

# The Arthur Garfield Hays Civil Liberties Program

2022-23  
Annual Report





# Message from the Directors

## We are honored to present this Annual Report of the Arthur Garfield Hays Civil Liberties Program at New York University School of Law.

Supreme Court Justice William J. Brennan Jr. called the Hays Program “the most effective and important center in the country for the training of law students for public service on behalf of individual rights.”

We continue to strive to meet that standard. As always, the Program’s significance is best reflected by its extraordinary students. As Hays Fellows, they intern each semester of their 3L year at a nonprofit organization, working side by side with dedicated advocates and community activists who mentor, nurture, and encourage the Fellows’ work. We are deeply appreciative of this broad-ranging group of allies.

In addition to their field work, Hays Fellows also meet in seminar and over dinner to discuss important questions of professional role and ethics, and they often are joined by former Fellows or distinguished practitioners. This year, although COVID-19 continued to raise concerns, we were happy to move from remote Zoom sessions and back into in-person meetings.

As detailed in this report, this year’s Fellows engaged with some of the most pressing issues of the day, including mass incarceration, policing practices, surveillance, family integrity, and censorship. Their work proceeded against a backdrop of extraordinary challenges to American democracy, as the country faces massive assaults on core principles of racial and gender equality, speech rights, and personal autonomy. The 2022 US Supreme Court term ended with the Court’s elimination of the abortion right; the 2023 term ended with the Court’s curtailment of affirmative action programs in higher education.

Knowing the challenges ahead, the Hays Program remains steadfast in its fundamental mission: training a new generation of civil rights and civil liberties lawyers who will be undeterred in their commitment to equality and liberty, recognizing, as Frederick Douglass emphasized a century ago, that “if there is no struggle there is no progress.”

Finally, we take this opportunity to announce that Deborah Archer will be stepping back as a director of the Hays Program to assume new responsibilities as associate dean for experiential education and clinical programs and director of clinical and advocacy programs. The Hays Program would feel bereft were we not confident that the Law School will be stronger for Deborah’s leadership and that our collaboration will resume at some future point.

### Co-Directors, Arthur Garfield Hays Civil Liberties Program



*Deborah N. Archer*

**Deborah N. Archer**  
Associate Dean for  
Experiential Edu-  
cation and Clinical  
Programs; Professor of  
Clinical Law



*Helen Hershkoff*

**Helen Hershkoff**  
Herbert M. and  
Svetlana Wachtell  
Professor of Constitu-  
tional Law and Civil  
Liberties



*Sylvia A. Law*

**Sylvia A. Law**  
Elizabeth K. Dollard  
Professor of Law,  
Medicine, and  
Psychiatry Emerita



Since its founding in 1958, the Hays Program has provided a **unique** and **dynamic** pedagogic space for students **committed** to using law to enhance and protect **civil liberties and civil rights**. With almost 400 graduates of the Program, Hays Fellows can be found in the trenches and in **leadership** positions **defending and promoting equality and liberty** throughout the United States.

# More Than Six Decades of Educating Civil Rights and Civil Liberties Advocates

The Arthur Garfield Hays Civil Liberties Program at New York University School of Law was started with a memorial fund in honor of Arthur Garfield Hays, a leading New York lawyer who was a founder and for many years general counsel of the American Civil Liberties Union (ACLU).

Each spring, a small group of second-year law students is selected, on the basis of their commitment to civil liberties and civil rights and their legal ability, to be Arthur Garfield Hays Fellows in their third year of law school. For their work in the Program, the Fellows receive academic credit and a stipend. Each Fellow works at a different organization each semester, focusing on one or more projects under the supervision of a practicing lawyer. Periodically the Hays Directors and Fellows meet in seminar format to discuss ongoing or completed projects.

Organizations that have sponsored Fellows include the ACLU, the Center for Constitutional Rights, the Center for Reproductive Rights, Children's Rights, Compassion and Choices, Lambda Legal Defense Fund, the Lawyers Committee for Human Rights, The Legal Aid Society, Legal Momentum, Make the Road New York, the NAACP Legal Defense Fund, the New York Civil Liberties Union, New York Lawyers for the Public Interest, the Sylvia Rivera Law Project, and the Urban Justice Center, as well as public defender offices, legal services organizations, civil liberties- and civil rights-oriented law firms, and labor organizations. It is a special joy when a current Fellow works alongside a former Fellow or at an organization founded by a former Fellow—which include the New Economy Project, founded by Sarah Ludwig '92 (Hays Fellow 1991–92), and Pregnancy Justice (originally National Advocates for Pregnant Women), founded by Lynn Paltrow '83 (Hays Fellow 1982).



*Former Hays Fellows who were in academia as of 1993*

This year we welcomed new sponsoring organizations into the Hays family: **Rights Behind Bars**, a nonprofit legal advocacy organization that works with incarcerated people to challenge cruel and inhumane conditions of confinement; **Communities Resist**, a legal services nonprofit organization that fights to protect low-income tenants from displacement and gentrification; and **National Labor Relations Board (Region 29)**, an independent federal agency that enforces the National Labor Relations Act and seeks to prevent and remedy unfair labor practices.

A large majority of former Fellows continue to work in the public interest field: as private lawyers doing pro bono work, as civil liberties and civil rights lawyers, in legal services organizations, in government civil rights offices, and in legal education. Some have founded nonprofit organizations dedicated to civil liberties and civil rights. Increasingly, former Fellows are seeking elected positions and judgeships. The Hays Program is proud to launch these new generations of civil rights and civil liberties advocates.

