THE MAGAZINE OF **BOSTON UNIVERSITY SCHOOL OF LAW**

THE RECORD

Fall 2023

Drawing on Law to Study AI
Using algorithms to counteract online misinformation.
P.20

AI in Practice
Two alums offer their perspectives.
P.14

CONTENTS

Inside this issue:

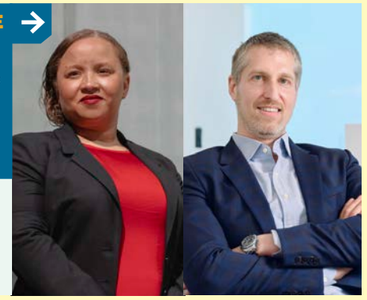
CAN WE HARNESS AI?

BU Law faculty weigh in on expanding regulation and reducing harm.

8

AI IN PRACTICE

Two alums offer their perspectives on how artificial intelligence is changing the practice of law.



14

DRAWING ON LAW TO STUDY AI

Vasanth Sarathy ('10) explores how to use AI algorithms to counteract online misinformation.

20

2
***PRO BONO* STUDENT TRIP TO PUERTO RICO**

4
SUPREME COURT JUSTICE JACKSON ADDRESSES 2023 BU LAW GRADUATES

6
BU LAW LAUNCHES REPRODUCTIVE JUSTICE PROGRAM

26
CLASS NOTES

31
FROM THE ARCHIVES

THE RECORD

THE MAGAZINE OF BOSTON UNIVERSITY SCHOOL OF LAW

Angela Onwuachi-Willig
Dean and Ryan Roth Gallo Professor of Law

COMMUNICATIONS & MARKETING
Lauren Eckenroth
Director of News, Editorial & Engagement

Joanne A. Thomas
Assistant Dean for Communications, Marketing & Graduate Admissions

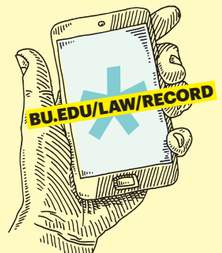
DEVELOPMENT & ALUMNI RELATIONS
Zachary Dubin
Associate Dean for Development & Alumni Relations

CONTRIBUTORS
June D. Bell
Rebecca Beyer
Ben Seal
Ting Yu

PHOTOGRAPHY
BU Photography
Ciara Crocker
John Gillooly
Alan Guo
Westray Keeler
Doug Levy
Natasha Moustache
Michael Spencer
Nicky Thibault

ILLUSTRATION
Melinda Beck

DESIGN
Dana Collins
Boston University Creative Services



FROM THE DEAN'S DESK

NEW FRONTIERS IN LEGAL EDUCATION

BY ANGELA ONWUACHI-WILLIG

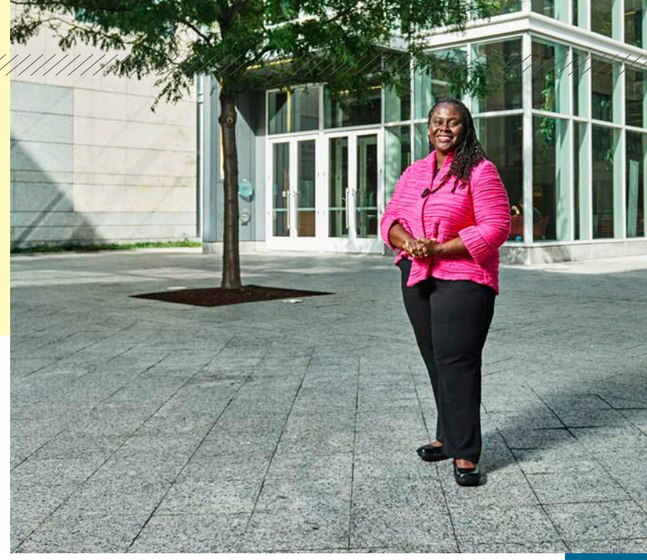


PHOTO BY DOUG LEVY

WHEN CHATGPT, A SOPHISTICATED ARTIFICIAL INTELLIGENCE (AI) CHATBOT, REACHED AN estimated 100 million users just two months after its launch in November 2022, the world—and especially the world of higher education—took notice. ChatGPT and other large language models have the potential to inspire innovation and efficiency and to change the current practices and approaches of countless professions.

The rise of AI makes this moment a fascinating time to be an educator. As faculty and administrators, we have an obligation to prepare students for a professional and social world with jobs and opportunities that very few of us can even imagine. These uncertainties spawned by AI have driven legal educators across the nation to think differently about how we teach and, specifically, about how we might incorporate AI tools in both our classroom and clinical teaching.

The challenges presented by AI, however, are not new. For years, AI has been used to aid legal research and discovery. As AI tools have become more advanced, law firms have begun to use them to analyze and summarize documents, draft contracts and deposition questions, and more.

Still, using AI tools in legal practice can present real dangers. The tools are far from perfect. Among these flaws are the biases that get built into AI through the humans who construct such technologies. Just as students must learn to be critical consumers of legal doctrine, they must also learn how to be questioning and critical of AI. Other dangers presented by AI include the fabricated responses, such as fictitious cases and citations, that tools like ChatGPT have produced. The reports of attorneys who used ChatGPT to write briefs that cited made-up cases serve as cautionary tales for law students and practicing lawyers alike, and not just in terms of getting caught and facing disciplinary measures within the profession, but also in terms of the impact on their clients—the people who have come to them for help and who rely on their expertise and training.

These warnings about AI's perils have served as motivation and inspiration for our faculty, who are thinking deeply about how to engage with the tools, including how to constrain their use, when needed, to prepare BU Law students for the profession of today and tomorrow. After all, future generations of lawyers will need to understand AI—its capabilities and its flaws—to advise their clients and use these tools responsibly and ethically.

Throughout this past academic year, BU Law faculty, like many across the country, began to engage with AI tools. In so doing, some have found creative ways to incorporate them into their pedagogy, while others have approached AI with skepticism. An overarching concern for educators is that our students may begin to rely on these tools in their assignments. As legal educators, we worry even more about overreliance on AI tools because of the skills our students must learn to obtain a license to practice law. Specifically, our students need to take and pass the bar examination, which requires the production of written essays without the assistance of AI. Doing so requires the development of foundational lawyering skills like strong writing, critical thinking and analysis, and good judgment—all of which will help them in their careers as attorneys, too. These skills are hard to teach, particularly in a society challenged (as well as advanced) by AI, but our faculty remain committed to ensuring our graduates have such necessary foundational skills.

The AI/Tech and Education Committee—led last spring by Professor Katharine Silbaugh and this fall by Christopher Conley, director of the Privacy, Security & Health Practice Group in the BU/MIT Student Innovations Law Clinic (formerly the Technology Law Clinic)—has been instrumental in preparing the faculty to work and teach in a post-AI world. Through its work, the committee has offered resources to help BU Law professors learn about the capabilities of AI and think through how to use it to the benefit of our students. The committee has also developed recommendations for student assessments that promote academic integrity within an AI environment.

The way we approach teaching the law in the post-AI world also requires continued engagement in interdisciplinary collaborations. BU Law has long been at the forefront of these efforts. For example, our health law faculty have a long-standing and highly productive partnership with their colleagues in the School of Public Health, and the intellectual property faculty have performed outstanding work with the Faculty of Computing & Data Sciences and the Rafik B. Hariri Institute for Computing and Computational Science & Engineering.

As we look to the future, we remain committed to fostering innovation within and among our BU Law community and across campus. Boston University has always been an innovative school. As the rise of AI progresses, we at BU expect to remain on that cutting edge.

Top right: Matthew Ierardi (right) and Alejandro Perez (left) on a beach in Puerto Rico.

Bottom right: Grant Owen, Michael St. Germain, Sophie Lovering, Eron Hackshaw, Emma Bowler, Alejandro Perez, Joel Paulson, and Matthew Ierardi at the US Court of Appeals for the First Circuit.

Left: Grant Owen, Emma Bowler, Alejandro Perez, and Sophie Lovering.

PHOTOS COURTESY OF SOPHIE LOVERING

A "NEW WAVE" RISES IN PUERTO RICO

During a spring break *pro bono* trip, seven BU Law students helped spread the game of lacrosse and participated in a panel for International Women's Day. BY BEN SEAL

A SPRING BREAK TRIP TO PUERTO RICO is usually a chance for fun in the sun and relaxation from the rigors of law school. But for seven Boston University School of Law students who visited the island in March, it was an opportunity to give back with a week of *pro bono* work that will have a lasting impact.

In relaunching the annual *pro bono* trip—regularly organized by the law school before the pandemic—this year's group helped Puerto Rican high schools establish lacrosse programs by sorting through local and federal regulations and building a curriculum to aid teachers interested in coaching to become certified. For Joel Paulson ('25), who has played lacrosse for Puerto Rico's national team, it was a special opportunity to connect his passion for the sport, his heritage, and his legal education.

"It really cemented a lot of things for me in terms of the kind of lawyer I want to be, and it also allowed me a window into how law can be a useful tool," Paulson says. "This is one of those times where being a law student or having a law degree, you can actively make a difference in a way that's wholly positive across the board."

