

Citing Jenner & Block Brief, High Court Upholds Michigan Law School Admissions Policy

"...American businesses have made clear that the skills needed in today's increasingly global marketplace can only be developed through exposure to widely diverse people, cultures, ideas, and viewpoints."

— Justice Sandra Day O'Connor

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Jenner & Block took an active role in the national debate concerning two cases before the U.S. Supreme Court that challenged the University of Michigan's affirmative action admissions policies, *Grutter v. Bollinger* and *Gratz v. Bollinger*.

In a historic 5-4 decision, the Court upheld the admissions program at the University of Michigan Law School that considers race as one of many factors to be weighed in admissions decisions. In so ruling, the Court made the critical determination that "student body diversity is a compelling state interest that can justify the use of race in university admissions."

The Court expressly relied upon an *amicus* brief filed by Jenner & Block Partners David W. DeBruin and Deanne E. Maynard and Associate Daniel Mach on behalf of 65 major companies, including some of the largest corporations in America. The brief supported the idea that diversity in higher education is vital to preparing students to become this country's corporate and community leaders of the next half-century.

The companies signing the *Grutter* and *Gratz* *amicus* brief included such corporate giants and Firm clients as 3M, Steelcase, General Dynamics, Exelon, Sara Lee and Bank One. According to Mr. DeBruin, "These corporations believe it is essential to

their success to be able to hire individuals of all backgrounds who have been educated in diverse environments."

Ms. Maynard added, "The brief provided the Court with the unique perspective of corporations having real world experience on the value of diversity in the workplace."

The Court's 5-4 majority opinion in the Law School case was written by Justice O'Connor who, citing Jenner & Block's brief, wrote in part, "The Law School's claim of a compelling interest is further bolstered by its *amici*, who point to the educational benefits that flow from student body diversity...

These benefits are not theoretical but real, as major American businesses have made clear that the skills needed in today's increasingly global marketplace can only be developed through exposure to widely diverse people, cultures, ideas, and viewpoints."

The Court went on to hold that the Law School plan was narrowly tailored and thus was constitutional. Meanwhile, although it agreed diversity was a compelling state interest in the undergraduate context as well, by a 6-3 margin the Justices found unconstitutional the separate, point-oriented program of the school's Undergraduate College on the grounds it gave too much weight to an applicant's race.

Meet Our Newest Partners of Color

Hill Brings Hands-On Experience to His IP Practice



Reginald J. Hill, a partner since January, was recently heralded as one of the “top lawyers of color in intellectual property law,” in the May 2003 issue of *Diversity & The Bar*.

The magazine polled the members of the American Intellectual Property Law Association to ascertain the top IP attorneys who represented the qualities of “attention to detail, a fine grasp of technical information, and the ability to communicate that information to lay audiences.”

These qualities – expected of a one-time engineer – are evident in Mr. Hill’s growing résumé. His law practice focuses on obtaining intellectual property rights and prosecuting intellectual property disputes involving patents, copyrights, trademarks, trade secrets, right of publicity and unfair competition. “I’ve handled cases concerning a wide range of emerging or rapidly evolving technologies, including computer software, semiconductor memories, photography, battery equalizers, smoke detectors, modems, liquid crystal displays, radio frequency identification systems and computer-telephony integration,” remarked Mr. Hill.

Visitors to Mr. Hill’s office are quick to notice a striking example of his extensive technical background. On the wall of his office hangs a large schematic layout of the first computer chip he designed while working at AT&T Bell

Laboratories as a research and development engineer. In fact, based on his contributions to the AT&T computer family, Mr. Hill was awarded the company’s coveted Distinguished Member of Technical Staff Award.

Mr. Hill also worked in a similar capacity at Motorola, where he developed architectures for semiconductor chips for use in multimedia applications. In fact, one of his designs pertaining to real time multi-processing systems resulted in a patent for Motorola.

Some of Mr. Hill’s notable clients have included General Electric, Motorola and Ford Motor Company.

Mr. Hill has written and prosecuted numerous patent applications for a myriad of technologies, such as audio and video compression, digital communications, telecommunications, computer software, electric and hybrid electric vehicles, and the general mechanical arts. And, he has been called upon by many clients and colleagues to assist in corporate transactions involving transfers of intellectual property and licensing.

“I also maintain an active *pro bono* practice,” Mr. Hill added.

