the University of California Irvine School of Law, a well-regarded scholar in the field of consumer bankruptcy law. Dr. Gendler's evaluators were Professor Mary Jo Wiggins of the University of San Diego School of Law and Professor Jean Braucher of the University of Arizona School of Law, both of whom are also well known and highly regarded experts in the field of consumer bankruptcy. The dissertation defense was organized and moderated by Professor and Assistant Dean Rosenberg.

[Thomas Jefferson's first J.S.D. degree was conferred February, 22, 2013 on Dr. Olufeyisan Feyi-Sobanjo of Nigeria](#) for his research and recommendations for development of the electronic commerce legal regimes in West Africa States. Dr. Feyi-Sobanjo's dissertation was recently published by Lambert Academic.

Professor Byrnes interjected, "The conferral of the J.S.D. on Dr. Gendler and on Dr. Feyi-Sobanjo evidences the graduate program's commitment to make its graduate degree program accessible to both U.S. and international lawyers." He added, "We are excited that Dr. Gendler has decided to stay involved with the graduate program, considering his extensive practice. In fact, he is now counseling other potential doctoral candidates for their insolvency oriented proposals and may even serve as their doctoral supervisor."

Information about Dr. Richard Gendler:

Richard S. Gendler became the second Doctoral candidate at TJS� to successfully defend his J.S.D. dissertation. The dissertation topic was "Home Mortgage Cramdown in Bankruptcy." The dissertation provided an extensive study into the interplay between the recent home mortgage crisis and U.S. Bankruptcy Law. The study advocates for bankruptcy reform in order to effectuate an effective response to the foreclosure crisis.

Dr. Gendler is the senior shareholder of Richard S. Gendler & Associates, P.A. in South Florida where his practice focuses on consumer bankruptcy. In 2009, Dr. Gendler earned his LL.M. at TJS� and his J.D. from the University of Miami in 1992. He presently serves as an adjunct professor in TJS�'s online J.S.M. /LL.M. program and as an adjunct professor at Florida Atlantic University. He also teaches continuing legal education courses regarding bankruptcy and serves on the Florida Bar Federal Rules Practice Committee. In addition, he has published several scholarly articles about bankruptcy related issues for the American Bankruptcy Institute. He may be contacted at Rgendler@miami-law.com.

Criminal Law Litigator Alex Ozols '12

Recent graduate Alex Ozols '12 is a criminal law litigator and has started his own practice at the Ozols Law Firm and he also works for The Law Office of Bradley Corbett. He has always wanted to be a criminal defense litigator.

Mr. Ozols stated, "I have always wanted to do criminal defense since I was a young child. My goal is to make sure no one is ever wrongfully convicted, to make sure they are all seen equal under the law and to make sure they have the best legal representation possible."

Ozols is proud of his practice and has experienced great successes. "In the past year I have got to close over 100 cases, including misdemeanors, felonies, co-defendant cases, and a highly publicized federal case which was featured on the front page of the Union Tribune. I was recently named Rising Star by Attorney Journal Magazine and nominated for the Top Young Attorney of 2013 by the Daily Transcript."

During his time in law school, Ozols enjoyed the clinical placements he received from the externship department. According to Ozols, the "externship program forced me to go out there and look for a job. I called attorneys at every firm I could, I eventually found an attorney who I bonded with and he hired me right out of law school." Ozols valued all of the work experience that he obtained in law school and believes that is the most critical piece of the job search puzzle.

Ozols advises students to obtain as much work experience as they can while in school. "Every person in my graduating class that worked and did whatever they could all throughout law school have not had problems getting jobs. I worked at the Public Defender and at a private law firm every semester I was in law school. I shadowed other attorneys whenever I could, I was the second chair on trials and I was in court whenever possible. The same day I was sworn in, I was in the courthouse and ready to go. It was all because of the hard work I did during my time at Thomas Jefferson School of Law."

"We congratulate Mr. Ozols with a successful start to his career," said Associate Director of Career Services, Randy Reliford.

