

2020-2021

# ANNUAL REPORT

American University  
Washington College of Law  
Program on Law and  
Government

Report by:  
Michael Joseph  
Evan Chiarelli  
Jackson Garrity

Approved by:  
Stephen Wermiel  
Faculty Director



# Table of Contents

01.

Message from the Director

02.

About the Program

03.

Degree and Certification  
Programs

04.

Communications and  
Marketing

05.

Faculty Accomplishments

06.

Affiliated Programs and  
Organizations

07.

Key Events

08.

Program Faculty and Staff

## MESSAGES FROM INTERIM FACULTY DIRECTOR, STEPHEN WERMIEL, & FORMER FACULTY DIRECTOR, FERNANDO LAGUARDA.

### **By: Stephen Wermiel**

I am proud to have the opportunity to continue the leadership and commitment to the Program on Law and Government demonstrated by my predecessor, Prof. Fernando Laguarda, who describes his hopes and vision for the program in his message below.

### **By: Fernando Laguarda**

With the help of many talented and generous students, faculty, staff colleagues, alumni and friends, it was an honor and a privilege to steward the Program on Law and Government into 2021. The first half of this year we worked to break out of the bubble into which the COVID19 pandemic had forced us to live, to expand the horizon of learning in new ways, and to deepen the unique skills that lawyers have: to listen to those with whom we strongly disagree, to advocate in the interest of another, to see the public interest in our work no matter what we do. We also celebrated important milestones in civil rights and asked questions about the future of the criminal justice system. We looked at how the pandemic was changing the law and how law was being changed by politics. Our goal was to expand the possibilities of what legal education – and, ultimately, a law degree can do.

What difference does a law degree make? If all that means is adding one more lawyer to the world, the answer is “not much”. The world has plenty of lawyers. But if the question is what difference you can make with your law degree, the answer is “a lot”. The world has plenty of problems, and the toughest problems are the ones that have to be solved at the speed of trust. Law is the language we rely on when people who disagree need something to trust. Law is the tool we rely on when things we were taught to trust have failed us or betrayed us or broken down. Law is the means, justice is the ends.

I have no doubt that the Program on Law and Government is what helps students at the Washington College of Law unlock the potential of a legal education at the heart of our system of government and learn to work as trusted servants of the public interest. And I am confident that Prof. Stephen Wermiel and his team of talented faculty and staff, with the support of incoming Dean Roger Fairfax, will ensure its brightest days are still to come, helping lawyers make a difference where it matters most. The world needs good lawyers now more than ever. Thank you for your support.



**ABOUT THE PROGRAM:**  
**OVER 25 YEARS OF EXCELLENCE.**

American University Washington College of Law's (AUWCL) Program on Law and Government is celebrating over a quarter century in our nation's legislative and regulatory hub. We offer a broad array of curricular options, experiences, and events, from cutting edge courses taught by expert faculty, to symposia and panels featuring our talented alumni. Each opportunity is designed to prepare students for careers at the intersection of public service, law, and policy.



**Rankings and Recognition:**  
**Empowering Service Minded Attorneys.**

AUWCL ranked second on the list of schools with the most graduates working on congressional staffs, ahead of those who previously attended elite universities such as Harvard, Yale, George Mason, or NYU.

Additionally, AUWCL is top-ranked for careers in and around Government in the winter 2020 issue of PreLaw Magazine, including #2 for Public Defenders, #5 for Government, and #6 for Public Interest.



## DEGREE AND CERTIFICATION PROGRAMS

LL.M. in Legislation  
LL.M. in Law and Government  
Summer Institute

Jobs at the intersection of law and domestic public policy frequently place a premium on skills such as legislative and regulatory drafting, legislative and regulatory negotiation, and statutory interpretation. **An LL.M. in Legislation** is designed to equip lawyers with these precise skills.

**The LL.M. in Law and Government** prepares students to grasp the issues that are at the intersection of law, politics, and all levels of government through a broad-based examination of public law in the United States.

This is an LL.M. with a difference. Designed for both domestic and international law graduates who have a strong interest in U.S. government and politics, the dynamics of democracy, and the meaning of the rule of law, the LL.M. in Law and Government takes students on a broad and deep examination of the most important public policy issues of the time.