Most notable was his copyright infringement case against pop/rock star, Liz Phair and a leading record label. Through Lawyers for Creative Arts, a non-profit organization, Mr. Hill represented a photographer whose work was included in Ms. Phair’s *Whip-Smart* album without permission.

Mr. Hill also serves as *pro bono* general counsel to the Chicago Recovery Alliance, a non-profit action organization directly serving, supporting, educating, and advocating with others to reduce drug-related harms, specifically the spread of HIV/AIDS.

Mr. Hill graduated from Tuskegee Institute with highest honors in 1984 receiving a B.S. in electrical engineering. He received his M.S. in electrical engineering from the Georgia Institute of Technology the following year and received his J.D. degree from John Marshall Law School, *cum laude*, in 1994. After law school, Mr. Hill joined the Firm until 1998, when he left and later formed R.J. Hill & Associates, Ltd., which focused on intellectual property law. He returned to Jenner & Block in 2002.

Mr. Hill can be reached at rhill@jenner.com. •

Clients: Patterson “Wise Beyond His Years”

Elevated to partner in January, **Chaka M. Patterson** was selected by the *Law Bulletin* Publishing Company in April as one of the “40 Lawyers Under 40 to Watch in Illinois.”

To both clients and colleagues, Mr. Patterson’s rising star came as little surprise.

“Wise beyond his years, Chaka used his superior intellect and calming personality” to defuse a volatile contractual dispute “and obtain an outstanding result for my firm,” recalled David T. Odom, an attorney and principal in a nationally prominent athlete management firm based in Chicago.

William A. Von Hoene, Jr., a former Jenner & Block partner and Vice President and Deputy General Counsel of Exelon, added that he’s “worked closely” with Mr. Patterson on many complex civil and criminal cases in the past and has recently retained the young attorney on behalf of the energy giant “to work on challenging and sensitive” matters, largely because “Chaka has greatly exceeded the expectations one normally would have, even for someone of his extraordinary academic background.”

Indeed, Mr. Patterson has quickly become “one of the Firm’s finest young litigators,” concluded Jenner & Block Chairman Jerold S. Solovy.

A member of the Firm’s Business Litigation and White Collar Criminal Defense Practices, Mr. Patterson’s many successes also include the successful negotiation of departure agreements for several Fortune 500 company executives. He has also represented clients in antitrust, civil rights, contract, criminal and drug products liability litigation. Additionally, Mr. Patterson has represented many indigent clients in Chicago courtrooms. Jenner & Block’s Managing Partner, Robert L. Graham, stated, “Chaka is certainly one of the outstanding young leaders in the Chicago legal community.”

Mr. Patterson spent two years as President and Chief Executive Officer of Juritas, Inc., a company offering web-based legal research technology to lawyers, which he founded. Mr. Patterson is active in the American Bar Association’s Litigation Committee, serving as Chair of the



Antitrust Committee’s Newsletter Subcommittee; Chair of the Securities Committee’s Programs Subcommittee; and Co-Chair of The Minority Trial Lawyers Committee’s Communications Subcommittee.

But, Mr. Patterson’s dedication to the larger Chicagoland community has been remarkable too. He has served on the boards of directors of a number of non-profits, including the Heartland Alliance Anti-Poverty Organization and the Boy Scouts of America Chicago Area Council.

Mr. Patterson graduated *magna cum laude* from Amherst College in 1990 and from Harvard Law School in 1994. Mr. Patterson served as a law clerk to Judge Karen Moore of the United States Court of Appeals for the Sixth Circuit from 1997-1998 and to Judge Solomon Oliver, Jr. of the United States District Court for the Northern District of Ohio from 1994-1995.

“Apart from Chaka’s extraordinary credentials,” said Mr. Von Hoene, “he is compassionate, warm and actively concerned with, and dedicated to, persons of lesser fortune. He is a dedicated husband and son, and a good friend to persons far too numerous to count.”

Mr. Patterson can be reached at cpatterson@jenner.com. •

Meet Our Newest Associates of Color



Jason S. Carter
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Jason S. Carter is a member of the Firm's Corporate Practice. He focuses his practice on mergers and acquisitions, resales of control and restricted securities, private equity, corporate governance and commercial contracts. Mr. Carter has represented public and privately held companies on corporate and commercial matters including Bath & Body Works, Inc.; Express, LLC; Limited Brands, Inc.; The Scotts Company and General Dynamics Corporation.