# Celebration of Martin Guggenheim

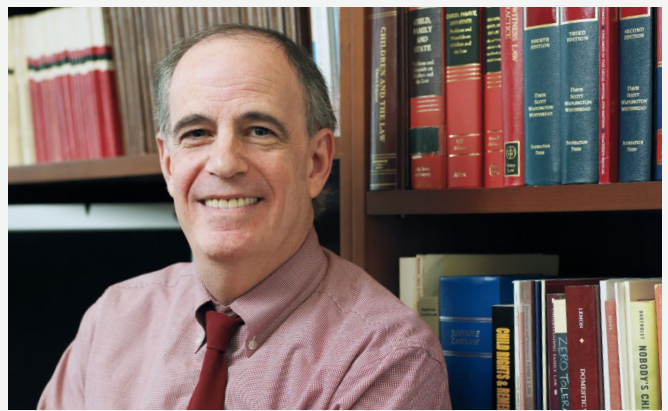
Martin Guggenheim '71 needs no introduction to the Hays family. In his scholarship and practice, activism and friendship, he has touched the lives of thousands of students and families—and transformed the field of civil liberties by establishing family defense as solidly within its core.

In Fall 2022, Marty retired from the Law School as the Fiorello LaGuardia Professor of Clinical Law, the first clinician to be awarded a chair at NYU Law. In Fall 2023, the Hays Program welcomes him back as an acting director, a role he has magnificently and generously played numerous times during his 49 years of teaching.

Marty graduated from NYU Law, where he was a Hays Fellow 1970–71. His groundbreaking career began as an attorney with the Juvenile Rights Division of The Legal Aid Society in New York City. Later in the 1970s, he moved to the ACLU's Juvenile Rights Project, where he litigated many cases in state and federal court. During these early years, Marty also taught as a clinical instructor in law at NYU Law.

Over time, Marty found his true passion creating a field that did not even have a name when he began: family defense. In 1990, after teaching the Juvenile Defender Clinic at NYU Law for 15 years, Marty started the Family Defense Clinic, the first clinic in the country that trained future lawyers to represent parents at risk of losing their children to the state's custody.

Through his work in the clinic, Marty transformed the practice of law, introducing modes of interdisciplinary legal defense by which lawyers, social workers, and parent advocates work closely with parents in and out of court, with the goal of ensuring that children are able to remain in their family's care.



*Clockwise from top: Martin Guggenheim '71; moderating a round-table on children's rights in 2006; speaking at the Annual Survey of American Law dedication to Marian Wright Edelman in 2019*

Marty's vision extended beyond the Law School, and he worked tirelessly to persuade New York City to fund interdisciplinary law offices in place of the solo practitioner model that at the time was the only kind of representation available anywhere in the country. A seismic shift occurred in 2007, when New York City agreed to the change, and today the vast majority of parents in New York City are represented by one of the four interdisciplinary offices in the city. In 2018, a major study compared the outcome of cases handled

by these offices with cases handled by the remaining solo practitioners. “That study,” Marty has explained, “showed that for decades the families impacted by the family regulation system were broken up for no better reason than that the city refused to give parents the right kind of lawyers.” Moreover, the report found that the interdisciplinary model saved the City \$50 million each year by avoiding the costs of needless foster care. In 2020, the federal government identified interdisciplinary representation as a best practice and now offers states financial incentives to create these types of offices.

New York City today has no fewer than five family defense clinics, a remarkable turnaround from the time when there was no such clinic anywhere in the United States. From Marty’s perspective, his greatest achievement has been to have finally reached the point where civil libertarians recognize family defense as solidly within their field of concern, something that simply was not true for most of his career.

Marty also has been a tremendous teacher, a warm-hearted mentor, a superb advocate, and an influential scholar. He argued three cases in the US Supreme Court, including *Santosky v. Kramer* (1982), in which the Court declared unconstitutional New York’s termination of parental rights statute because it authorized termination on a mere preponderance of the evidence, holding that the constitutional minimum standard is that of clear and convincing evidence. He is the author of six books, including *What’s Wrong with Children’s Rights* (Harvard 2005), regarded as provocative, compelling, and required reading for anyone interested in parents, children, and family integrity. As an internationally recognized expert on family defense, Marty has served as a consultant to the American Bar Association/Institute of Judicial Administration Juvenile Justice Standards Project and on the Board of Advisors to the Edna McConnell Clark Foundation. The Association of the Bar of the City of New York marked his retirement from NYU Law with a major event attended by hundreds of advocates, former students, and friends.

It is our good fortune that Marty will step out of retirement in Fall 2023 and mentor a new generation of civil liberties and civil rights advocates. Thank you, Marty!

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# Spotlight on Lynn Paltrow

The Hays Program honors Lynn Paltrow '83 (Hays Fellow 1982), who stepped down in May 2023 as executive director of Pregnancy Justice, the organization she started in 2001 (originally called National Advocates for Pregnant Women).

Looking back, Lynn notes that she entered the Law School as a dedicated feminist but attributes her specific interest in reproductive rights to reading *Roe v. Wade* as a student in her Constitutional Law class, taught by David Richards, Edwin D. Webb Professor of Law. She had heard that another professor, Sylvia Law, now Elizabeth K. Dollard Professor of Law, Medicine, and Psychiatry Emerita, was actively involved in abortion rights litigation. “I screwed up my courage and went to Sylvia’s office to ask if she could suggest a summer internship where I could get experience,” Lynn recalls. “It was the beginning of a great friendship and professional relationship—and my lifelong commitment to what women of color leaders would name reproductive justice.”

Lynn spent that summer at the ACLU’s Reproductive Freedom Project, where Sylvia was on the advisory board. Lynn’s first assignment was to investigate the extra-record social science research submitted in *Roe v. Wade*. She then flew out to Ohio to help put together the Supreme Court appendix in *Akron v. Akron Center For Reproductive Health*. “I had the chance to learn from extremely brilliant and dedicated lawyers, including Janet Benshoof, Suzanne Lynn, and Nan Hunter,” Lynn says. After graduation, she accepted a temporary, special staff attorney position at the ACLU to help develop a challenge to the Adolescent Family Life Act (known as the “Chastity Act”).

