

September 22, 2013

Western New England  
University  
School of Law

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# Lex Brevis

## Eric Gouvin Named Dean

By Karen Adamski, 4L

Several changes await students returning to the Law School this fall... the most notable of which is a new Dean.



In July, the University announced a changing of the guard, with the appointment of Eric Gouvin as the new Dean of the Western New England University School of Law. Dean Gouvin will be stepping into the shoes of Arthur Gaudio who led the School for the past 12 years. Dean Gaudio will take a sabbatical for the fall semester and return to the classroom in the spring.

Dean Gouvin describes himself not as an employee of the Western New England University School of Law but rather as a stakeholder. Dean Gouvin joined the faculty at Western New England University School of Law 22 years ago. Since then he has served as Associate Dean for External Affairs (2003-2004) and as Associate Dean for

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## Welcome Back from the SBA President

By Megan MacKenzie, 3L

Hello WNE Law!

My name is Megan MacKenzie and I will be representing you as the

Student Bar Association President for the 2013-2014 year. I would like to start by welcoming everyone; those of you that are returning as 2Ls, 3Ls and 4Ls, along with the incoming 1L class of 2016.

One benefit of attending a small school like Western New England School of Law is all the great opportunities available to students. Attending a small school really gives students

the chance to get to know one another and forge tight bonds that will carry you through your three or four years here. Additionally, that same opportunity is present in regards to faculty. The professors here are always willing to lend a hand, whether it be with office hours, letters of reference or even everyday advice.

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# Convocation

**Monday, August 26th**

**Noon**

**Law School Commons**

**Michael A. Ponsor**

**US District Court,**

**District of Massachusetts**

## Marriage Equality: Wins at the Supreme Court

By Kaley Lentini, 3L

This summer was a monumental time for lesbian, gay, bisexual, and transgender rights. On June 26, the Supreme Court sided with equality when it delivered two historic opinions in the cases of *United States v. Windsor* and *Hollingsworth v. Perry*.

The Court used principles of state autonomy, equal protection, and liberty to strike down Section 3 of the Defense of Marriage Act in *United States v. Windsor*. Section 3 defined marriage as a legal union between one man and one woman for all federal purposes, meaning that same-sex married couples could not receive the over 1,000 federal rights, protections, and benefits afforded to heterosexual married couples. Though the Court did not decide if there is a constitutional right to same-sex marriage, the decision was a huge victory. The Justices determined that the federal government cannot discriminate against same-sex couples who are legally married in the states in which they live.

The *Windsor* decision means that married same-sex couples will be afforded Social Security, tax, veteran and military, and immigration benefits, among others. Though it is clear that married couples living in the 13 states that recognize same-sex marriage will receive all federal benefits that heterosexual married couples receive, there is still uncertainty as to those living in the 37 states that do not permit same-sex marriage. For example, it is unclear whether a couple who lives in Virginia but gets married in Maryland will be considered married by the federal government.

The case of *Hollingsworth v. Perry* asked whether California's Proposition 8, which prohibited same-sex marriage, was constitutional. The Supreme Court determined that the sponsors of Proposition 8, who stepped in to defend it when the state would not do so, did not

have standing, meaning they did not have a protectable stake or interest to bring the controversy before the Court. The Court also vacated the decision of the U.S. Court of Appeals for the Ninth Circuit to due to a lack of standing. The result is that the U.S. District Court for the Northern District of California's ruling overturning Proposition 8 stands. Thus, same-sex couples in California can get married. Proponents of Proposition 8 continue to make legal challenges to the implementation of the court's ruling but have been repeatedly denied, most recently by the California Supreme Court on August 14, 2013.

There has been movement in the states on same-sex marriage since the Supreme Court's decisions. An Ohio

judge found that the state had to recognize a marriage of a same-sex couple that married in Maryland, where same-sex marriage is legal, despite the fact that Ohio has a ban on same-sex marriage. In Pennsylvania, local county officials are issuing marriage licenses to same-sex couples in spite of a state law defining marriage as between one man and one woman. A case in New Jersey poses the question of whether the state must allow same-sex marriage.