The students began the week by observing oral arguments in five cases at the US Court of Appeals for the First Circuit, which includes both Puerto Rico and Massachusetts. After watching arguments in a criminal case that referenced cases they had recently discussed in class, they met with the federal public defender and assistant US attorney arguing the appeal, as well as Justice Gustavo Gelpí.

For much of their time in Puerto Rico, the students researched the legal requirements to organize a high school lacrosse team, which are more onerous than in the mainland United States, Paulson says. Working with Miguel Lozada, an attorney and president of Puerto Rico Lacrosse, Paulson and his classmates designed a workshop for teachers and a clinic to teach students and future coaches how to play the game.

For Emma Bowler ('25), who played lacrosse for 10 years and whose mother is Puerto Rican, it was especially meaningful to see how quickly everyone took to the game.

"We could tell them all the legal steps—and that stuff is so important in terms of making sure things happen—but the only way they were going to go through those steps is if we showed them the game of lacrosse and made them love it as much as we do," she says.

During the trip, the BU students also worked with law students from a University of Puerto Rico *pro bono* clinic to host a panel discussion about domestic violence, featuring a pair of Puerto Rican professors and a Chilean activist for International Women's Day, which Bowler co-moderated.

In the short time since the lacrosse workshop, six Puerto Rican high schools have established teams, according to Eron Hackshaw, the law school's director for public service & *pro bono*. In just one week of work, seven BU students "created a new wave" of interest in lacrosse on the island.

"The best part about it," Hackshaw says, "is that it's continuing to grow."

A YEAR OF *PRO BONO* ACTIVITIES AT BU LAW

Students demonstrated a strong commitment to *pro bono* activities throughout BU Law's anniversary year. These dedicated students leveraged their legal knowledge and skills to empower change in their communities and beyond. Through their efforts, these dedicated future lawyers not only gained invaluable practical experience but also fostered an appreciation for making a positive impact through their work.

Number of* pro bono *hours reported in 2022–23:

CLASS OF 2023:
490

CLASS OF 2024:
560

CLASS OF 2025:
380

LLM (ALL CLASSES):
94

NUMBER OF PARTNER ORGANIZATIONS:
40

Locations:
Boston, Massachusetts
Manchester, New Hampshire
Mercedes, Texas
New York, New York
New York Mills, Minnesota
Providence, Rhode Island
San Juan, Puerto Rico

SUPREME COURT JUSTICE KETANJI BROWN JACKSON TO 2023 BU LAW GRADUATES: "ANYTHING IS POSSIBLE."

In a powerful—and, at times, lighthearted—address at the Boston University School of Law convocation in May, Ketanji Brown Jackson (Hon.'23), associate justice of the US Supreme Court, assured the newest class of lawyers that they were ready to join the profession and prepared to make an impact.

"As graduates of Boston University law school, you are well equipped to go out into the community in whatever capacity you choose and to make momentous contributions," she told the roughly 460 School of Law graduates at the 2023 ceremony.

Jackson, who was nominated to the high court by President Joe Biden and became the first Black woman to serve on its bench, received thunderous applause and standing ovations, bookending her remarks, from the crowd at BU's Track & Tennis Center.

Later in the day, Jackson received an honorary Doctor of Laws during the University's 150th All-University Commencement exercises.

*To read more and watch Justice Jackson's speech, visit **bu.edu/law/jackson**.*

The Record *caught up with members of the Class of 2023 for their reactions to Justice Jackson's historic visit to BU.*

"I was one of the few lucky graduates who had the opportunity to speak to Justice Jackson. As we were getting ready to click pictures with her, someone in the room prompted that Justice Jackson forgot to take off the scrunchie from her wrist. She nonchalantly replied that she likes to have it on. I will always fondly remember Justice Jackson as someone who continues to be her true and amazing self, even for the camera. The biggest takeaway for me personally was her insistence on finding something beyond law school to keep us engaged and motivated. The three theatrical experiences she shared and how they were instrumental in her decision-making process in the legal profession were indeed fascinating to hear."
—Rachel Florence James (LLM'23), LLM Class Speaker

"I was most inspired by the presence of Justice Jackson. As soon as she stepped on stage, I was reminded of a quote by Martin Luther: "Of whom shall I be afraid? One with God is a majority." We live in a society where white is the default. Black individuals, like myself, are instantly aware of, when we enter a room, especially in higher education, the lack of similar faces and with such, a lack of similar experiences. While I had an unforgettable law school experience, it is not lost on me that there were only three other Black males graduating alongside me. However, during Commencement, I felt as if I was in the majority for the first time. Justice Jackson's presence not only symbolized the great progress we have made but served as a comforting respite, if only momentarily, from the challenges we have and will endure."
—Michael Westbrook (JD'23)

"Experiencing Justice Ketanji Brown Jackson's speech at the 2023 Boston University School of Law Commencement was a significant moment for me. Her presence highlighted the remarkable qualities of strength and intelligence that women possess, and her words encouraged us to persevere and remain resilient in pursuing our career aspirations. As the first Black woman and former federal public defender to serve on the Supreme Court, she is an inspiration and a real source of pride for individuals from minority communities, particularly the Black community. Her speech was truly inspiring to all graduate students in attendance."
—Folakè Stéphanie Atchade (LLM'23)

PHOTOS BY JOHN GILLOOLY

"Having Supreme Court Justice Jackson, who was sworn in during my time as a law student, as Commencement speaker for the Class of 2023—BU Law's 150th graduating class—was truly a special moment in time. The 150th academic school year was not only a year filled with nostalgia and reflection on the law school's vibrant history and exceptional alumni, but it was also a year that instilled in its current and prospective students a sense of inspiration to continue on the school's legacy. Justice Jackson's speech encapsulated a similar feeling: reflection and inspiration to keep moving forward. She reflected upon her career and shared with us valuable lessons she has learned along the way, all while instilling in us a sense of pride and confidence to go out in the community in any capacity we choose and make meaningful contributions. There were so many meaningful takeaways from her speech that I will carry with me as I navigate the legal profession. Justice Jackson has been such an inspiration to me, so it was an honor to be welcomed into the legal profession by her."
—Melissa Pereira (JD'23)

Left: Linda McClain, Aziza Ahmed, and Nicole Huberfeld, the codirectors of the new Program on Reproductive Justice, with Dean Onwuachi-Willig.
Middle: Attendees at the After *Roe* and *Dobbs* conference, held in January 2023.
Right: William Fairfield Warren Distinguished Professor George Annas spoke at the After *Roe* and *Dobbs* conference.

BU LAW LAUNCHES PROGRAM ON REPRODUCTIVE JUSTICE

BY LAUREN ECKENROTH

PHOTOS BY WESTRAY KEELER

WHEN JACQUELINE TOSTO accepted an If/When/How Reproductive Justice Fellowship at Atlanta's SisterLove Inc. after her graduation in 2019, Georgia Governor Brian Kemp had just signed a bill banning abortion six weeks into a pregnancy. At the time, it was one of the most restrictive bills in the country. Other states were pursuing similar efforts, but *Roe* was still very much intact.

The landscape of abortion access changed significantly after Tosto's graduation, with *Dobbs v. Jackson Women's Health Organization* (2022) returning the regulation of abortion to state control. Through the new BU Program on Reproductive Justice, more students will have sustained access to educational and career opportunities in this critical field. Professors Aziza Ahmed (LAW), Linda C. McClain (LAW), and Nicole Huberfeld (LAW and SPH) led the effort to establish the program, which launched this fall.

"*Dobbs* created a complex crisis for people who are or could become pregnant, as well as the providers who care for them," says McClain. "This crisis requires a sustained, multidisciplinary focus on reproductive justice and health. The Program on Reproductive Justice will create a home to work on these issues across BU, in the community, and beyond." Those issues include not only abortion but also control over the timing of pregnancy; healthy pregnancies, births, and newborns; fertility; cancer and other medical treatments that include abortion within the standard of care; and medications that have become inaccessible due to clinicians' fear that the individual could be pregnant.

The program will take advantage of faculty expertise at the law school, the School of Public Health, and other schools and centers across the University to offer students a broad range of courses in reproductive justice and related fields and facilitate career opportunities through networking and mentoring events with BU Law alumni and other practitioners in the field.

BU Law alumni Margaret Daley ('87), vice president at Charles River Associates, and Deborah Barnard ('87), professional growth and development partner at Holland & Knight, have made the first-ever gift to the Reproductive Justice Program Fund, which will support the development of the program, including student internships and externships, curriculum development, workshops, and more. To support the BU Program on Reproductive Justice, visit **bu.edu/lawgiving**. ■

Read more news and stories from *The Record at* **bu.edu/law/record**.

CAN WE HARNESS AI?

MAKING AI WORK FOR US ALL.

BY REBECCA BEYER
ILLUSTRATIONS BY MELINDA BECK

Danielle Pelfrey Duryea, Lecturer, Clinical Instructor, and Director of the Compliance Policy Clinic

Woodrow Hartzog, Professor and Class of 1960 Scholar

Ngozi Okidegbe, Moorman-Simon Interdisciplinary Career Development Associate Professor

Rory Van Loo, Professor and Michaels Faculty Research Scholar

EARLY IN HIS CAREER AS AN ACADEMIC, BOSTON UNIVERSITY SCHOOL OF LAW PROFESSOR WOODROW HARTZOG CODESIGNED AN EXPERIMENT IN WHICH COMPUTER SCIENCE STUDENTS CREATED ALGORITHMS TO ENFORCE A 55-MILE-PER-HOUR SPEED LIMIT.