A year later, in 1984, Lynn was awarded a Georgetown Women’s Law and Public Policy Fellowship. She asked to be placed at a reproductive rights organization—the first Fellow to do so—and she moved to Washington, DC, to work at the National Abortion Rights Action League (NARAL). Emboldened by her experiences at the ACLU, Lynn came up with the novel idea of writing a “women’s voices” amicus brief in *Thornburgh v. American College of Obstetricians and*



*Gynecologists*, drawn from the thousands of letters NARAL had collected as part of its “Abortion Rights: Silent No More” campaign. The idea of bringing women’s voices into the courthouse was so unusual that both the *New York Times* and the *Washington Post* ran stories about the amicus brief. The brief has since been the subject of law review articles and become a model for centering women’s actual, lived experiences in amicus briefs filed in numerous, subsequent Supreme Court abortion cases.

Lynn returned in 1986 to the ACLU as a full-time staff attorney. Six years later, she helped to start the Center for Reproductive Rights. At both organizations, Lynn became the expert on anti-abortion arguments, especially those invoking fetal rights and that were also being used to penalize women who weren’t seeking to end their pregnancies. Among other cases, Lynn brought the appeal in *In re A.C.* in which



a judge, believing he had an obligation to save fetal life, ordered cesarean surgery on a critically ill pregnant patient, knowing it could kill her. Neither she nor the baby survived. The appeal was the first to hold that patients do not lose their right to medical decision making or to due process because of pregnancy.

During the 1980s, the Reagan White House expanded the so-called War on Drugs, and Lynn became the first to document a growing trend: the arrests of pregnant, drug-using women as a wedge to establish recognition of fetal rights, to attack abortion rights, and to reinforce racist policies targeting Black mothers. And then she filed the first affirmative federal civil rights challenge to tackle the problem, suing a hospital to stop its policy of searching pregnant women for evidence of drug use—almost all the targeted patients were low-income Black mothers—and turning that information over to the police. In 2001, the Supreme Court, voting 6-3, held in *Ferguson v. City of Charleston* that the policy violated pregnant patients' Fourth Amendment rights against unreasonable searches and seizures.

Her work convinced Lynn of the need to shift the reproductive rights paradigm from what she saw as a divisive and inaccurate “pro-choice” and “anti-choice” categorization, and toward a set of inclusive, positive reproductive and family justice values that could mobilize a broad and diverse base of allies. With that vision in mind, Lynn founded the National Advocates for Pregnant Women, now called Pregnancy Justice.

Under Lynn's leadership, Pregnancy Justice has won numerous challenges to criminal and punitive family separation actions based on pregnancy and carried out several ground-breaking, movement-building conferences. These included a two-part program in 2009–10 on *Drugs, Pregnancy and Parenting: What the Experts in Medicine, Social Work and the Law Have to Say*. Lynn is quick to acknowledge the generous support that Marty Guggenheim '71, now Fiorello LaGuardia Professor of Clinical Law Emeritus, gave to the program, which convened more than 400 parents and criminal defense lawyers, social workers, child welfare workers, and judges, and spurred new and significant challenges to state action based on pregnancy and medical misinformation about drugs.

*“The Supreme Court is not the last word on the freedom of people who get pregnant. Overturning Roe v. Wade will not last, because the Court cannot deprive that many people of their humanity, their dignity, and their fundamental rights—and survive.”*

**Lynn M. Paltrow in “When Pregnancy Is the Crime: An exit interview with Lynn Paltrow,”**  
**Irin Carmon, *New York Magazine***  
**(June 6, 2023)**

Over the years, Lynn has published many articles, sat for many interviews, and managed the day-to-day operation of a major nonprofit organization. But she also has found time to be extraordinarily generous in supporting students, colleagues, clients, and people in need of advice and support. Lynn has an enormous heart and is quick to tell you that she is a Gemini and the mother of twins.

After more than 21 years, Lynn has stepped down from Pregnancy Justice—she welcomes its new head, Lourdes Rivera—but she is not stepping away from the struggle for reproductive justice. She plans to spend time writing what she calls her “alleged book,” a memoir about her work and why we can be sure that *Dobbs* will not be the last word on the right to abortion or the status of women and all those who have the capacity for pregnancy.

The Hays Program is thrilled that Lynn's plans include meeting in Fall 2023 with the new crop of Fellows, joined by her mentors, Sylvia and Marty. Thank you, Lynn.

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On May 31, Pregnancy Justice honored Lynn with an extraordinary celebration of her work. You can watch portions of the event [here](#) and [here](#).

# Guest Speakers and Celebrations

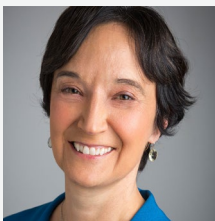
The Hays Program creates opportunities for Fellows to engage with distinguished practitioners and former Fellows during seminar and over informal dinners. This year, the Program was fortunate to host five speakers who discussed their personal journeys and professional trajectories:



## David D. Cole

David Cole is legal director of the American Civil Liberties Union (ACLU), where he manages 100 staff attorneys in the ACLU's New York office, oversees its Supreme Court

docket, and directs a national program that includes about 1,400 state and federal lawsuits on a broad range of civil liberties issues. A graduate of Yale Law School, David is on leave from Georgetown University, where he has taught constitutional law and criminal justice since 1990 and is the Hon. George J. Mitchell Professor in Law and Public Policy. David began his legal career at the Center for Constitutional Rights after clerking for Judge Arlin Adams of the US Court of Appeals for the Third Circuit. David discussed the Supreme Court's current term and the challenges it presents to civil liberties and civil rights.



## Louise Melling

Louise Melling is the deputy legal director of the ACLU and director of its Ruth Bader Ginsburg Center for Liberty, which encompasses the ACLU's work on reproductive freedom,

women's rights, lesbian gay bisexual and transgender rights, freedom of religion and belief, and disability rights. Before assuming this role, Louise directed the ACLU's Reproductive Freedom Project, and prior to joining the ACLU, she clerked for Judge Morris Lasker of the Southern District of New York and worked for Rabinowitz, Boudin, Standard, Krinsky & Lieberman. Louise spoke to the Fellows about the ACLU's work to protect reproductive freedom in the wake of the Supreme Court's decision in *Dobbs v. Jackson Women's Health Organization*.



