

Institute for Legislative and Governmental Affairs SUMMARY of PROGRAMS FALL 2006



The fall semester proved to be another busy time for the Institute for Legislative and Governmental Affairs as the organization hosted several events on campus. Most notably, the Institute welcomed Roderick Jackson, plaintiff in the 2005 United States Supreme Court case *Jackson v. Birmingham School Board*, 544 U.S. 167, to the School of Law as part of a program, cosponsored by the School of Business evaluating Title IX of the Education Amendments of 1972. Jackson, the coach of a girls' high school basketball team, sued the School Board under Title IX for retaliating against him. He had complained to the Board about the inferior quality of facilities for the girls' team compared with the boys' team. The Court held that, even though Coach Jackson was not the primary beneficiary of Title IX, he could commence a civil action to remedy the Board's retaliatory action against him.

Western New England College enjoyed the honor of having Coach Jackson as a panelist to discuss the Court's ruling and the impact of Title IX in general. The program included Assistant Professor of Law Erin Buzuvis, an expert on Title IX, and Assistant Professor of Sport Management Curt Hamakawa '84, who served as the moderator and organizer of the program. Professor Hamakawa recently returned to Western New England College after working for 16 years at the United States Olympic Committee.

In mid-September, the Institute sponsored the School of Law's first Constitution Day to commemorate the signing of the United States Constitution on September 17, 1787. U.S. District Court Judge Michael Ponsor offered his reflections on judicial independence as a prelude to the viewing of a discussion among Supreme Court Justices Sandra Day O'Connor, Anthony Kennedy, and Stephen Breyer of the importance of an independent judiciary in our democracy.

The Institute also hosted the 11th Annual Supreme Court Review Conference, exploring the key decisions of the October 2005 Term. This year, we deviated a bit from past programs by asking our distinguished panel to address the impact of the Roberts' Court and, in particular, the role of Justice Kennedy.

Professor of Law Leora Harpaz opened the conference by exploring the critical role that Justice Kennedy has played on the Court since the retirement of Justice O'Connor. The program concluded



Alums on Beacon Hill:

(Top left) Senator Stephen Buoniconti '95, (top right) State Representative Angelo Puppola Jr. '01, (bottom left) Governor Deval Patrick with Senator Gale Candaras '82, (bottom right) Representative Cheryl Coakley-Rivera '95

with the three panelists, Professor Harpaz, Professor of Law Bruce Miller, and Assistant Clinical Professor of Law Tina Wescott Cafaro discussing the effect, if any, of the new Chief Justice on the Court. In between, Professor Cafaro examined the Court's extensive rulings in the criminal law area, including Fourth and Sixth Amendment decisions. Professor Miller focused on terrorism and the rule of law. He noted the increasingly extravagant claims of the President for greater executive power with or without congressional authorization.

Other events included the International Law Society bringing to campus Attorney Carmina Fernandes '02, who spoke of her experiences clerking for a judge of the International Criminal Tribunal for Rwanda. She described her work in the context of the Rwandan genocide resulting in the

deaths of almost one million people. We also offered a number of continuing legal education programs in conjunction with the Office of Law Alumni Relations and the Massachusetts Appeals Court appeared for its semi-annual sitting.

On January 3, 2007, the Massachusetts Great and General Court began its 185th session, the oldest continuously sitting legislature in the world. Among its members were four of our graduates: Senator Stephen Buoniconti '95, Senator Gale Candaras '82, Representative Cheryl Coakley-Rivera '95, and Representative Angelo Puppola Jr. '01.