The speed restriction was chosen for its simplicity: a person either drove above 55 miles per hour or not. And yet, the students' efforts yielded wildly disparate results. One group, assigned to implement the "letter of the law," issued 498 tickets in a 66-minute drive where the driver rarely exceeded the speed limit (and never by more than 10 miles per hour). Another group, tasked with implementing the "intent of the law," issued only one ticket using data from the same drive.

Perhaps even more significant was how the students felt about their work. When asked whether they would want their driving to be monitored by the algorithmic systems they designed, the overwhelming answer was no.

"Our conclusion was, let's not rush into automating enforcement of laws just yet," Hartzog remembers.

That was 10 years ago. Today, all kinds of entities in the private and public sectors are rushing into automation and artificial intelligence (AI) with seemingly little regard for the consequences, including in law enforcement contexts. The pace is so dizzying that even the people behind some of the most prominent and dominant AI-focused companies—like Microsoft President Brad Smith and Sam Altman, the chief executive of OpenAI, which created ChatGPT—have called on the government to do more to regulate the ever-evolving technologies.

But what would better regulation of AI look like? Answering that question will require new ways of thinking about the law and technology. Hartzog and other BU Law faculty are at the forefront of that thinking, part of a new generation of interdisciplinary scholars intent on finding ways to secure AI's benefits without the whole of society succumbing to its harms.

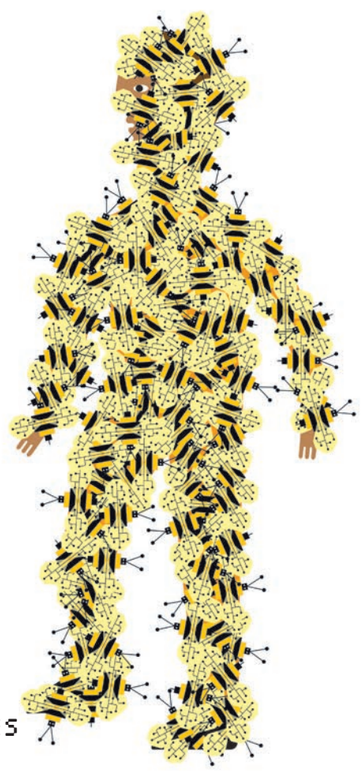
"Issues of law and technology simply cannot be solved by either lawyers or technologists or social scientists or economists alone," says Hartzog. "Only by bringing all of those people together can we really make meaningful progress."

EXPANDING NOTIONS OF HARM

Associate Professor Ngozi Okidegbe's work focuses on the area of the law in which people—and especially historically marginalized communities—have the most to lose if technology gets things wrong: the criminal legal system.

Okidegbe's scholarship moves beyond the now-well-documented reality that algorithms in the criminal context, including pretrial decisions involving bail, surveillance, and detention, are not neutral or objective, as they were once touted to be. Instead, they perpetuate existing biases. A *ProPublica* report from 2016 found that Black defendants were almost twice as likely as white defendants to be flagged as potential reoffenders, and that white offenders were more often mislabeled as low risk than Black offenders.

In her work, including "The Democratizing Potential of Algorithms?" and "Discredited Data," Okidegbe points out that pretrial algorithms are created, adopted, and implemented without input from the communities most impacted by their use. They also rely entirely on data sets from "carceral sources"—such as the police, pretrial service agencies, and the courts—in part because that kind of data is readily available to them in aggregated and anonymized form. Okidegbe argues developers should reduce their reliance on data from the criminal system and incorporate data from non-carceral sources, including community groups affected by the carceral system, such as current and formerly incarcerated people.



TAKING THE STING OUT OF AI TECHNOLOGIES

"ALGORITHMS AS CURRENTLY CONSTRUCTED FAIL TO ACCOUNT FOR HOW *INCARCERATION* CAN HARM PUBLIC SAFETY."
—NGOZI OKIDEGBE

The bail system is designed to protect public safety, and one problem with relying on carceral data for algorithms in that context, she points out, is that harms to public safety are defined by the carceral system and its officials: Will someone fail to appear for their hearing? Will they commit a crime while they are on pretrial release?

But as people who have been incarcerated or have family members who have been incarcerated know, there are many, many more types of harms to public safety to consider, including the separation of parents from their children, the loss of a job that supports a family, or the dehumanizing effects of detention. For instance, as Okidegbe points out in "Discredited Data," bail judges have historically used their discretion to presumptively release a woman who is a primary caregiver to a minor child.

"Algorithms are supposed to help us achieve the public safety function of bail," she says. "But algorithms as currently constructed fail to account for how *incarceration* can harm public safety."

Okidegbe notes that algorithms aren't "inherently good or bad" and that bias can be the result of design (data sources, what weight is given to various factors, etc.), implementation (whether a decisionmaker can override the algorithm, for instance), and oversight (such as whether the algorithm is updated to reflect changes in the law). But an early potential entry point for bias is in the formulation of the problem the algorithm is designed to solve, since that "formulation will affect the interplay between the algorithm and existing inequities." That's an area where community groups could add a lot of value, she says.

In a forthcoming paper, Okidegbe proposes creating local commissions to study the adoption and use of an algorithmic model in a certain jurisdiction, with representatives chosen from across the relevant geographic area, including from historically marginalized communities.

Okidegbe says she "believes in the potential of algorithms to be part of improving society" and notes that many scholars and activists are working toward that goal, including at Data for Black Lives, the Design Justice Network, and the Ida B. Wells Just Data Lab.

"It might be possible to build and implement algorithms that support the well-being of all, but this potential can only be unlocked by centering the communities most likely to be harmed by algorithmic use," she says.

PROTECTING PRIVACY

Since his experiment with algorithms and speed limits, Hartzog has expanded his focus to other areas of law and technology, including data privacy. In 2018, he wrote *Privacy's Blueprint: The Battle to Control the Design of New Technologies*, a book that makes the case for requiring privacy protections in new products.

Hartzog is a fierce critic of the current "notice and consent" framework governing consumers' relationships with technology companies—many of which incorporate AI features that are trained on or allow the companies to trade on our personal data—which he says is "fundamentally broken." Under this framework, platforms give us notice of their data use policies, and we check the box saying we agree to those policies, whether or not we have understood or even read them. If we don't check the box, we can't use the platform.

"When you interact with an AI tool or a social media company, you're extremely vulnerable," Hartzog says. "You're at a massive information disparity."

"I SEE NO WORLD IN WHICH HUMANITY IS BETTER OFF WITH FACIAL RECOGNITION, EVEN WITH MEANINGFUL REGULATION."

—WOODROW HARTZOG

In "Legislating Data Loyalty," Hartzog and a coauthor continue to argue that technology companies should instead be governed by a duty of loyalty to their users that would require them to act in our best interests, even when doing so conflicts with their ability to make money.

"We think this is a significantly more productive and sustainable approach to regulating companies dealing with data and information technologies," he says.

But there's one AI-powered technology that Hartzog thinks cannot be regulated into safety: facial recognition software.

In a 2018 essay, Hartzog and a coauthor called for an outright ban on the use of facial recognition technology, describing it as an "irresistible tool for oppression."

"I see no world in which humanity is better off with facial recognition, even with meaningful regulation," he says.

Several jurisdictions have embraced some sort of ban: In 2019, San Francisco became the first major city to ban government use of facial recognition, and Somerville, Massachusetts, was the first East Coast city to take that step. Portland, Oregon, bans not only government use but also private use in public spaces. In June 2020, Hartzog testified before the Boston City Council in support of an ordinance banning city use of the technology; the ordinance passed later that month.

In Massachusetts, Hartzog served on a statewide body tasked with evaluating use of the technology. In its final report, the Special Commission to Evaluate Government Use of Facial Recognition Technology in the Commonwealth recommended that such software only be used in "limited, tightly regulated circumstances to advance legitimate criminal investigations."

"I think we were able to reach a compromise...a significant prohibition with limited carveouts for law enforcement and other narrow and justified uses," he says.

Hartzog argues lawmakers have been complicit in AI- and algorithm-driven privacy violations that harm the public. By failing to confront the technologies head-on with new laws and regulations, he and coauthors argue in "Privacy Nicks: How the Law Normalizes Surveillance," they have created a surveillance "death spiral."

"We are all, in some form or another, slow boiling the water we're sitting in," he says. "We've become accustomed to being watched over the long term in a way that makes it very difficult, if not impossible, to resist the inevitable encroachment of surveillance into our lives."

PROTECTING OURSELVES FROM THE PRYING EYES OF AI

TOWARD SOLUTIONS

Countries have taken different approaches to AI regulation. In 2018, the European Union, a perennial early actor in technology regulation, launched the European AI Alliance, which has hosted regular public consultations and engaged thousands of stakeholders; its proposed Artificial Intelligence Act would regulate AI technologies based on their perceived risk. Last spring, China issued draft rules for generative AI products, like ChatGPT, that would prohibit discrimination and false information (but also conform to censors); Italy became the first Western country to ban ChatGPT in March (it later reinstated the service after developer OpenAI announced new privacy controls).