## Janet Sabel '84

Janet Sabel '84 is the director of the Access to Justice Initiative at NYU Law's Center on Civil Justice. She previously served as the chief executive officer/attorney in chief at The Legal

Aid Society of New York, where she began her legal career as a staff attorney, and as chief deputy at the Office of the New York State Attorney General (where she initially served as the executive deputy for social justice). Janet received her JD from NYU Law, where she was a Root-Tilden Scholar. After graduation, she was a judicial clerk to Judge Frank M. Coffin of the US Court of Appeals for the First Circuit. Across a broad-ranging discussion, Janet talked about the evolution of the criminal defense, juvenile justice, and civil legal services work at The Legal Aid Society toward greater community engagement and collaboration, the opportunities for meaningful advancements in equity and justice working as a government attorney, and how the challenges of COVID-19 have jump-started long-overdue modernization efforts in the courts, creating new opportunities for lawyers serving low-income and marginalized communities.



## Samah Sisay '18

Samah Sisay '18 (Hays Fellow 2017–18) is a staff attorney at the Center for Constitutional Rights (CCR). She began her legal career as an Equal Justice Works Fellow at African Ser-

vices Committee, where she provided representation on immigration matters to undocumented Black immigrant women, cisgender and transgender, who were impacted by gender violence. Samah was born in Liberia and immigrated to the United States with her family at a young age, experiences that motivated her to become the first person in her family to attend and graduate college and to become a lawyer. Samah, who specializes in international human rights and challenging inhumane immigration policies and abusive police practices, talked about the realities of working as a movement lawyer at a national organization such as CCR. She provided examples of conflicts and tensions that can occur between legal work and movement advocacy and answered questions about specific cases.



## Rhidaya “Rhiya” Trivedi '17

Rhidaya “Rhiya” Trivedi '17 (Hays Fellow 2016–17) is the sole associate at The Law Office of Ronald L. Kuby, where she has worked since

the summer of 2016. Rhiya trained at NYU Law’s Immigrant Rights Clinic and was selected to deliver the NYU Law Convocation address at her graduation. Rhiya’s clients include Patricia Okoumou, who climbed the Statue of Liberty on July 4, 2018, in protest of the Trump administration’s family separation policies. Rhiya discussed the joys and challenges of defending the rights of criminal defendants in the firm’s three main practice areas: wrongful convictions; post-conviction relief for non-citizens facing deportation as a result of old criminal convictions; and nonrepentant activists and long-time political prisoners who are eligible for but are repeatedly denied parole.

## Gathering Again

We were thrilled to host our annual end-of-year celebration of graduating Hays Fellows, having suspended this event during the COVID-19 pandemic. The event was held at Tivoli, a local restaurant, and was attended by the Fellows and some of their supervisors and former Fellows. The celebration provides a wonderful opportunity for informal conversation across the generations. Former Fellows who attended included Martin Guggenheim '71 (Hays Fellow 1970–71), Fiorella LaGuardia Professor of Clinical Law Emeritus; Naomi Sunshine '05 (Hays Fellow 2004–05), currently a director of the NYU Law Public Interest Law Center; Jessica L. Rofé '14 (Hays Fellow 2013–14), deputy director of the NYU Law Immigrant Rights Clinic; Sara Robinson '19 (Hays Fellow 2018–19), currently a judicial law clerk for Chief Judge Michael Chagares on the US Court of Appeals for the Third Circuit; and Lauren Michel Wilfong '21 (Hays Fellow 2020–21), a Justice Catalyst fellow at Justice Action Center working with detained people and community organizations to challenge the constitutionality of immigration detention.



# James Madison Lecture

The James Madison Lecture is the leading annual event at NYU School of Law and is administered as part of the Hays Program.

It was founded in 1959 to “enhance the appreciation of civil liberty and strengthen the sense of national purpose.” The lecturers are limited to US Supreme Court justices and judges of the Courts of Appeals.

Dean Troy A. McKenzie '00, Cecelia Goetz Professor of Law, currently administers the program in consultation with Helen Hershkoff, Herbert M. and Svetlana Wachtell Professor of Constitutional Law and Civil Liberties. Norman Dorsen, Frederick I. and Grace A. Stokes Professor of Law, administered the Madison Lectures from 1977 until his death, and Stephen Gillers '68 (Hays Field Fellow 1967–68), now Elihu Root Professor of Law Emeritus, carried out this responsibility until his retirement in September 2022.

## The Honorable David Barron

The 54th Madison Lecture was delivered by the Hon. David Barron, Chief Judge of the US Court of Appeals for the First Circuit. Judge Barron discussed how judges take account of the court of history. He explored how judicial decisions can be affected by the “court of history past”—all that happened before a present-day decision—and by the “court of history future”—how Americans are likely to view a decision made now in years to come.



*“If the forward-looking judge risks imagining a future in the judge’s own pro-progress image, the backward-looking judge risks adhering to a narrow view of the past out of the judge’s own commitment that change must be resisted.”*

**The Honorable David Barron**

# The 2022–23 Hays Fellows

## Rochelle Ballantyne

Roger Baldwin Fellowship in Civil Liberties and Human Rights



Rochelle Ballantyne graduated from Stanford University in 2017 with degrees in African and African-American studies and political science. Following two years in the corporate sector working as a paralegal, Rochelle returned to graduate school

to get her master's degree in education policy at Teachers College, Columbia University. At NYU Law, Rochelle was an AnBryce Scholar, a Fellow with the Center on Race, Inequality, and the Law, a Birnbaum Women's Leadership Fellow, co-director of the Suspension Representation Project, and a staff editor for the *NYU Review of Law and Social Change*.