While attending the University of Wisconsin-Madison Law School, he was an AOF Fellow (merit-based, full-tuition scholarship) and writing tutor for the University of Wisconsin-Madison East Asian Legal Studies Center. Mr. Carter also studied at the East China University of Politics and Law in Shanghai, China, and at the Law Faculty of the National University of Singapore, where he studied securities and banking law, respectively. He is proficient in Mandarin Chinese.

Mr. Carter earned his B.A., *cum laude*, from Temple University.



Sunil R. Harjani
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Sunil R. Harjani is a member of the Firm's Litigation, Appellate and Supreme Court, Securities Litigation, and Arbitration: Domestic and International Practices.

Mr. Harjani graduated from Northwestern University School of Law, *cum laude*. He joined Jenner & Block in 2000 before clerking for the Honorable Suzanne B. Conlon, United States District Court for the Northern District of Illinois from 2001-2002. He also served as a judicial extern to the Honorable Sidney I. Schenkier, United States District Court for the Northern District of Illinois. Mr. Harjani rejoined the Firm in 2002.

Mr. Harjani has studied at The Hague Academy of International Law, where he studied international litigation and arbitration. Mr. Harjani serves as head coach and advisor to the Northwestern University School of Law Jessup International Law Moot Court team.



Winston O. Huff
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Winston O. Huff is a member of the Firm's Intellectual Property and Technology Law, and Litigation Practices. Mr. Huff's practice focuses primarily on patent litigation and prosecution as well as counseling in all other areas of intellectual property.

Mr. Huff received his B.S. in Electrical Engineering from Howard University. While at Howard, Mr. Huff was a trustee scholarship recipient and was on the Howard University Dean's List. He received his J.D. from the Northwestern University School of Law.



Kijisa Jordan
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Kijisa Jordan is a member of the Firm's Corporate Practice.

Ms. Jordan received her A.B. degree, *cum laude*, from Harvard University. She received her J.D. from the University of Pennsylvania Law School. In addition, she earned her M.B.A. from the University of Chicago Graduate School of Business. Prior to joining the Firm, Ms. Jordan was an Associate at LaSalle Investment Management in Chicago.



William C. Martin
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William C. Martin is a member of the Firm's Intellectual Property and Technology Law, Litigation, and White Collar Criminal Defense and Counseling Practices.

Prior to joining the Firm, Mr. Martin clerked for the Honorable James F. Holderman, United States District Court Judge for the Northern District of Illinois. Mr. Martin was also the chairperson of the Trial Techniques Committee for the Young Lawyers Section of the Chicago Bar Association. Presently, Mr. Martin serves on the board of the Just The Beginning Foundation and Chicago Blaze Charities.

Mr. Martin received his B.S. degree in Computer Systems Engineering from Stanford University. He received his J.D. from the University of Michigan School of Law.

**Preston L. Pugh**E-Mail: ppugh@jenner.com

Preston L. Pugh is a member of the Firm's Litigation, Appellate and Supreme Court, ERISA Litigation, Health Care Law, Labor and Employment, and White Collar Criminal Defense and Counseling Practices.

As a former Assistant United States Attorney and a former Appellate Attorney for the National Labor Relations Board, Mr. Pugh has been lead counsel in 11 appeals in the United States Courts of Appeals, and has tried six cases in the United States District Court for the Northern District of Illinois, including three jury trials.

Mr. Pugh is a member of the national faculty of the National Institute for Trial Advocacy, where he instructs lawyers throughout the country on trial advocacy, and has been an Adjunct Professor at Loyola University Chicago School of Law. He is currently the Vice Chair (and Chair Elect) of the Labor and Employment Section of the Chicago Bar Association. Mr. Pugh founded and is a member of the Recent Graduate Advisors Group of the New York University Center for Labor and Employment Law. He serves on the boards of the Just the Beginning Foundation, the Emergency Fund for Needy People and the Epilepsy Foundation of Greater Chicago.

Mr. Pugh graduated from Cornell University and from New York University School of Law.

**Michelle Speller-Thurman**E-Mail: mspeller-thurman@jenner.com

Michelle Speller-Thurman is a member of the Firm's Corporate Practice.

Prior to law school, Ms. Speller-Thurman was a manager in the Litigation Consulting Services group of Arthur Andersen LLP. After graduating from law school, Ms. Speller-Thurman practiced at a major Chicago law firm before joining Jenner & Block. Her practice concentrates on corporate finance, mergers and acquisitions, and general corporate matters.

Ms. Speller-Thurman graduated from Northwestern University School of Law. She received her B.S. in finance from the University of Illinois at Urbana/Champaign.