The US has also taken steps toward regulating AI. This fall, the Senate began a series of AI Insight Forums, bringing together lawmakers with technology industry executives and advocacy groups to help Congress create legislation that maximizes the gains and minimizes the risks of AI development and use. Shortly before the first forum, Senators Richard Blumenthal (D-Conn.) and Josh Hawley (R-Mo.) released a framework for AI legislation.

Many of the early steps in the US have come from the executive branch and its agencies. In March, the Copyright Office launched a new initiative to study the copyright law and policy issues raised by artificial intelligence; and in April, a branch of the Department of Commerce invited comments on how to ensure AI accountability. President Joseph Biden signed an executive order directing agencies to prevent algorithmic discrimination, and the administration also announced $140 million in funding to launch several new AI research institutes.

Of course, many existing laws already apply to AI-powered technologies and are being enforced accordingly. In January, the US Department of Justice filed a statement of interest in a case in which two Black women are using the Fair Housing Act to challenge the use of an algorithm-based tenant-screening service that resulted in both women being denied housing. In April, several US entities—the Consumer Financial Protection Bureau, the Department of Justice's Civil Division, the Equal Employment Opportunity Commission, and the Federal Trade Commission—issued a joint statement on enforcement efforts against discrimination and bias in automated systems.

"EVERY HIGHLY REGULATED INDUSTRY WAS ONCE A HIGHLY UNREGULATED INDUSTRY. IT'S OFTEN WHEN PAIN POINTS APPEAR THAT GOVERNMENTS START MOVING."

—DANIELLE PELFREY DURYEA

THE RIGHT TOOLS TO TAME AI

"There's always a catch-up kind of aspect to regulation," says Danielle Pelfrey Duryea, who directs BU Law's Compliance Policy Clinic. "But it's not that there is nothing regulating the field. Any consumer protection law, whether at the federal or state level, those are just as applicable to AI as they are to any other product or technology that touches consumers."

There is also the possibility of taming technology with technology. In "Digital Market Perfection," Professor Rory Van Loo argues that the law should support so-called digital assistants—think Google Flights—that can search for and eventually even act on lower prices for consumers. AI-powered assistants are necessary, he says, in a world where AI-powered sellers manipulate results so that lower-priced options are harder to find. But some companies have used the Consumer Fraud and Abuse Act and other laws to prohibit third parties from collecting the data that would be necessary to compare prices across companies and brands.

"The sophistication gap is growing between businesses and individual consumers," Van Loo says. "We need to help consumers have greater sophistication to counterbalance those sales techniques and strategies."

Van Loo also points out that new regulations may be required to protect against potential unintended consequences of *those* technologies; for instance, if an AI assistant finds a higher-yield bank account and millions of consumers act on it all at once, that could negatively impact the market.

In other words, in virtually every domain and however artificial intelligence evolves, new regulations and stronger enforcement of existing regulations will probably be necessary and inevitable, the same way environmental and labor laws were enacted as abuses in those areas came to light.

"Every highly regulated industry was once a highly unregulated industry," Pelfrey Duryea says. "It's often when pain points appear that governments start moving." ■

AI IN PRACTICE

RAPID ADVANCEMENTS IN ARTIFICIAL INTELLIGENCE TO REVOLUTIONIZE THE WAY WE PRACTICE LAW. TWO BU LAW ALUMS OFFER THEIR PERSPECTIVES.

BY TING YU

PHOTO BY CIARA CROCKER

JOHN KOSS ('05) DIRECTS THE E-DATA CONSULTING GROUP FOR MINTZ.

ASHLEY JACKSON ('11) LED PRIVACY EFFORTS AT OLIVE AI, A HEALTHCARE AUTOMATION COMPANY, UNTIL JUNE 2023. SHE NOW LEADS INTERNATIONAL PRIVACY AT THE MAYO CLINIC.

PHOTO BY NATASHA MOUSTACHE

UNTIL FAIRLY RECENTLY, THE DISRUPTIVE POTENTIAL OF ARTIFICIAL INTELLIGENCE REMAINED LARGELY IN THE PROVINCE OF SCIENCE FICTION. SURE, THERE WERE STORIES OF SUPERCOMPUTERS VANQUISHING CHESS GRAND MASTERS. AND WHO HASN'T BEEN ENTICED BY EERILY ON-POINT PERSONALIZED SOCIAL MEDIA ADS? BUT AI TECHNOLOGY THAT COULD FUNDAMENTALLY CHANGE THE WAY WE LIVE AND WORK? THAT SEEMED LIKE A QUANDARY FOR FUTURE GENERATIONS.

Then came the splashy November 2022 debut of OpenAI's GPT-3 and the dizzyingly fast release of its more powerful successor GPT-4 the following March. The chatbot's dramatic rise has brought abstract anxieties of an AI-dominated world crashing into present reality. ChatGPT's simple interface and sophisticated generative capabilities are forcing the world to reckon with the seemingly limitless promise of AI's new cutting edge—and the existential threat it may pose to humanity.

However, even as AI pioneers sound the alarm and governments around the world grapple with how to develop ethical guardrails, there's no denying that AI tools like Harvey, Westlaw, and now ChatGPT are already transforming the American legal sector. Astonishingly adept at analyzing and summarizing text, these large language models can execute, in a matter of seconds, work that would once have required thousands of billable hours. A Goldman Sachs report released earlier this year estimated that 44 percent of legal work could be automated.

So, what does that mean for the average law firm? The average attorney?

Consider, for instance, your typical antitrust investigation. Let's say a client is looking to merge with another company, and they've received an information request seeking reams of documents with a tight deadline from the Department of Justice or Federal Trade Commission.

"In the old days"—say, 20 years ago—"the files would probably be in a warehouse somewhere. We'd have associates in hazmat suits come through and pull all the dusty documents and moldy contracts," says John Koss ('05), who directs the E-Data Consulting Group for Mintz, a 500-lawyer firm with an international reach. Even 5 or 10 years ago, lawyers would have to sift through voluminous email inboxes and large data servers to find the necessary documents. "It would be an extensive project with hundreds of attorneys, and we would be going fast and furious," he says.

Today, text-based legal data—cell phone records, Microsoft Teams or Slack messages, and emails—can be pulled into an AI review application. After training the tool on relevant samples, it can retrieve a statistically validated set of responsive documents to satisfy the requests and production expectations of the government.

"Before, we would have had to review every single document from one to a million in a linear format," says Koss, who spent a decade practicing in healthcare and pharmaceutical product liability litigation before founding the Mintz group. "Now, with

> “THE GOVERNMENT’S HAPPY BECAUSE THEY GET THE DOCUMENTS FASTER. OUR CLIENTS ARE HAPPY BECAUSE THEY’VE SAVED MONEY. AND THE RESULT IS MORE ACCURATE THAN IF WE HAD JUST COMPLETELY RELIED ON HUMAN BEINGS.”
>
> —JOHN KOSS

AI technology, we review maybe 40 percent of the documents to meet a given recall percentage. What used to require a hundred attorneys we can accomplish with 10 to 20. The government’s happy because they get the documents faster. Our clients are happy because they’ve saved money. And the result is more accurate than if we had just completely relied on human beings.”

Koss advises start-ups and Fortune 500 companies on how to use AI-enabled tech and analytics to solve data challenges and optimize workflows. He says his clients typically see a 95 percent reduction in data submitted for human document review.

So, is Koss worried about making lawyers obsolete? “We’re not trying to take away *good* work from human beings,” he says. “The reality is doc review can be a drag. Frankly, our associates get a better experience because now they’re spending their time digging into key documents, or learning the case, or engaging in deposition prep. My hope is that we’re helping people do things that are more valuable to their career development.”

The promise of using AI tools to cut costs and boost productivity is immense. Many law firms are already using them for contract review, e-discovery, legal research, drafting basic standard agreements, and predictive analytics—that is, predicting the outcomes of legal cases.

That’s not to say there aren’t serious concerns. The unregulated use of AI technology in a highly regulated industry like the law can present ethical conundrums and legal liability. Koss points to ChatGPT’s unsettling tendency to “hallucinate” or fabricate responses to user queries. “ChatGPT will give you absolutely incorrect answers in a very authoritative way,” he says, “It’s unreliable, so right now that limits what lawyers can use it for.”

The other major barrier is privacy. Certain types of AI analytics simply can’t be used when dealing with sensitive information, Koss says. Dropping financial accounts, medical records, or Social Security numbers into the “black box” of an AI tool could be a violation of privacy laws or client privilege.

“We have to be sure the applications we use are secure and have appropriate data management protocols,” Koss explains. “If you’re putting patient, client, or deal information into an AI tool or large language model, the company that designed the program may use that data to train their models and algorithms. We have to be very careful not to introduce the potential for this data to be shared, stored, and kept by non-permissible parties or locations. That’s exactly what privacy legislation and confidentiality provisions are designed to forbid.”

Ashley Jackson (’11) carved out her niche in privacy law early on. Jackson was just a few years out of law school, working as a litigation associate, when she was recruited to join Sedgwick LLP with the opportunity to assist with its new data privacy practice in Chicago. Around the same time, the European Union was preparing to vote on the General Data Protection Regulations (GDPR), which govern the collection and use of personal data by companies.