During Fall 2022, Rochelle interned with the ACLU National Prison Project, where she worked on litigation, advocacy, and public education efforts to ensure that conditions of confinement are consistent with health, safety, and human dignity and that prisoners retain all rights of free persons that are not inconsistent with incarceration. Her projects included conducting in-depth research on juvenile justice, overuse of solitary confinement, and analogous Eighth Amendment issues in certain states.

During Spring 2023, Rochelle interned with the National Center for Law and Economic Justice. She assisted in cases on behalf of marginalized individuals and communities to help eliminate economic constraints that interfere with securing basic needs or mobility, and in advocacy to change private and public practices that prevent clients from participating on an equal footing within the larger communities in which they live. She primarily worked with a team of lawyers on a class action challenging the City of Buffalo's racially discriminatory traffic enforcement policies, including the use of checkpoints, license suspension, and excessive ticketing and fines, and assisted with the selection and preparation of witnesses.

Rochelle will begin her legal career as a litigation associate at Sidley Austin LLP in the firm's New York office.

## Claire Bartholomew

Harriet Pilpel/Planned Parenthood Fellowship



Claire Bartholomew graduated from Washington University in St. Louis in 2016, where she majored in English literature and psychology. Claire worked as a third-grade teacher and a development and communications coordinator at ACES (Athletes Com-

mitted to Educating Students), an education nonprofit dedicated to narrowing the academic opportunity gap. At NYU Law, Claire was a student advocate in the Reproductive Justice Clinic; a staff editor on the NYU Moot Court Board; and a board member of the NYU chapters of the Latinx Law Students Association, If/When/How: Lawyering for Reproductive Justice, and the Public Interest Law Students Association. Claire also served as a teaching assistant and a research assistant for Helen Hershkoff, Herbert M. and Svetlana Wachtell Professor of Constitutional Law and Civil Liberties.

During Fall 2022, Claire interned at the ACLU Women's Rights Project. Her project involved researching federal legislation that would exempt employers from adequate break time and spaces for employees' lactation needs and assisting with litigation tasks for a class action alleging pregnancy and lactation discrimination. She also helped edit testimony to the Connecticut State Committee to the US Commission on Civil Rights on predictive analytics tools. In Spring 2023, Claire interned at the Democracy Program of the Brennan Center for Justice. She helped write to state attorneys general urging them to include election workers in their voter confidentiality address programs and researched other election issues, including locating polling places in states that have early in-person voting, the impact of small-donor contributions on campaigns, and interactive tools to encourage citizen participation. She also created a litigation tracker of ongoing lawsuits under the Voting Rights Act involving vote dilution claims against municipal election systems.

Claire will begin her legal career as a staff attorney with Pregnancy Justice.

# The 2022–23 Hays Fellows

## Michelle Fleurantin

Palmer Weber Fellow  
in Civil Rights



Michelle graduated from Cornell University in 2017 with majors in American studies and sociology and minors in inequality studies and law and society. Prior to law school, she worked as a litigation paralegal at Cravath, Swaine & Moore LLP and

Perkins Coie LLP in New York. At NYU Law, Michelle was a Derrick Bell Scholar. She co-founded and coordinated NYU's Parole Advocacy Project with four other law students and serves as a parole advocate. She also worked as a Lawyering teaching assistant and participated in the Environmental Law Clinic, through which she worked with the Natural Resource Defense Fund on environmental justice issues. She was the diversity editor for the *Environmental Law Journal*.

During Fall 2022, Michelle interned at the New York Civil Liberties Union, where she worked on environmental justice initiatives in upstate New York. Most of her work focused on addressing environmental and restorative justice concerns pertaining to the rezoning of downtown Syracuse and the demolition of the Interstate-81 viaduct. During Spring 2023, she interned with The Legal Aid Society's Civil Law Reform Unit, working primarily on class action lawsuits concerning access to and protection of public benefits.

Michelle will begin her legal career at the NYU Law Institute for Policy Integrity as an Environmental and Energy Justice Fellow. She hopes to build a career in movement lawyering at the intersection of environmental justice, democracy, and access rights.

## Ben Healy

Robert Marshall Fellowship  
in Civil Liberties



Ben Healy grew up in Lexington, Kentucky, and graduated from Yale University with a degree in history. Following graduation, he served as a Yale-China English Teaching Fellow for two years in Xiuning County, Anhui Province, China. He

then spent two years in Nashville, Tennessee, facilitating mediations with young people who had come into contact with the juvenile justice system. At NYU Law, Ben was a student advocate in the Criminal Defense and Reentry Clinic; a research assistant to Rachel Barkow, Charles Seligson Professor of Law, and Professor Noah Rosenblum; and a teaching assistant to Professor Emma Kaufman. He served as a Notes editor on the *NYU Law Review* and volunteered with the Prison Teaching Project and the Suspension Representation Project.

During Fall 2022, Ben interned at the Office of the Appellate Defender, handling cases arising out of the Appellate Division, First Department (Manhattan and the Bronx). He primarily worked on drafting the appellate brief for a client who was sentenced as a persistent violent offender using predicate offenses that were obtained via facially defective plea waivers. He also worked on a *habeas corpus* case.

During Spring 2023, Ben interned at Rights Behind Bars, where his work supported several cases at various stages of litigation and ranged from combing through prison medical records to researching claims under the Eighth Amendment, the Americans with Disabilities Act, and the Federal Tort Claims Act. He also helped draft a request under the Freedom of Information Act, as well as demand letters to help incarcerated trans people receive the care and treatment they need. Finally, he was invited to participate in the mootings of staff attorneys as they prepared for oral arguments in circuit courts across the country.

Ben will begin his legal career as a public defender in New York City with The Legal Aid Society.