**Shyni R. Varghese**E-Mail: svarghese@jenner.com

Shyni R. Varghese is a member of the Firm's Litigation Practice.

Ms. Varghese's practice focuses on general commercial litigation. She received her undergraduate degree in political science from the University of Chicago, where she founded the College's pre-law students organization. She graduated, *magna cum laude*, from the University of Illinois College of Law.

Other Attorneys of Color (see Fall 2002 *Equal Time* for profiles)

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Partner Profile

Spiva Advises the College-Bound to Reach Out

As part of a cover story article in the January 2002 issue of *Black Enterprise Magazine*, Partner Bruce V. Spiva told college-bound students of color to think of diversity as an issue that goes beyond race. "Look for a place where there is not just racial diversity but also socio-economic diversity," Mr. Spiva is quoted as saying.

Regardless of which school is chosen, Mr. Spiva added, students should be sure to interact with people unlike themselves. "It's important to come out of your cocoon. It might be comfortable, but it's also limiting," he stated. Your interaction with others can provide "an educational experience in itself," he concluded.

Mr. Spiva has tried to live his advice in his own career. After graduating from Harvard Law School, he spent a year clerking for the Honorable Jerome Farris on the United States Court of Appeals for the Ninth Circuit. He joined Jenner & Block in 1993. Since his arrival at



Pictured left to right: Spike Lee (Filmmaker), Sheila Bridges (Interior Designer) and Tom Joyner (Radio Personality), Jenner & Block Partner Bruce Spiva (seated) with Keisha Knight-Pulliam (Rudy, "The Cosby Show"), Mark Whittaker (Editor, Newsweek Magazine) and Lisa Edmiston.

the Firm, Mr. Spiva has tried cases in administrative, state and federal courts, and has gained considerable experience in a broad range of substantive areas.

While Mr. Spiva still considers himself a general litigator, he has a few areas of particular focus. He counsels associations and corporations on antitrust compliance issues and has litigated antitrust and intellectual property cases.

Mr. Spiva has also worked on civil rights cases for indigent clients. He currently represents a number of Latino, Asian and African-American tenants who are challenging alleged discriminatory housing code enforcement by the District of Columbia. Previously, he was the lead plaintiffs' attorney in a major *pro*

bono class action lawsuit against the United States Department of Housing and Urban Development and Miami-Dade County challenging racial segregation in public housing, which resulted in a consent order providing substantial relief to the class members.

Mr. Spiva is a Co-Chair of the

Firm's Diversity Committee. Mr. Spiva said, "Like all large corporate law firms, we have faced challenges in increasing diversity among our attorneys, but we are committed to putting sustained and significant resources at the highest levels of the Firm behind this effort and will not rest until we succeed on this issue." In recent months, the number of African-American attorneys at Jenner & Block has doubled, and the Firm has made progress in other areas with the electing of a Hispanic associate to partner in 2002 and two additional African-American partners this year.

Mr. Spiva was elected to partner in 2000, and he makes a special effort to mentor the Firm's diverse attorneys. •

Minority Corporate Counsel Association Honors DeBruin, Maynard

Partners David W. DeBruin and Deanne E. Maynard were honored at this year's Minority Corporate Counsel Association's Annual Midwestern Region Diversity Dinner on April 30, 2003. Mr. DeBruin and Ms. Maynard received the MCCA's Rainbowmaker Award for their leadership in marshalling many corporations and general counsels to sign the *amicus* brief that influenced the Supreme Court's critical affirmative action decision this Spring. The coveted award honors exceptional lawyers who make extraordinary contributions in support of a more diverse legal profession.

Veta T. Richardson, MCCA's Executive Director, said "We commend Deanne and David for their outstanding *pro bono* work on the *amicus* brief filed on behalf of 65 leading corporations in the University of Michigan case. We were pleased to recognize them as the recipients of our prestigious Rainbowmaker Award in recognition of their advocacy work. Clearly their hard work paid off in a big way as their brief was cited several times by Justice O'Connor in the



Pictured are David W. DeBruin (left) and Deanne E. Maynard (center) accepting the 2003 Rainbowmaker Award from the MCCA's Executive Director Veta T. Richardson (right).

opinion she wrote to uphold the affirmative action program at the University of Michigan Law School. We in the corporate world owe a world of thanks to Deanne and David!" •

Firm Continues to Serve as Premier Sponsor of MCCA's CLE Expo

For the second year, Jenner & Block was the premier sponsor of the MCCA Annual Continuing Legal Education Expo. The two-day CLE seminar, held April 30-May 2 in Chicago, covered a wide variety of substantive legal topics in the areas of Litigation, Labor/ Employment, Intellectual Property and Corporate/Commercial. Jenner & Block

Partners Robert Z. Slaughter, Bruce V. Spiva and Daniel J. Hurtado led instructional seminars at the event.