“Privacy at that point took off,” Jackson recalls. “Even though I had only been working in privacy for two years, I already had more experience than some very senior partners at law firms who were just coming into the space. I saw an opportunity to become an expert and decided to transition to a privacy focus.”

> “YOU NEED TO KNOW THE TECH. YOU’RE GOING TO HAVE TO GET IN THE WEEDS. BECAUSE IF YOU CAN’T EXPLAIN WHAT’S GOING ON, IT’S GOING TO BE REALLY TOUGH TO ANTICIPATE REGULATORY ISSUES AND ADVISE ON THEM.”
>
> —ASHLEY JACKSON

After five years of practicing law in privacy and data security, Jackson took a role as in-house counsel to GE Healthcare, where she gained global insight into how other countries were managing privacy issues. Until June 2023, she led privacy efforts at Olive AI, a healthcare automation company that optimizes revenue cycles and HIPAA compliance through AI products and machine learning. She left Olive AI to take on a new role leading international privacy at the Mayo Clinic.

“Healthcare is a great place for demonstrating what ethical AI can look like,” Jackson says, “whether it’s helping to streamline the claims process to reduce administrative costs or helping doctors diagnose a disease quicker. Soon, I think we will very literally see this technology saving people’s lives.”

Although law firms can be slow to change, Jackson predicts the ones that thrive will be those that stay ahead of the tech curve. “AI is going to challenge attorneys to demonstrate we’re a value add,” Jackson says. “You need to know the tech. You’re going to have to get in the weeds. Because if you can’t explain what’s going on, it’s going to be really tough to anticipate regulatory issues and advise on them.”

That’s in part because US regulations haven’t kept pace with technological advances. “It’s hard when things are happening at the speed of light,” Koss says. In the absence of established rules on AI use, industry groups and companies are issuing their own guidance for employees. “These conversations need to be happening globally,” he says. “Companies want to operate in a way that doesn’t violate privacy laws here or in other countries. We need a common set of guidelines for these tools. For now, we’re piecing it together as we go.”

Jackson points to the EU’s GDPR as a potential model for the US to follow. “It’s a risk-based approach to the evaluation and regulation of AI,” she says. “GDPR basically asks companies: Before you use a data set, know the potential risks and benefits and mitigate for those risks.”

She also admires the agility and responsiveness of Singapore’s approach. “They’re trying different things out and seem very receptive to feedback,” Jackson says. “They have technical *and* industry knowledge at the table because you can’t have politicians and academics coming up with rules that are impractical. We don’t need something reactionary—we need something visionary.”

Still, like Koss, Jackson is bullish on a future powered by new technologies. She shares a story from her time at GE Healthcare, when the company designed the first ultrasound system with 3D printing capability. Thanks to the new machine, a pregnant mother who was blind could not only listen to her baby’s heartbeat, but she was also able to experience through touch the 3D-printed representation of her baby’s ultrasound image.

“I recognize the dangers. And like anything else, AI can be abused,” Jackson says. “But that should never stop us from unlocking all of these beautiful possibilities.” ■

PHOTO BY CIARA CROCKER

DRAWING ON LAW TO STUDY AI

RESEARCHER VASANTH SARATHY ('10) IS EXPLORING HOW AI ALGORITHMS CAN BE DEPLOYED TO FLAG AND COUNTERACT MISINFORMATION ONLINE, IN PART BY IDENTIFYING SPURIOUS ARGUMENTS.

BY JUNE D. BELL

AI ISN'T FUNNY. AT LEAST, NOT YET.

Although artificial intelligence is being tapped for ever more sophisticated tasks—from drafting legal documents to debugging code—it hasn't been able to figure out what exactly makes us humans chuckle.

Is it even possible for AI to master wit? Vasanth Sarathy ('10)—lawyer, artificial intelligence expert, cartoonist, and Tufts University faculty member—can't say for sure. He's been tinkering with an AI tool to generate cartoon ideas, but progress, he admits, is slow. "It doesn't understand why something is funny," he says, "which may be a very personal human thing, a consequence of life experiences. In which case, it's even harder for an AI system to replicate it."

Even AI specialists like Sarathy, who holds a doctorate in computer science and cognitive science in addition to his JD, have been astounded by the sophistication and wildfire adaptation of generative technology. In just the past year, large language models such as OpenAI's GPT-4, which are trained on internet content to identify patterns and predict language, have been increasingly deployed to write essays, reply to patients' queries to their doctors, and even create artwork and music. Their popularity and rapid deployment—in just two months after its launch in November 2022, ChatGPT had amassed more than 100 million users—have heightened fears about the morals and ethics of this astonishingly powerful tool.

"HELPING HUMANS WITH CRITICAL THINKING IS SOMETHING THAT MACHINES CAN DO, I THINK. WE'RE SORT OF SCRATCHING THE SURFACE OF THAT."

Sarathy is more curious than anxious, perhaps because he sees AI's potential to solve problems it has been accused of creating. He is particularly interested in how AI can be leveraged to combat rampant disinformation. He's focusing on how AI's algorithms can be deployed to flag and counteract misinformation online, in part by identifying spurious arguments.

Picking apart arguments is, not surprisingly, a skill at which lawyers excel, Sarathy says. The logical reasoning section of the LSAT is a perfect example: aspiring lawyers read excerpts and then pinpoint implicit assumptions and flaws in reasoning. This type of analytical thinking becomes second nature to litigators and appellate lawyers, but it's challenging for those who lack training or practice in thinking critically. This is the audience most likely to accept fake information and dubious arguments and then spread untruths.

"We don't have the capacity to quickly do critical thinking at the level we need to, to combat disinformation," Sarathy says. "If the language is fluent and the argument seems relatively good, we tend to believe it. That's really challenging because...a little bit of critical thinking can go a long way.... Helping humans with critical thinking is something that machines can do, I think. We're sort of scratching the surface of that."

As a member of a multidisciplinary team that includes a social anthropologist, Sarathy has been exploring how to foster online communities that encourage healthy but respectful discourse while respecting cultural differences in speech and intent. "You have systems that can understand the language, but then you introduce social science theories and the extensive work that people have done in anthropology, studying different cultures...and then you have the AI system produce responses that are more nuanced and more informed," he says. The project is in its earliest stages, undergoing extensive testing to see how effectively the AI system can generate speech that is relevant, useful, and accurate. Eventually, the group might partner with government agencies and social media companies.

One of the biggest shortcomings of AI systems is that they lack a model of the world humans build over a lifetime. People spend years weaving a rich and vast contextual network of memories, knowledge, facts, education, and connections. When listening to or making an argument, we tap into a deep web of experience to formulate it, understand it, and evaluate its merits, Sarathy says. "There's rhetoric, there is understanding, forming mental models of the other person, and understanding what they know so that you don't just repeat what they [already] know. You're telling them something new but also building on what they know so that they believe you. There's a notion of trust and persuasiveness."

This uniquely human ability to blend experience and context also helps pinpoint why AI can't quite nail humor. A single-panel cartoon—the kind Sarathy draws and the *New Yorker* showcases—appears to be a simple pairing of a sketch and a line of text. A clever cartoonist presents a familiar situation, such as a dinner party or a parent-teacher conference, with a caption that tweaks the typical scenario. That mismatch between expectation and "reality" is the crux of humor, but the interplay between the art and the words matters, too.

"That's where the human piece comes in," Sarathy says. "If your timing is off, if you wait too long, then [readers] are going to think of that situation and not find the joke funny. But if you do it too soon, they're not going to have enough time to form that first mental model of the situation. It's a beautiful dance to get it right. AI systems can replicate what's already out there in terms of captions and such, but they're not original enough yet. They can't come up with completely different ways of thinking or new ideas." Which means ChatGPT won't be winning the *New Yorker*'s caption contest anytime soon.

Sarathy draws on his experience as a cartoonist and lawyer in his AI research, a field that is by nature integrative. "We're working with humans, and so all the issues that we face with these AI systems are going to be inherently multidisciplinary," he says. "We're not just going to have computer scientists build AI tools and then put them out there. That's one of the things

"As an AI, I don't possess the authority to make ultimate decisions regarding your eternal salvation or damnation."

CARTOON BY VASANTH SARATHY

that I'm excited about: I'm able to bring my legal background and some of my social science background to this technical side of things and work on both those issues and bring people on these two sides together."

Sarathy had no plans for a legal career when he studied electrical engineering on a full scholarship at the University of Arkansas or as he pursued a doctorate at MIT in the early 2000s. But while in graduate school, he learned that Boston-based law firm Ropes & Gray needed engineers who could understand the complex technology behind clients' inventions. Intrigued, Sarathy made a career pivot. He registered to practice at the US Patent Office and took the patent prosecution exam, which does not require a law degree. Sarathy enrolled in BU Law five years later while working full time. "I don't know how I did that," he admits, "but it was absolutely insane."

While on the partner track, he represented Google, MIT, medical device makers, healthcare companies, and Apple, and he collaborated with litigators and advised on intellectual property, data security, and privacy issues. But Sarathy found himself pondering how, exactly, innovators work their magic, spinning an insight or pain point into a start-up or a patent-worthy invention. "It just became a thing I wanted to study: how the human mind works and how we humans are creative. How do we come up with new ideas? How do we invent things?" Sarathy, then 35, headed to Tufts in 2015 to pursue a doctorate in computer science and cognitive science.