# The 2022–23 Hays Fellows

## Devin McCowan

Tom Stoddard Fellowship in the Rights of Lesbians and Gay Men



Devin McCowan was born and raised in Saint Louis, where observing the Black Lives Matter protests following the killing of Michael Brown inspired him to dedicate his career toward upending the systemic injustices in the criminal legal system and society

at large. He graduated in 2020 from Marquette University with a BA in French, economics, and gender and sexualities studies. At NYU Law, Devin served as a student advocate in the Juvenile Defender and Civil Rights Clinics; as co-chair of OUTLaw; as the Black Allied Law Students Association's public interest chair; and as the diversity and membership editor of the *NYU Law Review*.

During Fall 2022, Devin interned at the National Center for Law and Economic Justice, helping to establish community-led coalitions against racial injustice in policing practices in Oklahoma City. He worked with local activists, public defenders, and civil rights leaders to collect stories of police interactions and develop unique and progressive ways to combat discrimination in policing. He also helped New Yorkers get recompense from the New York Department of Labor for language discrimination, interviewing workers who faced delays in receiving unemployment benefits, and helped to draft a Title VI complaint to the US Department of Labor.

During Spring 2023, Devin interned at the New York Legal Assistance Group, where he worked with the LGBTQ Project, aiding dozens of individuals in civil rights cases. He listened to the stories of multiple asylum seekers and helped them file critical documents in the process toward gaining legal status, aided individuals in gathering evidence and filing discrimination lawsuits against their employers and landlords, and helped to undo past unfair convictions based on police entrapment and false testimony.

Devin will begin his legal career as a Legal Fellow with the NAACP Legal Defense Fund, working to transform the criminal legal system.

## Mac McMechan

Sylvia Law Fellowship in Economic Justice (Fall 2022)



Mac McMechan graduated from Washington University in St. Louis in 2010 with a major in educational studies and minors in Latin American studies and women, gender, and sexuality studies. After graduation, they moved to New Orleans, where

they taught middle school science before transitioning to hospitality work. At NYU Law, they were a student advocate with the Disability Allied Law Students Association and Law Students for Economic Justice.

During Fall 2022, Mac interned with Region 29 of the National Labor Relations Board. They served as a board agent investigating charges filed by workers against their unions and their employers. Mac completed affidavits with the charging parties, solicited evidence and position statements from the charged parties, completed legal research for investigative reports, and presented a recommendation for one of their cases orally to the regional director. They also were able to assist in monitoring union elections and vote counts both virtually and in person and in document review for active litigation. (Mac also was a Hays Fellow during Fall 2021.)

Mac will begin their legal career as a Norm Gleichman Fellow with the Service Employees International Union in Washington, DC, where they will support the organizing efforts of healthcare workers across the country.

# The 2022–23 Hays Fellows

## Nicole Mo

Norman and Harriette Dorsen Fellowship  
in Civil Liberties



Nicole Mo grew up in New Jersey and graduated from Yale University with a degree in math and philosophy. After graduation, she spent a year as an editorial fellow at the *Atlantic* in its live journalism division. At NYU Law, Nicole was a Furman

Academic Scholar, an Articles editor for the *NYU Law Review*, and a Fellow at NYU's Center on Race, Inequality, and the Law. She served on the boards of Rights over Tech and the Asian Pacific American Law Students Association. She also was a teaching assistant in Legislation and the Regulatory State, Criminal Procedure: Post Conviction, and Beyond Criminal Justice Reform: Abolition Theory and Praxis, and served as a research assistant to Professor Helen Hershkoff.

During Fall 2022, Nicole interned at the Knight First Amendment Institute, where her research focused on issues of free speech, surveillance, and technology. She worked on a case challenging the digitization and destruction of physical mail sent to people in San Mateo County jails, and on projects related to platform transparency, immigration, and inter-agency data sharing.

During Spring 2023, Nicole interned at Rights Behind Bars, where her research supported a legal challenge to cruel and inhumane conditions of confinement. Her work included drafting a count of a complaint regarding the death of someone held in immigration detention, reviewing discovery in use of force and medical negligence cases, and legal research concerning the abuse of women incarcerated in a federal facility. She also conducted research on the Americans with Disabilities Act and the Prison Litigation Reform Act and filed an open records request concerning the treatment of trans incarcerated individuals.

Nicole will begin her legal career as a Fellow at the Knight Institute. She is interested in anti-surveillance law and the intersection of technology and the abolition of carceral systems.

## Tanya Raja

Sylvia Law Fellowship  
in Economic Justice



Tanya Raja was born in India and grew up in the San Francisco Bay Area. She graduated from the University of California, Irvine in 2017 with a degree in economics and philosophy. At NYU Law, she advocated for low-income tenants in New York City

through The Legal Aid Society's Housing Clinic. She also served as public interest co-chair for the South Asian Law Student Association and as a board member for Law Students for Economic Justice and the Coalition for Law & Representation. She was an editor of the *NYU Law Review*, a Dean's Scholar, and a member of the Rose Sheinberg Committee.

In Fall 2022, Tanya worked at the New Economy Project, primarily on its Advancing Community Land Trusts campaign, which is part of a broader movement in New York City to build permanently affordable housing and advance community control over land. She was particularly involved with Intro 637, the Public Land for Public Good Bill, which would require the City of New York to prioritize community land trusts and other community-based nonprofits when disposing of public land.

During Spring 2023, Tanya interned at Communities Resist—known as CoRe—where her multiple projects reflected CoRe's range of anti-displacement strategies and its movement-lawyering approach to litigation and organizing. In particular, she helped file petitions to assist indigent tenants in obtaining essential housing repairs, and her research supported an unusual holdover case involving an intra-familial dispute.

Tanya plans to center her legal career on the advancement of economic and racial justice.