For more information about Alex Ozols firm, visit www.thesandiegocriminallawyer.com.





Right: Conference organizer, Professor Ilene Durst



Moderator, Amy Day, Assistant Professor of Lawyering Skills



Conference Speaker

TJSL Hosts One-Day Workshop Focusing on Preparing Practice-Ready Students

On Friday, December 6 Thomas Jefferson School of Law and the Legal Writing Institute co-hosted *Preparing Practice-Ready Students*, a one-day conference for approximately 30 law school professors who teach legal writing and other courses focusing on practice skills.

“All who attended walked away with new strategies about how to better help students enter the changing world of legal practice,” said Professor Ilene Durst, who organized the conference.

Also in attendance were practicing lawyers, including TJSL’s alumni, The Director of the Center for Solo Practitioners Professor Lilys McCoy, and two of its members and several adjunct professors.

“The workshop was a great opportunity to learn about what’s going on in other law school classrooms around the region,” said attendee Professor Karen Harkins, Director of TJSL’s Academic Success program. “This year’s focus was on practice-ready students. I learned about how legal writing instructors are relying more on technology as part of their curriculum, in much the same way practitioners must rely on technology for their practice to function smoothly,” said Harkins. “I also heard about some of the potential negative effects of our technology-rich social structure, and what some instructors are doing to help combat the decline of professionalism in email communications. I enjoyed hearing about student emails and how one instructor uses past student examples as a way to explain how the tone and quality of email correspondence influences professional relationships.”

Conference organizer, Professor Durst said the event was a great success. “As one participant put it, TJSL provided “sunny skies, great views, good food, and thoughtful and informative presentations.”



Summer Study Abroad Programs in Hangzhou, China and Nice, France

Hangzhou, China

Thomas Jefferson School of Law, in cooperation with one of the most prestigious universities in China, Zhejiang University, presents a three week, ABA approved, International and

Comparative Law Study Abroad Program in Hangzhou, China, one of the most beautiful cities in the world.

The program gives students the opportunity to earn 4 credits in just 3 weeks. Classes are held mornings only and taught in English. Highlights include distinguished speakers and experts in the field of international law, a visit to Beijing Supreme Court, optional weekend and half-day trips to neighboring cities and scenic sites.

MCLE credit is available to attorneys in California. Attorneys in other states need to check with their State Bar office regarding MCLE credit. registration fee is due by March 28, 2014.

Download the [2014 China Program Application](#)

View the [2014 China Program Brochure](#)

Visit the [China Study Abroad Program](#)

Curriculum Highlights: Students may choose to take two of the five courses offered. The courses are International Business Transactions; International Entertainment Law; Comparative Law Study of Small Businesses in China; Comparative Negotiations in International Business; and the Chinese Legal System and Its Reforms. Morning classes, held Monday through Friday, are taught in English. Distinguished faculty will include four professors from the Zhejiang University College of Law.

Overview: Earn 4 summer credits in 3 weeks in one of the most beautiful cities in the China, Hangzhou. The TJSL China Program runs from May 19 to June 6, 2014. It is ABA Approved. A half-day tour of Hangzhou, a four-day tour of Beijing, including the main sites and a visit to the Beijing Supreme Court, and a two-day tour of Shanghai, will be offered.

Setting Description: Centrally situated in one of the most beautiful cities in China and within walking distance of the famous West Lake, Zhejiang University College of Law offers an ideal environment for learning international and comparative law. Classes are held Monday through Friday, in the morning. Students will have afternoons and weekends to travel.

Program Value: The China Program is designed to encourage students to experience international law in an international setting, to exchange ideas with students from a different land, and to explore cultural differences that influence international business and legal transactions. Students are drawn from law schools across the United States and the world. Chinese students fluent in English and currently studying law at the Zhejiang University Guanghua College of Law will actively participate in the program.

Program Cost: Tuition \$3,000.00

Subjects: International Studies, Legal Studies



Summer Study Abroad Programs Continued...