He spent nearly three years at research firm SIFT (Smart Information Flow Technologies), probing questions such as the parameters of consent in human-robot interactions. It's less far-fetched than it might seem. A robot waiter, for example, should be programmed to clear a diner's plate only when the diner has provided "consent cues," such as placing her utensils in the "finished" position on her plate or sitting back from the table. As robots become more integrated into society, human social norms will provide implicit and explicit consent cues for interactions, Sarathy wrote in a 2019 research paper.

"A lot of the consent work was based on my legal training," he says. "I would not have been able to write that paper if it had not been for the fact that I went to law school and took classes in torts." He continues to tap his legal experience, crediting his years in law school and practicing law with sharpening his writing and thinking—and giving him ample fodder for *Legally Drawn*, the (now-defunct) cartoon blog he launched as a BU Law student.

Though the legal profession will increasingly outsource tasks such as document review to AI tools, Sarathy is confident that AI is a poor substitute for the experience, context, and nuanced analysis that trusted attorneys provide their clients. "I'm not saying that these systems are bad," he says. "I use them in my work as well. I'm just saying that there's not a risk that lawyers are going be out of their jobs anytime soon."

Lawyers and ethicists will, however, inevitably tangle with AI's legal gray areas. Leveraging ChatGPT's open-source software, developers and start-ups have been building apps that let users craft college application essays and create images in the style of famous artists and celebrity designers. When the large language models produce new images after being trained on copyright-protected images, are those creations copyright violations?

"We don't know where the law is going to end up on that," Sarathy says. "It's not clear what the law says about this situation. You're going to have to think about the legal consequences. What are the different ways that AI systems can be more...transparent [and] aligned with human values?... The best-case scenario is that we humans get better in figuring out which AI tools are good and which ones are not, because they're all going to be there, and they're all being used." ■

ENRICHING MINDS, CONNECTING COMMUNITIES

Throughout the year, BU Law held many academic and social events that brought our students, faculty, and alumni together. From thought-provoking lectures and engaging symposia to lively celebrations, these events enriched minds, fostered connections, and created lasting memories, shaping a vibrant and inclusive community. We hope to connect with you soon at one of our lectures, networking events, or celebrations held at the law school or across the country.

Find upcoming BU Law events at bu.edu/law/calendar.

1. PHOTO BY ALAN GUO,
2. PHOTO BY MICHAEL SPENCER,
3. PHOTO BY JOHN GILLOOLY,
4. PHOTO COURTESY OF JACK BEERMANN

1

LLM students joined the Graduate & International Programs Office for ice skating at Agganis Arena.

2

Alumni celebrated their reunions and reconnected with friends and former professors at Alumni Weekend in September.

3

Dean Onwuachi-Willig with Philip S. Beck Professor Jack Beermann (left) and Austin B. Fletcher Professor Kevin Outterson after the Alumni Weekend Investiture Ceremony.

4

Professor Jack Beermann brought students from his Supreme Court decision-making seminar to Washington, D.C., in April to view oral arguments at the high court itself.

CLASS NOTES

If you would like to submit an update for ***The Record***, please visit **BU.EDU/LAW/CLASS-NOTES.**

1960s

PAUL R. ROSEN (LLB'65), chairman of the Philadelphia-based law firm Spector Gadon Rosen Vinci PC, was selected as a 2023 Pennsylvania Super Lawyer. This marks yet another consecutive year in which Rosen has received this honor.

1970s

MICHAEL D. CUTLER (JD'73) was honored with the Al Horn Award by the legal committee of the National Organization for the Reform of Marijuana Laws for a career of advancing the cause of justice and supporting prohibition repeal locally and nationally.

DONALD P. EDWARDS (JD'73), founding partner of the Law Office of Don Edwards LLC in Atlanta, Georgia, received a Lifetime Achievement Award from the BU Law chapter of the Black Law Students Association during its 53rd Annual Gala, held in April. Edwards is celebrating 50 years of practice in the area of personal injury on behalf of plaintiffs and defendants.

STEPHEN M. POLITI (JD'73, LLM'74) retired after 45 years as adjunct professor of state and local taxation at Bentley University. He continues to represent individuals, estates, and businesses, including multistate and multinational corporations, with respect to all aspects of federal, state, and local taxation, at the Politi Law Group.

JUDITH NELSON DILDAY (JD'74) has been married to fellow BU Law graduate **JAMES S. DILDAY (JD'72)** for 50 years. She is currently employed as a freelance actor.

HARVEY KAPLAN (JD'74) is helping with a petition to *rehear en banc* in *Prado v. Garland*, an immigration case before the First Circuit Court of Appeals. He is working with New England School of Law Faculty Fellow Jason Giannetti.

MARC MORGENSTERN (JD'75) published *The Soul of the Deal: Creative Frameworks for Buying, Selling, and Investing in Any Business* (Rodin Books, 2022). Thesis? He learned how to close hundreds of deals by selling encyclopedias door-to-door and following the Grateful Dead. He also serves as the mentor-at-large for the House Fund, UC Berkeley's $150 million venture fund.

SEAN COFFEY (JD'76), a partner at Burns & Levinson, was named among the 2023 Lawdragon Green 500: Leaders in Environmental Law.

ERIC P. ROTHENBERG (JD'76) was recognized by Massachusetts Super Lawyers 2023. He has been selected every single year since the award's creation. Only 264 of the 42,635 attorneys registered with the Massachusetts State Bar have been selected to Super Lawyers for all 20 years. Less than one percent of all the attorneys in Massachusetts have accomplished this feat.

CHERYL COON (JD'77) received the Oregon State Bar's 2020 Award of Merit—the highest honor that the bar can bestow—given to an Oregon lawyer who has made outstanding contributions to the bench, bar, and community at large, and who exhibits the highest standards of professionalism.

NANCY S. SHILEPSKY (JD'78) was appointed employee chair of the ABA Labor and Employment Law Section's Outreach to International Lawyers Committee.

RICHARD GODFREY (JD'79) joined Quinn Emanuel to lead its Complex Multidistrict Litigation Practice.

1980s

DANIEL M. KIMMEL (JD'80) published his 10th book, which combines two of his fields—film criticism and humor—for the first time. *Can Your Heart Stand the Shocking Facts?* (Fantastic Books, 2023) is a parody analysis of *Plan 9 from Outer Space*, a 1959 sci-fi/horror film deemed one of the worst movies ever made. While at BU, he wrote the humor column for *Comment*, the law school student newspaper.

NEAL WOLKOFF (JD'80) joined the board of directors of Abaxx Clearing.

JAMES HOLTON (JD'81, LLM'82) has been appointed to the Southwest Florida Water Management District.

FRANCES BERMANZOHN (JD'82) joined the Hertz Global Holdings board of directors.

ARTHUR HOFFMAN (JD'83) joined Rimon PC as a partner.

HON. LISA A. SOKOLOFF (JD'83) was elected in 2022 to the New York County Supreme Court, where she sits in a Guardianship Part.

ARZA FELDMAN (JD'85) was recognized as a 2023 New York Super Lawyer. She has won hundreds of trials and appeals.

DAVID ZASLAV (JD'85, HON.'23) delivered Boston University's 150th Commencement speech.

HON. PETER MCSHANE (JD'87) celebrated the five-year anniversary of his appointment to the Connecticut Superior Court.

LOUIS DIFRONZO (JD'88) was elected to the board of directors of Northeast Arc.

LOUIS HOCKMAN (JD'88) has been appointed cochair of the Alternative Dispute Resolution Committee of the Montgomery Bar Association. The association launched a mediation program for civil disputes last spring.

CHERYL SCHREIBER LEWISON (JD'88) left Hughes Hubbard & Reed in 1997 to take post-baccalaureate premedical classes. She graduated from Weill Cornell Medical College in 2002, completed a residency in emergency medicine in 2006, and now serves as associate director of the Department of Emergency Medicine at NYC Health + Hospitals/Queens.

THOMAS J. RECHEN (JD'88) received the William R. Davis President's Award from the Hartford County Bar Association. The President's Award is given out to a member who has been engaged in the practice of law for more than 10 years, who exemplifies the highest traditions of the legal profession and excellence and civility in their practice, and who has performed significant services to the community.

HOWARD WEINBERG (JD'88) was elected mayor of Aventura, Florida.

DAVID BOTTER (JD'89) joined Cleary Gottlieb as partner.

HON. PATRICK HARE (JD'89) was elected to the Los Angeles County Superior Court.

GREGORY S. MARCUS (JD'89) was named chairman of the board of directors of the Marcus Corporation.

KRISTEN THORSNESS (JD'89) joined Bond, Schoeneck & King's higher education practice.

1990s

HON. CAROL NOVEY CATUOGNO (JD'91), of the New Jersey Superior Court, was named an assignment judge for Bergen County, New Jersey.

MANAL CORWIN (JD'91) is serving as the next director of the Centre for Tax Policy and Administration at the Organisation for Economic Cooperation and Development.

JAMES MCKNIGHT (JD'91) started a new position as assistant corporation counsel for the City of Chicago, assigned to the Torts Division.