# The 2023–24 Hays Fellows

## Ashe Huang

Tom Stoddard Fellowship in  
the Rights of Lesbians and Gay Men



Ashe Huang is committed to challenging carceral systems and to advancing the rights of justice-impacted communities. They grew up in Houston and graduated from Stanford University with degrees in feminist, gender, and sexuality studies and comparative literature. Ashe spent a year working in

trial court administration in California prior to law school. At NYU Law, they have served as a coordinator for the Parole Advocacy Project, a student advocate with the Solitary Confinement Project, a clinical student with the Civil Rights in the Criminal Legal System Clinic, and an Articles editor on the *NYU Law Review*. They have also worked as a teaching assistant for Professor Emma Kaufman and as a research assistant for the Birnbaum Women's Leadership Center and for Professor Colleen Campbell. Ashe spent their 1L summer at the Transgender Law Center and their 2L summer at the Southern Center for Human Rights.

## Erica Liu

Robert Marshall Fellowship  
in Civil Liberties



Erica Liu is a first-generation immigrant committed to advancing environmental justice, racial justice, and Indigenous sovereignty. She is curious about the interconnections between law, power, and empire and hopes to probe these connections in

both her advocacy and research. Erica grew up in Chengdu, Sichuan, and Vancouver, British Columbia, and graduated from the University of Toronto with a BA in geography and political science. She is the diversity and membership editor of the *NYU Law Review*, a student researcher for the NYU–Yale American Indian Sovereignty Project, and the coalition and partnerships chair of Law Students for Climate Accountability, a national student-led movement holding the legal industry accountable for its role in facilitating the climate crisis. She spent her 1L summer at the Environmental Protection Division of the Massachusetts Office of the Attorney General while also working as a research assistant to Arthur R. Miller, Warren E. Burger Professor of Constitutional Law and the Courts, and her 2L summer at the Washington, DC, office of Earthjustice.



# The 2023–24 Hays Fellows

## Natasha Menon

Leonard Boudin Fellowship  
in First Amendment Law



Natasha Menon is the proud daughter of South Asian immigrants and is committed to advancing the civil rights and civil liberties of communities of color. She grew up in Scottsdale, Arizona, and graduated from

the University of Pennsylvania in 2020 with a degree in philosophy, politics, and economics, concentrating in distributive justice. Prior to law school, she pursued a master's degree in international migration and public policy at the London School of Economics. At NYU Law, Natasha has served as co-chair of the South Asian Law Students Association; 2L Leadership co-chair of the Women of Color Collective; a board member of the NYU Chapter of the National Lawyers Guild; a research assistant for Adam Cox, Robert A. Kindler Professor of Law; a staff editor for the *NYU Review of Law & Social Change*; a student representative on the Rose Sheinberg Committee; and a member of the Leadership Collective of the Coalition on Law & Representation. She also served as a student advocate in the Immigrant Defense Clinic and as a Derrick Bell Scholar and an Elizabeth Frankel Immigrant Rights Fellow. Natasha spent her 1L summer at the New York Legal Assistance Group with the Immigrant Protection Unit and her 2L summer at the NAACP Legal Defense Fund.

## Talya Nevins

Norman and Harriette Dorsen Fellowship  
in Civil Liberties



Talya Nevins is committed to advancing civil rights, civil liberties, and international human rights in the realm of emerging technology. She is particularly interested in the relationship between surveillance perpetuated by private and by public actors.

Talya grew up in New York City and graduated from Princeton University with a degree in Near Eastern studies and a certificate in Gender and Sexuality Studies. At NYU Law, she serves as the co-president of Rights over Tech, is a student fellow in the Privacy Research Group, and previously was a student advocate in the Technology Law and Policy Clinic. She is also an Articles editor on the *NYU Law Review* and an IILJ Scholar at NYU Law's Institute for International Law and Justice. She spent her 1L summer working at the Electronic Frontier Foundation in San Francisco, and during her 2L summer she interned with the US Federal Trade Commission.

# The 2023–24 Hays Fellows

## Eunice Park

Roger Baldwin Fellowship  
in Civil Liberties and Human Rights



Eunice Park is committed to civil rights and civil liberties issues at the intersection of technology, racial justice, and the law. She graduated from Amherst College with majors in sociology and computer science and then worked as a software engineer for several years. At NYU Law, she has served as a Paul Weiss Student Fellow at the Center on Race, Inequality, and the Law, a student advocate in the Racial Justice Clinic, a co-chair of the Access Project within the student organization Ending the Prison Industrial Complex, and a board member of Rights over Tech. Eunice is also an editor on the *NYU Law Review* and an AnBryce Scholar. She spent her 1L summer at the Brennan Center for Justice within its Liberty and National Security Program and her 2L summer at The Legal Aid Society's Digital Forensics Unit within its criminal defense practice.

## Peter Rawlings

Deborah Rachel Linfield Fellowship  
in Freedom of the Press



Peter Rawlings is interested in the labor movement and workplace justice. He earned a BA in English from Cornell University and an MSJ from Northwestern University. Prior to law school, he was a journalist and labor organizer in New York City and

helped to organize unions in his last two newsrooms with the NewsGuild and Writers Guild of America, East. In law school, he has served on the board of NYU's Unemployment Action Center, providing free representation to people in unemployment benefits hearings, and volunteered with the Parole Advocacy Project, helping people to prepare for parole board hearings. He has also been a student advocate in the Civil Litigation–Employment Law Clinic and is an executive editor of the *NYU Law Review*. Outside school, he has also worked as a term-time law clerk with Spivak Lipton and volunteered with the ALU Law Student Working Group, providing legal support to the Amazon Labor Union. He was a Peggy Browning Fellow during both his 1L and 2L summers, first with Spivak Lipton, and then with New York State United Teachers.