Nice, France

Thomas Jefferson School of Law, in cooperation with the La Faculté de Droit de l'Université de Nice presents Summer Study Abroad Program in Nice, France.

Students may earn 4 summer credits in 4 weeks while studying on the French Riviera. The courses have an international focus and compare American and European approaches to law. Classes are held mornings only and are taught in English. Highlights include distinguished guest speakers in the field of international law, a day in the French court, an optional French class offered at no charge.

MCLE credit is available for California Attorneys. Attorneys in other states need to check with their State Bar office regarding MCLE credit. registration fee is due by April 18, 2014.

Download the [2014 Nice Program Application](#)

View the [2014 Nice Program Brochure](#)

Visit the [Nice Study Abroad Program](#)

Curriculum Highlights: Earn 4 summer credits in 4 weeks while studying on the French Riviera, in the breathtaking city of Nice. The courses have an international focus and compare American and European approaches to law. Students may choose to take two of the four courses offered. The courses are International Human Rights Law; Comparative Environmental Law; International Internet Law; and Comparative Tort Law. Classes are in the morning, Monday through Thursday and taught in English.

Overview: The 2014 Nice Program runs from June 23 to July 17, 2014 and is approved by the ABA. The courses have an international focus and compare American and European approaches to law. Students can earn 4 credits in just 4 weeks by completing two of the four programs offered.

Setting Description: The University of Nice School of Law offers an ideal environment for learning international and comparative law in a city that is both beautiful and rich in European culture and history. The program includes an organized trip to spend the day in a French court and sit in on one or more actual cases. Students will have 3-day weekends providing opportunities to visit Cannes, St. Tropez, Paris, Monaco, Venice and other renowned European cities.

Program Value: The Nice Program runs from June 23 to July 17, 2014 and is approved by the ABA. The Nice Program is designed to encourage students to experience international law in an international setting, to exchange ideas with students from a different land, and to explore cultural differences that influence international business and legal transactions. Students are drawn from law schools across the United States and the world. Apply Now, for this unforgettable experience.

Program Cost: Tuition \$3,000.00

Subjects: International Studies, Legal Studies



FACULTY SCHOLARSHIP

Citations Added December 1, 2013 - December 9, 2013

Linda M. Keller

Presentations:

The Impact of States Parties' Reservations to the Convention on the Elimination of All Forms of Discrimination Against Women, Symposium on Whether the United States Should Become a Party to the U.N. Convention on the Elimination of All Forms of Discrimination Against Women, Michigan State University College of Law, East Lansing, MI (November 8, 2013)

The Convoluted Road to Trial: The ICC Kenyatta Case, International Law Weekend – Midwest, The Legal Challenges of Globalization: A View from the Heartland, Washington University in St. Louis School of Law, St. Louis, MO (September 20, 2013)

Radio:

The International Criminal Court in Africa, Africa Today with Walter Turner, KPFA (Berkeley, CA), <https://www.kpfa.org/archive/id/96594>

William H. Byrnes, IV

Articles:

Can Employers Obtain Tax Advantages Complying With The Affordable Care Act?, MERTENS LAW OF FED INCOME TAX- DEVELOPMENTS & HIGHLIGHTS (with Robert Bloink and Theron West) (2013), available at <http://legalsolutions.thomsonreuters.com/law-products/c/Mertens-Current-Tax-Highlights/p/100027719>

May A Proposed Expansion Of Master Limited Partnerships' (MLPs) Tax Benefits For "Renewable" Energy Lead To America's Energy Independence?, MERTENS LAW OF FED INCOME TAX DEVELOPMENTS & HIGHLIGHTS 5 (with Robert Bloink and Theron West) (2013), available at <http://legalsolutions.thomsonreuters.com/law-products/c/Mertens-Current-Tax-Highlights/p/100027719>

Chapter in a Book:

Prologue, Forward to ESTATE PLANNING FOR MODERN FAMILIES xv (with Robert Bloink) (National Underwriter Company 2013)

Presentations:

Intergovernmental Agreements & Automatic Exchange With the USA: Is This The End of the United States as the World's Largest Offshore Centre?, Moscow Finance University, Moscow Finance University, Moscow, Russia (October 24, 2013), available at <http://international.fa.ru/news/Pages/2013-10-18-3rd-international-research-conference-the-modern-tax-system.aspx>

Is the U.S. Going to Provide Reciprocal Information to IGA Partners?, International Fiscal Association, Morgan Stanley, Moscow, Russia (October 23, 2013)

Flipping the Classroom, CaliBUG 2013, Southwestern College, San Diego, California (October 11, 2013), available at <http://www.tjssl.edu/news-media/2013/10595>

Do the Benefits to Russia of Compliance with the USA's FATCA Outweigh its Russian Costs?, Russian Tax Conference, Siberian Federal University, Krasnoyarsk, Russia (September 27, 2013), available at <http://law.sfu-kras.ru/eng/news/168-dear-professors-and-students-2013>

"Are some U.S. agreements more equal than others? DTAs, TIEA, IGAs and the U.S. Constitution. Exploring the Executive / Senate Treaty authority, House of Representative "Origination" of Tax authority, and Congressional Regulation of Commerce with Foreign, Conference on Constitutionalism, Siberian Federal University, Krasnoyarsk, Russia (September 26, 2013), available at <http://law.sfu-kras.ru/eng/news/168-dear-professors-and-students-2013>.

MEDIA WATCH

December 3, 2013

TJSL launches website for military story appeared in the SD Daily Transcript <http://www.sddt.com/News/article.cfm?SourceCode=20131203tje#.UqZDxfRDt8G>

November 26, 2013

JURIST Guest Columnist [Alex Kreit](#) of the Thomas Jefferson School of Law says that 2014 is going to be a truly groundbreaking year for marijuana policy in the US, when Colorado's and Washington's marijuana legalization takes effect <http://www.jurist.org/forum/2013/11/alex-kreit-marijuana-legalization.php>

November 25, 2013

TJSL was mentioned the SD Daily Transcript story titled Bar results feature highest pass rate in 4 years http://www.sddt.com/News/article.cfm?SourceCode=20131125czf&_t=Bar+results+feature+highest+pass+rate+in+4+years#.UqZBxPRDt8F

November 21, 2013

Professor Deven R. Desai was quoted in the New York Times in a story titled Beyond 3-D Printers' Magic, Possible Legal Wrangling. http://www.nytimes.com/2013/11/24/business/beyond-3-d-printers-magic-possible-legal-wrangling.html?_r=0

November 21, 2013

TJSL collecting money, supplies for Typhoon Haiyan victims story appeared in the SD Daily Transcript <http://www.sddt.com/News/article.cfm?SourceCode=20131121czc&t=TJSL+collecting+money+supplies+for+Typhoon+Haiyan+victims#.UpOz3cRDt8F>

November 19, 2013

Thomas Jefferson School of Law's Shannon Laoye was mentioned in SD Daily Transcript story titled the Earl Gilliam Bar awards scholarships at annual event <http://www.sddt.com/News/article.cfm?SourceCode=20131119tja#.UpPeAcRDt8E>

November 16, 2013

Professor Marjorie Cohn appeared on C-Span discussing Legal Challenges to Drone Strikes <http://c-spanvideo.org/program/DroneStrike>

November 5, 2013

TJSL employee rights clinic set for this Saturday article appeared in the Daily Transcript <http://www.sddt.com/News/article.cfm?SourceCode=20131105tje#.UoFxtfDdt8E>

November 1, 2013

Thomas Jefferson School of Law's fifth Employee Rights Self Help Clinic story appeared in The Daily Transcript <http://www.sddt.com/news/article.cfm?SourceCode=20131101czc&t=TJSL+to+hold+employee+rights+clinic+Nov+9#.UngzSPIDt8E>

October 28, 2013

<http://www.providencejournal.com/breaking-news/content/20131028-3-d-printers-could-blur-lines-of-patent-laws-and-others.ece>

Professor Deven R. Desai was quoted in the Providence Journal about how 3D home printers could change legal guidelines for patent, copyright, and trademark laws and even internet content rules.