Though this summer held great things for same-sex couples, marriage equality supporters will continue fighting at the state level to secure equality for all.



WNEU 3L Kaley Lentini awaits the marriage equality case decisions outside of the Supreme Court on June 26, 2013. Kaley spent the summer in D.C. as Holley Law Fellow with the National Gay and Lesbian Task Force.

# Study Gender and Law in Israel



**December 23, 2013 – January 3, 2014**

*By Kaley Lentini, 3L*

What are you doing over winter break? If it's not traveling to Israel to explore gender and the law, you may want to rethink your plans. By participating in the brand new study abroad program "[Comparative Law: Gender in U.S., Israeli, and Jewish Law](#)," you could spend **December 23, 2013 – January 3, 2014** learning about gender, discrimination, equality, and justice in the American, Israeli, and Jewish legal regimes while staying in Tel Aviv and exploring Israel.

Professor Jennifer Levi of Western New England University School of Law will lead the Israel Wintersession program. She says the program offers an exciting, dynamic opportunity to study international comparative law.

"Law is moving in a global direction. This course will enable students to learn the fundamentals of two legal regimes to which they have likely never been exposed. Learning how to learn about another legal regime is a critical component of international law," said Professor Levi.

The two-credit course will focus on three contemporary examples of challenges to gender segregation—at

worship spaces, on public buses, and in restrooms—and will be taught in English at [Haim Striks School of Law](#). In addition to classroom time, students will take field trips to local legal institutions, including the Israeli Supreme Court and the Knesset, Israel's lawmaking body.

In addition to Professor Levi, program faculty include Professor [Frances Raday](#), director of the Concord Center for Integration of International Law in Israel in Rishon LeZion, Israel; [Daniel Sinclair](#), a rabbi and professor of Jewish Law and Comparative Biomedical Law at [Haim Striks School of Law](#); and [Zvi Triger](#), the vice dean of [Haim Striks School of Law](#) who focuses his research and teaching on the interrelations between sexuality, law and society, legal feminism, queer theory, and law and theater.

"This course is being taught by preeminent lawyers who are top advocates in their field. Haim Striks Law School, much like Western New England, is a small, practice-oriented law school that has also pulled together experts in gender issues who

are working on the cutting-edge of their fields," said Professor Levi.

Students with an interest in gender issues, who want to travel over the break, and who may want to work abroad are good candidates for the course. Take advantage of this amazing opportunity to travel, experience a different culture, and learn about a dynamic area of law from the experts who are shaping it.

Join Professor and Project Director Jennifer Levi on Thursday, August 29, at 12 noon at the WNE Law School Commons to hear more about this opportunity. Make sure to check out the program's [Facebook page](#), too.

[Applications](#) are due October 1, 2013 but are considered on a rolling basis.

## Info Session

**Thursday,  
August 29th  
Noon**

**Law School Commons**

## Mindfulness and Meditation

Are you looking for a way to healthily manage your stress? Improve your ability to focus?

WNE now offer an introductory 4-session series: Mindfulness and Meditation (M &M). The series is facilitated by Lore Detenber and Amy Shuman. Lore is a Licensed Rehabilitation Counselor and Coordinator of WNE Alcohol and Drug Education Services, has been meditating for 15 years and has been leading a meditation group at WNE for the past several years. Amy, a clinical social worker in the Counseling Center has been teaching mindfulness meditation to college students for 6 years.

This Mindfulness and Meditation (M &M) series has been very popular at

many colleges and universities throughout the country, and after running the series twice last year, WNE students are reporting that the class has been quite useable and relevant for them. Improvements in their lives have included better sleep, sharper focus during studying, and better management of stress-induced anxiety.

Additional benefits are:

- reduce stress and experience greater calm
- explore the mind-body relationship
- connect to our feelings
- expand our sense of who we are
- find genuine happiness
- discover inner resources that can change our everyday lives
- increase our ability to be with things just as they are

We encourage you to call (413-782-1221) or email [lingram@wne.edu](mailto:lingram@wne.edu) with any questions.