The Firm continues its support of the MCCA based on shared core values. The MCCA's Mission Statement is "to advocate for the expanded hiring, retention, and promotion of minority attorneys in corporate

law departments and the law firms that serve them."

The annual CLE conference serves as a vehicle to help expand the minority and women outside counsel options that in-house counsel have to choose from. MCCA's goal in hosting and presenting the conference is to bring together the best and brightest attorneys, representing leading law firms nationwide, with a special emphasis on showcasing talented minority and women attorneys who share their expertise on their substantive legal practice areas. •



Pictured (top left) are Partner Robert Z. Slaughter talking with two MCCA attendees; (top right) Associate Allan V. Abinoja with Partner E. Lynn Grayson; (bottom left) Associate Margaret J. Simpson with Partner Jeffrey D. Colman; (bottom right) Partners Ronald R. Peterson and Chaka M. Patterson.

Diversity Training Consultant Working with the Firm

Jenner & Block is working with Dr. Arin Reeves of the Athens Group, a Chicago-based consulting team that is nationally known for its expertise in handling issues of diversity, gender and effective communication as well as conflict resolution.

"The Athens Group combines cutting-edge research and proven solutions to tailor specific programs to its clients' needs," says Partner E. Lynn Grayson, a Co-Chair of the Firm's Diversity Committee.

Dr. Reeves' work emphasizes diversity and gender issues within law firms, legal workplaces, law

schools and professional associations within the legal community. She has extensive experience in diversity assessment and training.

"In conjunction with Dr. Reeves," says Ms. Grayson, "the Firm is evaluating several issues in order to ensure our diversity program is uniquely suited to the Firm's culture, attorneys and staff."

Already, several Firm partners and associates have participated in a peer review of a pilot program that addresses diversity in many contexts including: recruiting, retention,

promotion and mentoring, and how to make the business case for diversity. Dr. Reeves and Firm participants were asked to assess the program in terms of their specific goals and expectations. The Diversity Committee is evaluating the feedback received from Dr. Reeves and the reviews and comments of the participating attorneys.

"Based on those comments, the Diversity Committee is working towards creating a special program that will be presented to the entire Firm," says Ms. Grayson. •

Partners Co-Editors of *Federal Indian Law* Newsletter

Jenner & Block Partners Ian H. Gershengorn, Sam Hirsch, and Thomas J. Perrelli were recently asked to serve as co-editors of *Federal Indian Law*, a quarterly newsletter published by the Indian Law Section of the Federal Bar Association.

"We intend to make the publication a forum showcasing the Indian Law Section's accumulated wisdom and experience," says Mr. Hirsch.

The newsletter addresses the latest developments in litigation, legislation, regulations, and negotiations affecting the Indian legal community, including tribal lawyers, state and federal government lawyers, and private practitioners. •



Ian Heath Gershengorn



Sam Hirsch



Thomas J. Perrelli

Mexican American Legal Defense and Educational Fund Dinner



Jeffrey S. Lehman, Dean of the University of Michigan Law School, was the keynote speaker at the Mexican American Legal Defense and Educational Fund's 23rd Annual Chicago Award Dinner on April 2. Jenner & Block was a Patron Sponsor of the event.

Mr. Lehman is pictured (second from right) with Jenner & Block Partner David W. DeBruin (left) who helped author the *amicus* brief on behalf of

65 major businesses that heavily influenced the Supreme Court's decision on the University of Michigan's Affirmative Action case (see story page 1). Also pictured are former Jenner & Block Partners Randall E. Mehrberg (right), Executive Vice President and General Counsel of Exelon, and William A. Von Hoene, Jr. (second from left), Exelon's Vice President and Deputy General Counsel.

Flashback

Sullivan Brief Affected 1980s Civil Rights Case

Jenner & Block's involvement with the University of Michigan admissions cases is consistent with other landmark cases the Firm has presented to further civil rights and to promote equal justice before the law.

Partner Barry Sullivan was involved in the Supreme Court's historic 1986 *Batson v. Kentucky* decision, which, for the first time, prevented prosecutors from rejecting jurors solely on the basis of race.