SONIA A. VELEZ (JD'91) was named the 2023 Ambassador for Health for the Yonkers Puerto Rican/Hispanic Parade.

LAURA POOLIN (JD'92) moved to Stamford, Connecticut, and started a divorce mediation practice alongside a college essay coaching business.

RICHARD ROSENZWEIG (JD'92) was named senior vice president, corporate development, general counsel, and secretary at Dentsply Sirona.

GABRIELLE CLEMENS (LLM'93) published *Marriage is About Love, Divorce is About Money*, the first in the Business of Divorce series from Plumage Press.

RENEE INOMATA (JD'93) was named to Get Konnected!'s list of Boston's 50 most influential Asian American and Pacific Islanders (AAPI). The inaugural list highlights AAPI leaders who are contributing to the economic, civic, cultural, and social fabric of Boston and the Commonwealth. Inomata was also recognized as a 2023 Thomson Reuters Stand-Out Lawyer.

THEO SEDLMAYR (JD'93) was included in the *Hollywood Reporter*'s list of Top Music Attorneys of 2023.

JANE STEINMETZ (JD'93, LLM'01) received a "Leading Women" award from the Girl Scouts of Eastern Massachusetts.

BRIAN STOLAR (JD'93) joined Harris Beach as senior counsel.

KIMBERLY BORDEN (JD'94) was recognized among the Best Personal Injury Lawyers in Philadelphia by *Forbes Advisor*.

REBECCA TEPPER (JD'94) was named secretary of energy and environmental affairs by Massachusetts Governor Maura Healey.

DAVID NERSESSIAN (JD'95) was promoted to full professor of law and ethics at Babson College.

JOHN H. SUTTER (JD'95) was elected a partner at Pugsley Wood LLP.

ELIZABETH FROHLICH (JD'96) joined Locke Lord's litigation group as a partner.

JESSE LYNN (JD'96), general counsel of Icahn Enterprises, was appointed to the board of directors of Crown Holdings.

JUDY (MLINAR) SEEBERGER (JD'96) has been elected to the Minnesota State Senate. She was appointed vice chair of the Commerce and Consumer Protection Committee and will serve on the Judiciary and Public Safety Committee and the Agriculture, Broadband, and Rural Development Committee.

NAMITA TRIPATHI SHAH (JD'96) was elected to serve on Day Pitney's executive board.

STACEY FREEMAN (JD'97) published *I Bought My Husband's Mistress Lingerie* (Unsolicited Press, 2022), a memoir in essays.

DAVID G. MARTIN (LLM'97) was named to the *Business North Carolina Magazine* 2023 Legal Elite List.

Class notes reflect submissions received between December 1, 2022, and May 31, 2023.

ANGELA CURRY (JD'98) was appointed to the corporate board of directors of German American Bank.

ILAN HEIMANSON (JD'98) was recognized among the Best Truck Accident Lawyers in Los Angeles by *Forbes Advisor*.

GREGORY ISKANDER (JD'98) was elected to Littler's 2023 board of directors.

MARK E. SCHAMEL (JD'98) joined Venable LLP as a partner in the Washington, D.C., office.

AMANDA MASSELAM STRACHAN (JD'98), assistant US attorney, was selected by the National Association of Former United States Attorneys as the recipient of its 2023 J. Michael Bradford Memorial Award for Most Outstanding Assistant United States Attorney.

RANAN WELL (JD'98) joined Goodwin Procter as a partner.

CRAIG CIRCOSTA (JD'99) was named among the 25 Notable Attorneys of Pennsylvania for 2023 by Attorney Intel.

LISA KRESGE (JD'99) was named equity partner at Brennan, Recupero, Cascione, Scungio and McAllister. She has been with the firm for more than 11 years, and formerly served as of counsel.

TERRI A. PAWELSKI (JD'99) joined Saxton & Stump as an equity shareholder and became part of the Investigations and Criminal Defense Group in the Philadelphia office.

THIADORA PINA (JD'99) joined Santa Clara University School of Law as senior diversity officer.

GUILLERMO VALLS ESPONDA (LLM'99) was elected as the new president of the Federal Court of Administrative Justice of Mexico.

2000s

JAMES KEROUAC (JD'01), a shareholder with Bernstein, Shur, Sawyer & Nelson, joined the New Hampshire Community Loan Fund board of directors.

ANDREW ROSS (LLM'01) joined Cona Elder Law as counsel.

ALLISON (GOLDSTEIN) SILVERSTEIN (JD'01) was elected by her fellow board members to serve as president of the Montclair Board of Education for 2023. She is also beginning her 15th year working as a house counsel attorney for Progressive Insurance Companies.

DARCY WHITE (JD'01) was named to Attorney Intel's 25 Notable Attorneys of Georgia for 2023.

DAN NIEDZWIECKI (JD'02) was promoted to chief administrative officer of Lantheus Holdings.

SARA A. WELLS (JD'02, LLM'05) was selected by the Boston Estate Planning Council to receive its highest honor, the BEPC Excellence Award. This award recognizes professional excellence in the area of estate planning and significant contributions to the community. Wells is active in *pro bono* matters, including creating trusts for abused children and a death row exoneree.

SPENCER CORDELL (JD'04) has been elected president of the Lee County Bar Association in Fort Myers, Florida, for 2023. He practices criminal defense in southwest Florida at the Law Office of Spencer Cordell. In addition to his local activities, he is on the statewide board of directors for the Florida Association of Criminal Defense Lawyers.

ZOE DAVIDSON (JD'04) was named executive vice president and general counsel of OHLA USA, a global construction company.

MERRI MOKEN (JD'04) has joined Brown Rudnick's New York office as a partner in the intellectual property litigation practice. Moken advises clients on patent matters, including infringement, invalidity, and unenforceability, as well as contract-related matters. She has practiced before state, federal district, and appellate courts, and the International Trade Commission.

JEFF SCHENK (JD'04), former assistant US attorney and chief of the San Jose Branch of the US Attorney's Office for the Northern District of California, joined Jones Day as a partner in the investigations & white collar defense practice.

KRIETTA BOWENS JONES (JD'05) has been named among the 2023 "In House Leaders in the Law" by *Massachusetts Lawyers Weekly*.

KELLY AYLWARD (LLM'06) has joined the Boston office of Goulston & Storrs as a director in the firm's private client & trust group.

JON BAROOSHIAN (LLM'06) was named a partner at Saul Ewing LLP.

PETER HALE (JD'08) has joined the Portland, Maine, office of Pierce Atwood as an employment law partner.

BONNIE HEIPLE (JD'08) was appointed commissioner of the Massachusetts Department of Environmental Protection by Massachusetts Governor Maura Healey.

JAMES M. SMEDLEY (JD'08) joined McCarter & English as a partner.

LAURA LARIU (JD'09) joined Orrick Herrington & Sutcliffe as a partner.

2010s

DANIEL H. PARK (JD'10) has been promoted to shareholder at Berman Fink Van Horn.

CLAIRE ROSA (JD'10) was named among the 2022 Top 25 Attorneys from Massachusetts by Attorney Intel.

SAMANTHA ROTHAUS (JD'10) was elevated to partner in the advertising and marketing law practice at Davis+Gilbert LLP. She was named to the Best Lawyers "Ones to Watch" list in the category of intellectual property law from 2021 to 2023 and was named a New York Metro Super Lawyers "Rising Star" in Media and Advertising from 2016 to 2022.

KEVIN MYHRE (JD'11) joined Barley Snyder as a partner.

ERIC THOMPSON (JD'11) published *Ulysses Translated for the Armchair Reader*, which contains more than 500 translations to aid readers of James Joyce's notoriously difficult novel.

WILLIAM BECKER (JD'12) has been named counsel at Arnold & Porter.

ALEX P. GARENS (JD'12) was named head of Day Pitney's trademark, copyright, and advertising group.

DAVID LINHART (JD'12) was promoted to director at Goulston & Storrs and named a Leadership Council on Legal Diversity Fellow for 2023.

CASEY MILIANTA (JD'12) has been promoted to director at Goulston & Storrs.

ADAM C. PONTE (JD'12) was named chair of the civil litigation department and member of the management committee at Fletcher Tilton PC.

MARIA (ANGIE) DORNEY (LLM'13) celebrated one year as an associate attorney with Centurion Legal Group, owned by a fellow BU LLM student. She represents immigrants in removal and nonremoval proceedings.

STEPHANIE MILLS-GALLAN (JD'13), an attorney in the Milwaukee office of Littler, has been elevated to shareholder.

BHAAVYA ROY (LLM'13) was named among the "Top 50 Remarkable Women in India" by *Diva Planet* magazine for her work as a criminal attorney. Roy was also imprisoned last year for protesting sexual harassment.

BRETT WALDRON (JD'13) was elected partner at Montgomery McCracken Walker & Rhoads.

BRIAN GOODRICH (JD'14) was promoted to partner at Holland & Knight LLP. He is a member of the firm's consumer protection team and regularly advocates for and defends clients under investigation by federal and state regulators. Goodrich lives with his husband, Andrew, in Dallas, Texas.

ORLA THOMPSON (JD'14), a litigation attorney in the Perkins Coie New York office, was promoted to counsel. She handles product liability, mass torts, and commercial dispute claims.