Because of the high demand for this class, we are asking interested students to email [lingram@wne.edu](mailto:lingram@wne.edu) as soon as possible, but no later than Friday, September 6th as the class has been filling quickly.

We hope you do decide to join Lore Detenber and Amy Shuman this fall.



## MINDFULNESS and MEDITATION 4 Week Series

### FOR STUDENTS ONLY

**WHAT:** Learn strategies to reduce stress, live more happily and increase self awareness.

Attendance at all four meetings in a series is required.

**WHO:** Lore Detenber and Amy Shuman

**WHEN:** For your convenience choose one of the series (A or B below)

#### Series A

Wednesdays 5:30-6:45 p.m.

Campus Center, Room 4

September 18

September 25 (in Rivers Arena)

October 2

October 9

#### Series B

Tuesdays 12:00-1:15 p.m.

Campus Center, Room 4

October 22

October 29 (in Rivers Arena)

November 5

November 12

Space is limited and preregistration is required.

To preregister please contact Louise Ingram at Counseling Services

**[louise.ingram@wne.edu](mailto:louise.ingram@wne.edu) or call 413-782-1221**

Please leave a voicemail with your name, phone number, and email.

*Presented by Counseling Services and Alcohol and Drug Education*

**Upcoming Clason Lecture Series**

*Fall Topic: Current Issues in Environmental Law*

**Monday, September 23, 2013;** Noon;  
Law School Commons  
  
Michael B. Gerrard, Professor of Law,  
Columbia School of Law — Details  
TBA

**Wednesday, October 16, 2013;** Noon;  
Law School Commons  
  
Karl S. Coplan, Professor of Law, Pace  
Law School — Details TBA

**Thursday, November 14, 2013;** Noon;  
Law School Commons  
  
Robin Craig, “New Directions in State  
Public Trust Doctrines in a Climate  
Change Era”

**Briefs**

• **Water Station**

There is a new water bottle filling station in the first floor Library Lounge, which provides cold, filtered water.

• **Wireless Printing**

There will be wireless printing available throughout the law school. Instructions for downloading the necessary print drivers are available on the Law Library’s webpage at <http://www1.law.wne.edu/library/index.cfm?selection=doc.10663>.

• **Printing Charge**

Students are allowed to print up to 500 impressions (that’s one ream of paper) per semester before being charged for printing. After 500 impressions, there will be a charge of 10 cents per page, with a modest break if you print in duplex mode.

**Writers and Editors Needed**

Lex Brevis is looking for students to write and edit articles for its October edition.

Please contact  
Karen Adamski at  
lexbrevis@gmail.com for  
more information.



**Court Café Hours**

Monday - Friday:  
8:30 a.m. to 10 a.m.  
11 a.m. to 2 p.m.  
(closes at 1:30 p.m. on Fridays)

Monday - Thursday: 4:30 to 6:30 p.m.

**Academic Calendar Fall 2013**

Wednesday-Friday, August 21– 23.....	Orientation
Monday, August 26.....	Classes Begin
Monday, September 2.....	Labor Day, No Classes
Wednesday, September 4.....	Last Day to Apply for October Degrees
Monday, September 9.....	Last Day to Add/Drop Classes
Friday, November 1.....	Last Day to Apply for February Degrees
Tuesday, November 26.....	Friday Classes Meet
Wednesday-Friday, November 27-29.....	Thanksgiving Recess
Thursday, December 5.....	Last Day to Withdraw- Last Day of Classes
December 6-9.....	Study Period
December 10-19.....	Final Examinations

**Student Bar Association**Executive Board

President: Megan Mackenzie

Vice-President, Day:

AJ VanHeyst

Vice-President, Evening:

Bill Cavanaugh

Secretary: Ashley Sears

Treasurer:

Brandon Cryderman

2L Day Representatives

Kenneth Bush

Joe Errico

Lynn Pucciarelli

2L Day JAB

Pat Benneft

2L Evening Representative

Katilee Boisvert

2L Evening JAB

TBA

3L Day Representatives

Joe Plukas

Josh Talcovitz

Justin Blain

3L Day JAB

Kel Thomas

3L Evening Representative

Steve Schindler

3L Evening JAB

Michelle Fredericks

4L Evening Representatives

Milena Ponomareva-

Schettler

Stacy Solomon

4L Evening JAB

Karen Adamski

**SBA Meetings****Every Other Wednesday****9:55 p.m.****Room C****SBA Welcome, Continued from Page 1**

There is a lot to look forward to as you begin your school year. WNE Law has numerous clubs, organizations and committees. The most rewarding experience I have had here is getting involved in my school community through the Student Bar Association. The Student Bar Association, known as SBA, is the bridge between the student body and the administration. We are a body of elected representatives that consider pressing issues students face and work diligently to make everyone's experience at WNE rewarding. The SBA standing committees plan all sorts of events, from the Barrister's Ball to the Annual Basketball Tournament. There is always something interesting going on. I urge all of you to find something that interests you and get involved. If there isn't a club or committee that suits you, start one that does!

This year's SBA is made up of representatives from each class as well as an executive board consisting of a President, Vice President-Day, Vice President-Evening, Secretary, Treasurer and Parliamentarian.

As President, my primary role is to be a liaison between the students, SBA and the administration. I also supervise all of the SBA standing committees. As Vice President for Day Students, AJ Vanheyst, will serve as a liaison between the clubs and organizations and the SBA. The Vice President for Evening Students, Billy Cavanaugh, is the chairperson of Evening Students committee. The Secretary, Ashley Sears, is the main source of communication between SBA and the student body. She will be responsible for

keeping and posting meeting minutes, distributing motions and creating the famous "installments" you see in the all the bathroom stalls announcing upcoming events. Brandon Cryderman, the Treasurer is charged with overseeing all the budget demands of the clubs, committees and organizations. Lastly, the Parliamentarian, Solomon Louis, has the daunting task of running all of the SBA meetings (which are open to all students!) as well as acting as a liaison to the Judicial Appeals Board.

SBA elections for 1L representative and any open seats will start early in the fall semester. Check out a petition form outside the SBA office and make a positive impact on your school and your community.

On behalf of the executive board, and all your class representatives, we look forward to a great year. Remember, SBA meetings are held every other Wednesday at 9:55PM in room C and are open to all students. Stop in and check out a meeting and get involved! Don't forget to add the SBA TWEN page for more information. If you, or your organization has any questions, don't hesitate to contact any of us, or stop by the SBA office.

# Club Fair

**Wednesday,  
August 26th****Lobby Between Classrooms*****Come check out the clubs!  
And get involved!***

## New Dean, Continued from Page 1

Academic Affairs (2004-2009). He has also served as director of the school's Center for Innovation and Entrepreneurship, which serves as a catalyst for small business development in the region, drawing on resources from across the university to provide assistance to entrepreneurs; and he has coached the Transactional Law Meet Team.

Dean Gouvin earned a Bachelor's Degree from Cornell University, a Master's Degree from Harvard's Kennedy School of Government, and JD and L.L.M. degrees from the Boston University School of Law.

His scholarly writings cover a range of financial topics including entrepreneurial policy, corporate law, banking and international issues. He has taught internationally at the University of Paris La Defense, Vytautas Magnus University in Lithuania, and at the Southwest University of Political Science and Law in Chongqing, China as a Fulbright specialist.

### A Change in Curriculum

Dean Gouvin said his priority is to refocus the law program to a "student centered professional education." The new focus he says will "set people up to have success in the transition to the practice of law."

"Law practice today is evolving rapidly and law schools need to change, too," Dean Gouvin notes. "Western New England University School of Law has always had a student focus, and I want to redouble that. I want us to be always

reminding ourselves that what we're offering, what we're teaching, and how we're teaching it is geared toward the students, and geared toward the students becoming not just scholars but legal professionals."

Some changes may be seen immediately...