Mr. Sullivan, working with Partners Michael T. Brody and Richard P. Steinken, wrote an *amicus* brief in the *Batson* case for The Lawyers' Committee for Civil Rights Under Law. The Jenner & Block brief was closely followed by several of the Justices in the *Batson* decision.

"In his arguments, *Batson's* attorney did not directly challenge *Swain v. Alabama*, a 1965 case in which the Court held that one needed to show discrimination in case after case before one could challenge the prosecution's use of peremptory challenges in a particular case. That didn't make a lot of sense – to say that the state could discriminate against you as long as you couldn't prove that it was part of a pattern or practice. Given the progress in civil rights law between the *Swain* and *Batson* cases, however, we were hoping that the Court was willing to challenge *Swain* directly, which was the entire focus of our brief," reflected Mr. Sullivan.

Batson involved an African-American man who was convicted of burglary by an all-white jury. In his trial, the prosecutor at the time used four of his six peremptory challenges to exclude all of the potential African-American jurors.

Mr. Sullivan was called on to write a brief in the case because of his work on behalf of Andrew Wilson, a *pro bono* client who was tortured while in police custody and suffered many other injustices, including being convicted at the hands of an all-white jury due to the prosecution's extraordinary use of 22 peremptory challenges to exclude any potential African-American jurors.

"At the time, we had the sense that *Swain* was a derelict decision and was overdue for reconsideration. The *Wilson* case, like *Batson*, was a plausible case in which the Court could do that," Mr. Sullivan remarked. "The Court, of course, did not review *Wilson's* case, which was reversed on other grounds, but I'm very glad we were able to have a hand in *Batson*, which is now considered a landmark civil rights decision." •

Viewpoint

Diversity at Universities Is Essential

[The following letter appeared in The Chicago Tribune on March 9, 2003, and addressed the Supreme Court's impending decisions in the University of Michigan's admissions policy cases. The Court upheld the University's Law School plan but struck down the separate, point-oriented program of the Undergraduate College.]

The University of Michigan cases, to be heard in the Supreme Court April 1, will decide whether race can be a "plus" factor in university admissions. The university and its law school are rightly proud of their highly qualified and diverse student bodies. Each applicant must meet rigorous academic criteria, but because so many highly qualified students apply, Michigan cannot begin to accept them all. From the large well-qualified pool, it selects classes that are both academically strong and diverse in numerous ways.

Michigan's admissions plan is like the Harvard Plan that Justice Lewis F. Powell applauded in the 1978 *Regents of the University of California vs. Bakke* decision. Michigan reserves 110 points of its 150-point scale for academic measures, so no student is admitted who is not academically qualified. It then gives extra points for traditional factors, such as parents or grandparents who went to Michigan, and for factors that ensure a diverse student body.

A quarter-century ago, Powell declared that to get the benefits of diversity in higher education, "some attention must be paid to the numbers." Michigan's plus factor for race, to supplement all the other plus factors that whites have long enjoyed, does just that. It is highly inaccurate to charge that Michigan uses quotas. There is no more critical civil rights issue facing us today. The ability of universities to consider all of an applicant's attributes is essential to creating the environment necessary to train students to succeed in business, medicine and law, and all other pursuits that affect the public interest. It is essential that our students be educated in an environment where they are exposed to diverse people, ideas, perspectives and interactions.

If banning this plus factor diminished minority admissions applications to a trickle, it would disserve all of us, for a diverse student body – like a diverse society – benefits us all. •

– Fay Clayton, Regional Vice Chair and Board Member, and Robert L. Graham, Board Member, Lawyers' Committee for Civil Rights Under Law. Mr. Graham is Managing Partner of Jenner & Block.

Gray Exemplifies ABA's, Firm's "Commitment to Diversity"



Richard J. Gray

The American Bar Association's Section of Litigation Diversity Plan Implementation Committee – Co-Chaired by Jenner & Block Partner Richard J. Gray – was recently nominated for the Section Officers' Conference "Meritorious Service Award." The Committee, comprised of eleven working group members, was nominated for the coveted award based on its accomplishments over the past year.

For instance, under the leadership of the ABA Minority Trial Lawyer Committee, the team organized a "Celebrating Diversity" luncheon, including a keynote address by ABA President-Elect Dennis Archer, at the Section's Houston Annual Meeting. Minority participation in the Houston Meeting reached an all-time high.