DECEMBER

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
	8	9	10	11	12	13	14
	<p>SE Final Exam Fall 2013 - Property II - Markey & Semeraro 9:00 AM</p> <p>SE Final Exam Fall 2013 - Remedies - Waldman 9:00 AM</p> <p>SE Final Exam Fall 2013 - Health Care Liability 10:00 AM</p> <p>SE Final Exam Fall 2013 - Property II - Schwabach 6:00 PM</p> <p>SE Final Exam Fall 2013 - Criminal Law 6:00 PM</p> <p>SE Final Exam Fall 2013 - Remedies - Golden & Wezelman 6:00 PM</p>	<p>SE Final Exam Fall 2013 - International Business Transactions 9:00 AM</p> <p>SE Final Exam Fall 2013 - Torts II - Delman 9:00 AM</p> <p>SE Final Exam Fall 2013 - Wills & Trusts - Wenger 9:00 AM</p> <p>SE Final Exam Fall 2013 - Sports Law 2:00 PM</p> <p>SE Final Exam Fall 2013 - Legal Principles 2:00 PM</p> <p>SE Final Exam Fall 2013 - Federal Income Taxation 2:00 PM</p> <p>SE Final Exam Fall 2013 - Vice Crimes 2:00 PM</p> <p>SE Final Exam Fall 2013 - Federal Courts & Jurisdiction 2:00 PM</p> <p>SE Final Exam Fall 2013 - Wills & Trusts - Martindill 6:00 PM</p> <p>SE Final Exam Fall 2013 - Employment Law 6:00 PM</p>	<p>SE Final Exam Fall 2013 - Contracts I - Greene, Lee & Smith 9:00 AM</p> <p>SE Final Exam Fall 2013 - Constitutional Law I 2:00 PM</p> <p>SE Final Exam Fall 2013 - Introduction to Open Source Software 6:00 PM</p> <p>SE Final Exam Fall 2013 - Constitutional Law II 6:00 PM</p> <p>SE Final Exam Fall 2013 - Taxation of Business Organizations 6:00 PM</p>	<p>SE Final Exam Fall 2013 - Trademark & Unfair Competition Law 9:00 AM</p> <p>SE Final Exam Fall 2013 - Advanced Legal Research 10:00 AM</p> <p>SE Final Exam Fall 2013 - Legal Foundations 6:00 PM</p> <p>SE Final Exam Fall 2013 - Torts I - Dyson 6:00 PM</p> <p>SE Final Exam Fall 2013 - CA Civil Procedure 6:00 PM</p>	<p>SE Final Exam Fall 2013 - Professional Responsibility - Berenson 9:00 AM</p> <p>SE Final Exam Fall 2013 - Property II - Simon 2:00 PM</p> <p>SE Final Exam Fall 2013 - Civil Procedure II 2:00 PM</p> <p>SE Final Exam Fall 2013 - Community Property 6:00 PM</p> <p>SE Final Exam Fall 2013 - Professional Responsibility - Desai 6:00 PM</p>	<p>TD Employee Rights Self-Help Clinic 9:30 AM</p> <p>TD December 2013 Graduation 10:00 AM</p>	
	15	16	17	18	19	20	21
	<p>SE Final Exam Fall 2013 - Torts I - Bisom-Rapp & Kass 9:00 AM</p> <p>SE Final Exam Fall 2013 - Contracts II - Templin 9:00 AM</p> <p>SE Final Exam Fall 2013 - Criminal Procedure 6:00 PM</p> <p>SE Final Exam Fall 2013 - CA Evidence 6:00 PM</p>						
	22	23	24	25	26	27	28
			TD Holiday Week	TD Holiday Week	TD Holiday Week	TD Holiday Week	TD Holiday Week
	29	30	31				
TD Holiday Week	TD Holiday Week	TD Holiday Week					