### *Bar Prep*

Students have already been notified of an added graduation requirement. Beginning with the Class of 2014, the school will now require a 2- or 3-credit Bar Prep course requirement. This, Dean Gouvin stresses, is not a replacement for a commercial bar prep class but is rather an opportunity for students "to learn the rules to the game before entering the arena."

"The required bar class will get people focused more on the huge obstacle between you and practicing the law," Dean Gouvin said adding, "The required class will help people look inside themselves for weaknesses and help them to address these weaknesses early."

Dean Gouvin added that part of the new, required class is a diagnostic on multiple-choice question answering and essay writing. "Many creative people have problems on the multiple-choice because they don't take the test on the terms of the test," Dean Gouvin said. "The

required class will teach you tools and methods for taking the test."

There is some overlap between the required course and the commercial bar prep course, Dean Gouvin said, but he didn't consider that a shortcoming since "most people need to be exposed to a concept seven times before they get it."

The 2-credit Bar Prep classes (fall) are being taught by Barbri instructors; while the 3-credit Bar Prep class (spring) is being taught by Professor Stonefield.

### *Skills and Writing*

Students may also have noticed fall and spring course descriptions with reference to 1 or more "skills units" and/or 1 or more "writing units." Beginning with the Class of 2015 there will no longer be a "1 skill" and "1 QWC" requirement for graduation. Instead students will need to take courses adding up to 5 skills units and 5 writing units before graduating. "The goal," Dean Gouvin said, "is to incentivize the faculty to include skills and writing into their classes." These skills, he added, "are vital to a person's practice of the law."

### *1L Curriculum*

There will also be a change in the 1L curriculum beginning in the

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## New Dean, Continued from Page 7

2014/2015 year with the traditional full year courses being “semesterized.” The fall semester for 1Ls will include Criminal Law, Torts, Civil Procedure, LRW and a “litigation synthesis class” that will “contextualize what you learn in the other courses” according to Dean Gouvin. The spring semester will include Constitutional Law, Property, Contracts and a “transactional synthesis class.” These changes, according to Dean Gouvin, will help incoming students see from day one that Western New England University School of Law “is a place training them to be lawyer(s).”

### *Experiential Learning*

Discussions are also underway for possibly more clinics and more externships. The challenge here is the night program students according to Dean Gouvin; however, the school is

looking to other law programs for ideas for how to resolve this challenge.

Dean Gouvin stressed that although changes were being made to improve the curriculum, that current programs were strong and successful in training Western New England law students to be lawyers.

Among the courses geared for this purpose, Dean Gouvin mentioned specifically Massachusetts Practice, Connecticut Practice and New York Practice as strong courses to learn how to practice the law.

Dean Gouvin also emphasized that Western New England University School of Law stands in the forefront in some areas; such as Gender and Sexuality studies. “We have the best faculty in the country; and the program is a national leader,” Dean Gouvin said.

There are many challenges facing law schools today including lower admissions, Dean Gouvin said. “Across the country schools are shrinking the size of their classes.” With this, he added, people are now looking at the cost-benefit of law schools. “Hopefully the changes we are making will be seen as a benefit.” The message, according to Dean Gouvin, is “if you want to be a lawyer, we will deliver.”

### *Message to the Students*

So, what message would Dean Gouvin like to give to the students as they make their way back to the classrooms this fall: “You get the community you create,” Dean Gouvin said. “It is something you build every day.” “If you want to go to school in a great place, make it great.”

## Dean’s Ice Cream Social

Wednesday, August 28th  
4 to 6 p.m.  
Law School Commons



## Library Schedule

### Fall Semester

August 18, 2013—November 26, 2013

Monday through Thursday: 8 a.m. to Midnight

Friday: 8 a.m. to 10 p.m.

Saturday: 9 a.m. to 9 p.m.

Sunday 10 a.m. to 11 p.m.

The library will be open regular hours on the following holidays

Labor Day, September 2nd

Columbus Day, October 14th

Veterans Day (observed), November 11th

For more information, call the Library at 413-782-1457  
or visit the Library page on the  
Western New England School of Law website.