SAMANTHA MAURER (JD'15) moved to Washington, D.C., and started as an attorney-advisor in the Division of Investigations, Office of Enforcement, at the Federal Energy Regulatory Commission.

JESSICA CAAMANO (JD'16), a real estate lawyer at Goulston & Storrs in Boston, was selected for the Women's Bar Association's (WBA) 2023 Women's Leadership Initiative, which recognizes and supports women who are rising stars in the legal profession. Caamano was among 21 "talented lawyers" chosen for the WBA's prestigious yearlong leadership training program. She has been an active member of the WBA for over five years and currently serves on its board of directors.

KAILEIGH CALLENDER (JD'16) was selected for the Leadership Council on Legal Diversity 2023 Pathfinder program, which trains high-performing, early-career attorneys on foundational leadership and relationship-building skills. She is an associate in the litigation group at Goulston & Storrs, where she focuses her practice on employment litigation and business and commercial disputes. She serves on the board of directors of Boston Youth Sanctuary.

DAVID GRIFFIN (JD'16) completed his PhD in forensic linguistics at Cardiff University in the United Kingdom. His PhD thesis, "Lexomancy: Law and Magic in the Pseudolegal Writings of the Sovereign Citizen Movement," examined the nature of legal language and how so-called "Sovereign Citizens" and members of similar conspiracy movements co-opt elements of that language to make their own pseudolegal theories appear more authoritative.

ANDREW MERLINE (LLM'16) was named a shareholder at Merline & Meacham.

JOEL ANTWI (JD'17, LLM'17) was selected for the Leadership Council on Legal Diversity 2023 Pathfinder program, which trains high-performing, early-career attorneys on foundational leadership and relationship-building skills. Antwi is an associate in the litigation group at Goulston & Storrs, where he focuses his practice on disputes involving intellectual property, employment, real estate, and professional liability. He represents individuals, owners, trustees, and other fiduciaries, as well as a broad range of corporate entities.

JACLYN REINHART (JD'17) was elected to the board of directors for Lawyers Club of San Diego and has been awarded Lawyers Club's C. Hugh Friedman New Lawyer Award.

ALY FRANCINI (JD'18) joined Thermo Fisher Scientific Inc. as M&A and transactions counsel.

AARON WIENER (JD'18) started a new position as a deputy city attorney at the San Francisco City Attorney's Office.

LINA FERNANDEZ (LLM'19) joined the Boston office of Ogletree Deakins as an associate. Fernandez is an experienced transactional and litigation attorney, licensed to practice law in Massachusetts and Colombia. She is a member of the firm's cross-border practice group.

MENGLONG ZHU (LLM'19) joined Jun Wang & Associates in New York as an associate.

Class notes reflect submissions received between December 1, 2022, and May 31, 2023.

If you would like to submit an update for ***The Record***, please visit **BU.EDU/LAW/CLASS-NOTES**.

2020s

ELISABETH FINN (JD'20) joined Fletcher Tilton PC as a litigation associate based in the firm's Boston and Worcester offices. Her practice focuses on complex civil litigation, representing both businesses and individuals in a variety of legal matters including shareholder disputes, construction disputes, personal injury, premises liability, employment litigation, and general business litigation.

MADISON KELLER (JD'20) joined Fisher Phillips in Boston.

REBECCA KREHBIEL (LLM'21) was promoted to member at Jackson Kelly PLLC.

CHRISTINA FULEIHAN (JD'22) won the Food & Drug Law Institute's annual H. Thomas Austern Writing Competition.

CRISTINA MORENO (JD'22) received a Skadden fellowship to work with the Asylum Seeker Advocacy Project in Washington, D.C.

IN MEMORIAM

George W. Adams (JD'75)
Saul L. Agel (LLB'57)
Martin J. Albert (JD'69)
Lincoln C. Almond (LLB'61)
Thomas P. Argentieri (JD'73)
Jean N. Arlander (LLB'49)
Christopher A. Barreca (LLB'53)
Burton F. Berg (LLB'54)
Jon S. Berk (JD'75)
Ross K. Clay (JD'97)
George M. Criss (LLB'49)
Craig C. Donsanto (JD'69)
John P. Ely (JD'76)
LeRoy E. Euvrard (JD'73)
David W. Faunce (LLM'74)
Anthony M. Feeherry (JD'74)
Henrietta D. Feldman (JD'99)
Jay L. Fialkow (LLB'51)
Scott A. Fox (JD'94)
Harold J. Friedman (LLB'68)
Peter T. Gahagan (JD'71)
Robert A. Gentile (LLB'55)
Robert K. Gordon (JD'75)
Sanford H. Gorodetsky (LLB'53)
Carolyn R. Hartford (JD'79)
Bruce E. Hodge (JD'79)
Joseph P. Kaplan (JD'75)
Betty C. Kaufman (JD'71)
Francis A. Keenan (LLB'64)
Lawrence A. Kellem (LLB'54)
Martin S. Kera (JD'71)
Edward Krasnow (JD'63)
W. J. LaFlamme (LLB'58)
Brian J. Levine (JD'87)
John S. Mandeville (JD'73)
Frank D. Marden (LLB'58)
Wesley J. Marshall (JD'69)
John R. McClintock (LLM'62)
James L. Morse (LLB'69)
Paul E. Nemser (JD'79)
Zalman D. Newman (LLB'53)
Roy A. Noble (LLB'65)
Ferdinand S. Pacione (LLM'74)
Joseph J. Parrilla (LLB'63)
Christopher S. Pitt (JD'77)
Emanuel N. Psarakis (LLB'59)
William H. Quinn (LLB'66)
Gordon P. Ramsey (LLB'64)
Andrew R. Randall (JD'72)
Susan W. Russell (JD'70)
Henry G. Salamy (LLB'60, LLM'61)
Edward A. Shapiro (LLB'65, LLM'66)
Robert L. Simon (LLB'66)
Edward S. Snyder (LLB'65)
Martin E. Stackhouse (LLB'68)
George A. Stella (LLB'65)
Steven A. Sussman (JD'71)
Robert Taft (LLB'58)
James B. Tiffin (LLB'57)
Robert W. Upton (LLB'68)
Albert B. Watt (LLB'51)
Edward E. White (JD'73)
Donald D. Williston (LLM'76)
Donald F. Zezima (LLB'53)

This list reflects community members who passed between December 1, 2022, and May 31, 2023.

FROM THE ARCHIVES

FROM DOS TO AI

Computing has come a long way since this photo was taken in 1993. In the DOS days, we'd type commands like "cd C:" and hope for the best, praying that we wouldn't accidentally delete our entire existence. But now, with AI, it's like having a supersmart, all-knowing friend who can predict our needs before we even realize we have them.

It's a journey from shouting "Ctrl+Alt+Del" in frustration to having a voice assistant that understands our every whisper. What a wild ride, from floppy disks to the cloud and beyond!

Of course, AI comes with its own gains and losses, but one advantage is the automation of simple tasks. Case in point—the paragraphs above were written by ChatGPT!*

***Although edited by humans.**

PHOTO BY BOSTON UNIVERSITY PHOTOGRAPHY

WHEN WOMEN SUPPORT LAW

So much of what BU Law offers its students—from classroom and experiential opportunities to financial aid and advising—is made possible by the work and generosity of alumnae. To inspire others, an anonymous alumna established the **Women's Leadership Giving Fund**, which honors BU Law's history of empowering women, celebrates the achievements of our alumnae, and supports current students who will continue the school's legacy of excellence.

We encourage you to invest in this alumnae community in whatever way is meaningful to you—whether that means mentoring a student, giving a talk at the school, supporting the Women's Leadership Giving Fund, or hosting a networking event or informal meet-up of students and alumnae.

To learn how you can have an impact and get involved, contact the Development & Alumni Relations Office at **lawalum@bu.edu** or 617-353-3118.

PHOTO BY NICKY THIBAULT

keep in touch.

FOLLOW US

@BostonUniversitySchoolofLaw

@BU_Law

Boston University School of Law

bostonuniversityschooloflaw

Learn the many ways to stay connected with BU Law and its alumni at **bu.edu/law/stay-connected**.

Email **lawalum@bu.edu** to receive *The Record Monthly*, our newsletter for alumni.

To submit a class note, please visit **bu.edu/law/class-notes**.

LIFELONG BONDS, SHARED WISDOM, AND A NETWORK THAT STANDS THE TEST OF TIME. WHETHER YOU GRADUATED 5 YEARS AGO OR 50, THE BU LAW ALUMNI COMMUNITY IS HERE FOR YOU.

BOSTON UNIVERSITY

Boston University School of Law

765 Commonwealth Avenue
Boston, Massachusetts 02215

Nonprofit Org.
US Postage
PAID
Boston MA
Permit No. 1839

"AS GRADUATES OF BOSTON UNIVERSITY LAW SCHOOL, YOU ARE WELL EQUIPPED TO GO OUT INTO THE COMMUNITY IN WHATEVER CAPACITY YOU CHOOSE AND TO MAKE MOMENTOUS CONTRIBUTIONS."

— US SUPREME COURT ASSOCIATE JUSTICE KETANJI BROWN JACKSON (HON.'23)

PAGE 4