Also, the ABA Section assumed responsibility for the Minority Judicial Intern Program, which placed 71 first- and second-year minority law students in summer clerkships with federal and state judges in Chicago and Texas.

"The Committee's work was the result of a team effort, created by a group of people who understand that a diverse workforce benefits us all," Mr. Gray says. Co-Chairing the ABA Diversity Committee, he notes, is Andrea Zopp, Senior Vice President and General Counsel for Sears, Roebuck and Co. Other examples of the ABA Committee's activities include:

- **Minority Section Members Directory:** The ABA Section is assembling a directory of minority Section members, and identifying individuals' talents and expertise as speakers and authors. This up-to-date directory will be provided to all members of the Section Leadership to facilitate the Section's commitment to providing speaking and authoring opportunities to minorities.

- **Minority Trial Lawyer Committee Newsletter:** The ABA Section's Minority Trial Lawyer Committee – with over 500 members – publishes a newsletter, the first enhanced edition of which was distributed to all attendees at the Annual Conference in Houston.

As a member of the ABA President's Advisory Council, Mr. Gray's emphasis on diversity continues through his advocacy and fundraising for the ABA's Legal Opportunity Scholarship Fund. Presently, Mr. Gray is engaged in fundraising efforts to replenish the Fund. Initial solicitations were made to 33 Chicago law firms, as well as to law firms in Boston, New York and Washington, D.C. Jenner & Block is leading the way with its initial commitment of \$15,000 to the "Jenner & Block ABA Legal Scholarship Fund."

In the past three years, The ABA Legal Opportunity Fund has awarded 70 law school scholarships to deserving students of color around the country. More than \$1.7 million has been raised to date. •

Partner Terri Mascherin Speaks at Breaking Barriers

Partner Terri L. Mascherin moderated a panel discussion at the "Breaking Barriers, Building Bridges" conference presented May 2 by The Chicago Bar Association and The American Bar Association. The conference was designed to disseminate information on the law and the legal profession, and to create synergies between women and minority attorneys.

Ms. Mascherin moderated the "Behind the Bench" session, which offered attendees an opportunity to hear experienced judges talk about their opinions of the pre-trial process and what differentiates great lawyers from



the rest. Panelists included Hon. Shelvin Louise Hall, First District, Illinois Appellate Court, Chicago; Hon. Rebecca R. Pallmeyer, U.S. District Court, Northern District of Illinois, Chicago; Hon. Stuart A. Nudelman, Law Division, Circuit Court of Cook County, Immediate Past President, Illinois Judges Association, Chicago; and Hon. David Herndon Coar, U.S. District Court, Northern District of Illinois, Chicago. •

Diversity Committee Hosts Summer Program Reception



Each year Jenner & Block strives to plan a Summer Program that reflects all the Firm's core values, including diversity. The Diversity Committee, for instance, hosts a reception and dinner in the Chicago office recognizing an attorney of color whose work and accomplishments serve as a model for all lawyers.

Last summer, former Senator and Ambassador Carol Moseley Braun spoke to a large crowd of summer associates and attorneys.

Highlighting the significant role lawyers play in advising business

leaders so that they better understand the ethical and legal implications of their actions and can better fulfill their responsibilities, Ambassador Moseley Braun spoke eloquently about the need for lawyers to think differently about how to advise clients given the nature of the business world today.

Pictured above left are two of the Firm's Diversity Committee Co-Chairs, Partners Jeffrey D. Colman and Bruce V. Spiva with Ms. Moseley Braun.

On July 16, 2003, State Senator Barack Obama (D-Chicago), will be the featured guest at the diversity event for Summer Associates. Senator Obama, who attended Harvard University Law School with Jenner & Block Partners Bruce V. Spiva, Deanne E. Maynard and Thomas J. Perrelli, represents Illinois' 13th State Senate District, which

includes areas of Chicago's South Side.

Senator Obama has enjoyed a varied legal career thus far, spending time as community organizer, a civil rights attorney and a constitutional law Senior Lecturer at the University of Chicago. Senator Obama is a leader in the legal community and a leader in the legislature. In his first term, he served as the Democratic Senate Caucus' lead negotiator on a major overhaul of Illinois' system of juvenile justice.

The event continues the Jenner & Block tradition of introducing summer associates to some of Chicago's great lawyers. •



State Senator Barack Obama

Citing Jenner & Block Brief, High Court Upholds Michigan Law School Admissions Policy

continued from page 1

Recognizing the leadership Jenner & Block displayed in marshalling a multitude of corporations and general counsels, Mr. DeBruin and Ms. Maynard received the Minority Corporate Counsel Association's Rainbowmaker Award at the MCCA's Annual Midwestern Region Diversity

Dinner on April 30, 2003. (See related story on page 7.)