# The 2023–24 Hays Fellows

## Krishnan Sethumadhavan

Palmer Weber Fellowship  
in Civil Rights



Krishnan Sethumadhavan is passionate about workers' rights and the union movement. He grew up in Orlando and graduated in 2017 from the University of Pennsylvania with a degree in economics. Prior to law school, he worked as a consultant in

Washington, DC, where he saw firsthand how union power allowed workers to challenge management's arbitrary control over the workplace and gave workers a voice in their firm. At NYU Law, Krishnan is on the board of Law Students for Economic Justice, which helps coordinate and support the activities of NYU employees in their fight for better paid, more stable, and dignified work. He is a co-chair of the South Asian Law Students Association and an executive editor of the *NYU Law Review*. He also served as a research assistant for Catherine A. Rein Professor of Law Cynthia Estlund and as a teaching assistant for Professor Daniel Hemel. Krishnan spent his 1L summer working for the National Treasury Employees Union and his 2L summer working for Bredhoff & Kaiser, a union-side labor law firm in Washington, DC, and for Cravath, Swaine & Moore.

## Jeffrey Star

Sylvia A. Law Fellowship  
in Economic Justice



Jeffrey Star is from southern Oregon and committed to working toward economic and housing justice in both rural and urban communities. He graduated from Yale University with a major in literature. Before deciding to pursue a career in law,

he worked as an editor and producer on award-winning documentaries and narrative films. At NYU Law, he has served as a teaching assistant to Richard Brooks, Emilie M. Bullowa Professor of Law, in 1L Contracts, and to Helen Hershkoff, Herbert M. and Svetlana Wachtell Professor of Constitutional Law and Civil Liberties, in 1L Civil Procedure, as well as a student advocate in the Housing Law Externship with The Legal Aid Society. He currently serves as supervisory editor of the *NYU Review of Law and Social Change*, co-chair of the HIV Law Society, and co-music director of Substantial Performance. He has also participated in the Tenant Defense Collective, the Solitary Confinement Project, and the Unemployment Action Center. Jeffrey spent his 1L summer at the ACLU of Southern California's Economic Justice Project and also as a research assistant to Professor Hershkoff. During his 2L summer, he interned at the Oregon Law Center.



# In Memoriam

*I am not resigned to the shutting away of loving hearts in the hard ground  
So it is, and so it will be, for so it has been time out of mind.*

“Dirge without Music,” by Edna St. Vincent Millay, quoted in Billy Sothern’s “Taken by the Tide,” *New York Times* (Jan. 10, 2007)

We are sad to report the deaths this year of three Hays Fellows. Given the limits of our knowledge, we are deeply sorry if we have overlooked the passing of any other members of the Hays family.



## Dennis Riordan

Dennis Riordan '74 (Hays Fellow 1973–74) died on August 11, 2022. As a top criminal attorney in the Bay Area, Dennis worked tirelessly to regain freedom for wrongfully incarcerated persons who had been

convicted of serious felonies. Among his many courtroom victories, he overturned the conviction of Johnny Spain, one of six Black Panther members accused of murdering three prison guards in the “San Quentin Six” case. The *San Francisco Chronicle* called Dennis “the Last Hope.” “I guess it’s a reference to the fact that by the time the client gets to me, he or she is already in very big trouble,” Dennis told NYU Law in a 2006 interview. In that same interview, Dennis offered this advice to law students: “There’s no safe, secure path to being a successful litigator. If that’s what you want, at some point you’ll have to take a risk, generally passing up position or money to strike out on your own. The payoff is that you get to practice law, not watch somebody else do it.”

You can read an interview with Dennis [here](#).



## Steven M. Polan

Steven M. Polan '76 (Hays Fellow 1975–76) died on March 17, 2023. Steve spent the first phase of his career in public service in New York City, initially on the staff of City Council President Carol Bellamy. At the

Metropolitan Transportation Authority, where he was general counsel, he helped develop the agency’s first five-year capital plan, an important step in the transit system’s turnaround after the declines of the 1970s. From 1990 to 1992, he served

as commissioner of sanitation of the City of New York, overseeing the implementation of the city’s recycling program. Later, as a partner at Kalkines, Arky, Zall & Bernstein, Steve helped lead the firm’s merger with Manatt, Phelps & Phillips in 2003. His private practice remained dedicated to the public and included representing government agencies and private firms in public infrastructure projects. Steve was devoted to the Hays Program and took a leadership role in establishing the Sylvia A. Law Fellowship in Economic Justice.

You can hear an oral history of Steven’s work [here](#) and [here](#).



## William M. Sothern

Billy Sothern '01 (Hays Fellow 2000–01) died on September 30, 2022. As a Hays Fellow, Billy spent the fall semester at the Equal Justice Initiative in Alabama, working with Bryan Stevenson, Aronson Family Professor

of Criminal Justice, and returning to NYU Law each month to attend Hays seminars in Norman Dorsen’s office. Billy went on to become a renowned criminal defense attorney in New Orleans, where he began his career at the Louisiana Capital Assistance Center. Among many courtroom victories, he overturned the conviction of Albert Woodfox, one of the “Angola Three,” who had spent 42 years in solitary confinement for a crime he did not commit. Billy was part of the legal team in *Kennedy v. Louisiana*, in which the US Supreme Court held it was unconstitutional to impose the death penalty for the crime of child rape. This past spring Billy’s family released his ashes into the Mississippi River. If you would like to contribute to education funds that have been set up for Billy’s daughters, Rose and Pearl, please send donations for each fund by check to Fidelity Investments, P.O. BOX 770001, Cincinnati, OH 45277-0015 [Rose Mae Sothern U.FUND: 603231016] [Pearl Alma Sothern U.FUND: 603231019].

You can read an interview with Billy [here](#).

## Acknowledgments

We give deep thanks and appreciation to Gail Thomas for her dedicated work as administrative assistant to the Hays Program. We also acknowledge and thank Tiffany Scruggs and Damaris Marrero for their administrative and general support of the program.

For further news on the Hays Program, [visit our website](#).

The site also provides a link to the videos of prior Hays events, Lora Hays's video about the Hays Program, prior annual reports, and James Madison Lectures published in the *New York University Law Review*. Please update your contact information so we can stay in touch.



Portrait of Norman Dorsen's Office, *Hays Director, 1961-2017*, by Jason Kachadourian, 2017









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