The actions before the U.S. Supreme Court were the culmination of more than five years of litigation. Mr. DeBruin and Ms. Maynard had previously filed similar briefs in the district court and the court of appeals.

Grutter and *Gratz* arose after two Caucasian students were denied admission to the University of Michigan and one was denied

admission to its law school because, according to the plaintiffs, the University used racial preferences in its admissions decisions that were tantamount to "quotas."

The last time the Court considered the issue of race as a factor for college admissions was in 1978 in the case of *California v. Bakke*, when the Justices ruled that quotas were unconstitutional. •

See related *Viewpoint* commentary on page 9.

Firm Participates in University of Illinois Law Minority Access Program

Jenner & Block has been an active participant in the University of Illinois' Law Minority Access Program (Law MAP) for the past several years. Law MAP is a University of Illinois program designed to increase exposure to the practice of law for promising minority undergraduates, in addition to enhancing their opportunities to enter and succeed in law school. The program, which spans a period of eight weeks, has two components. During the first four

weeks, the interns spend time at the College of Law in Champaign studying an area of substantive law and legal writing and research. The second four weeks are spent at a major Chicago law firm, where the interns are exposed to life in a big law firm. This year, Jenner & Block looks forward to hosting two interns. Associates Jorge M. Leon and Lisa T. Scruggs are the volunteer program coordinators.

Chicago's BWLA Celebrates Black Female Leadership

Paralegal Toi Hooker is a student member of the Black Women Lawyers' Association. The following is Ms. Hooker's account of the BWLA's recent conference.

May 23 marked The Black Women Lawyers' Association of Greater Chicago, Inc.'s leadership conference, "Power In Our Presence – A Celebration of African American Female Leadership." Jenner & Block was a major sponsor of the event.

This well-attended event, a follow up to the organization's historic "Midwest Summit of Black Women Lawyers" held last Spring, featured panelists representing a myriad of women professionals such as judges, law school professors, financial advisors, politicians, doctors and ministers. The conference was attended by motivated women from all over the United States, including lawyers, law students, paralegals, prospective law students, local vendors and media representatives.

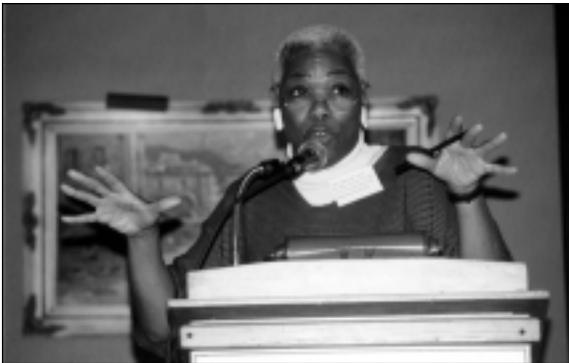
The goal of all of the BWLA's conferences is to encourage women from "a shared heritage and profession to exchange ideas and information as they discuss legal theory, social problems, and economic concepts." This conference exemplified the BWLA's dedication to empowering and inspiring women professionals.

Elaine R. Jones, President & Director-Counsel of the NAACP Legal Defense & Educational Fund, Inc., gave the keynote address. She began her speech with an animated account of the trials and tribulations experienced by great African-American women such as Harriet Tubman, Mary Bethune-Cookman and Phyllis Wheatley.

Based on the strength and determination of our ancestors, Ms. Jones said, "discouragement" is a non-option. Jones stressed the significance of knowing one's cultural history in order to build a "sense of confidence to achieve."

In addition, Ms. Jones stated that the effective use of power is shown through excellence, determination and strategy. Other suggestions included not focusing on the self as well as "being slow to anger, and to laugh sometimes."

"Power In Our Presence" accurately described the atmosphere of the positive, intelligent women leaders and professionals who attended. The BWLA successfully met its goals for the event and demonstrated its power as one of Chicago's valuable organizations. •



Elaine R. Jones (left), President & Director-Counsel of the NAACP Legal Defense & Educational Fund, Inc., delivering the keynote address. Pictured at right attending the event are Project Assistant Linda Boachie-

Ansah, Associate; Lisa T. Scruggs, Paralegal; Toi Hooker and Associate Kijisa Jordan.

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