For over 20 years, the Washington College of Law has offered summer courses in emerging legal fields for students and practitioners alike. These short, specialized courses are a great opportunity for students to gain academic and continuing legal education credits while also developing a deeper understanding of specific areas of law.



**The Program and Law and Government has added unique classes in diverse areas of the law to ensure students leave AUWCL with the tools to succeed in Washington.**



## COMMUNICATION & PROGRAM MARKETING

2020-2021

### SOCIAL MEDIA STATISTICS

Twitter:

**1,130 followers**

LinkedIn:

**Over 1,900 connections**

Facebook:

**2,212 likes**

Instagram:

**Over 400 followers in our first year!**

Newsletter Subscribers:

**9,414 students, faculty, and alumni**

The Program on Law and Government has built a strong community of alumni and current students by hosting numerous networking events and encouraging students to continue working alongside the Program after they graduate from AUWCL.

In addition to our general outreach efforts, we also administer the "AUWCL Program on Law and Government" Group on LinkedIn, a private group that allows alumni and students to communicate directly about internship and career opportunities in government.

Each week, the staff at the Program on Law and Government sends out a newsletter updating students and alumni on Program activities, informing students of career opportunities, and inviting subscribers to events hosted by the Program. Combined with a comprehensive and coordinated social media strategy, the Program interacts with thousands of students, faculty, and alumni each week!

## FACULTY ACCOMPLISHMENTS

### Setting the Standard for Excellence

While it would be difficult to list all the cutting-edge symposia moderated, lectures and speeches delivered, articles written, accolades garnered, and young legal minds inspired, there are a few that merit special recognition.

We are proud of our now-former Faculty Director Fernando Laguarda for accepting a leadership position in the Biden-Harris administration as the General Counsel for the Corporation for National and Community Service (CNCS). In his time leading the Program, Professor Laguarda tirelessly grew its reach and provided countless opportunities for students, faculty, alumni, and the wider Washington, D.C. community to learn about nascent issues facing the federal government. His focus on ethics, equity, and public service has left a lasting impression on the AUWCL community.

We are also excited to spotlight Professor Amanda Frost's new book, [You Are Not an American: Citizenship Stripping From Dred Scott to the Dreamers](#), which was named a "New and Noteworthy Book" by the New York Times Book Review. Published by Beacon Press, the book examines what it means to be American and issues surrounding membership, identity, belonging, and exclusion that have been central themes, both historically and recently, in American culture.

Finally, we are grateful for Interim Faculty Director Stephen Wermiel, who has stepped in to lead the Program as it adjusts to the loss of Professor Laguarda. Professor Wermiel already contributes so much to the Washington College of Law and the larger legal community, including through his role with the American Bar Association's Board of Governors, as a columnist for SCOTUSblog, and as a tireless teacher of constitutional law, civil rights law and advocacy.



## **AFFILIATED PROGRAMS & ORGANIZATIONS**

### **American University Legislation & Policy Brief**

The American University Legislation and Policy Brief (AULPB) is the legislative-based legal publication of the Washington College of Law. AULPB publishes an annual scholarly volume, sponsors events on campus and on the Hill, and hosts an online blog providing bipartisan legal analysis of current legislation and policy issues before federal and state legislatures. AULPB articles cover a wide range of legislative areas and tend to be heavy on legislative history and analysis.

### **The Oversight Project**

This blog operates in connection with a seminar being taught at American University Washington College of Law that explores and analyzes the work of the Inspectors General, Office of Government Ethics, Office of Special Counsel, Government Accountability Office, and the Office of Management and Budget, among other constituent elements of the "oversight and accountability community." In connection with the course, students participate in developing and implementing this new online publication. Students working on the blog publish updates on newsworthy developments from the oversight and accountability community as well as more extensive analytical essays about their work. Practitioners and representatives of those agencies contribute posts as well. Students monitor new developments on relevant websites, draft and publish to the blog, and work on development of the blog platform itself. An advisory board of WCL alumni who work in the oversight community offer guidance, ideas and review of potential blog posts.

### **The Law and Government Society**

The Law and Government Society is a student run organization housed under the Program on Law and Government. Assisted by Program Dean's Fellows, the Society works diligently to help students make deliberate decisions about their academic and professional career. Through bi-weekly meetings, in conjunction with regularly scheduled Program events, the Society has helped students develop a broad set of skills, from effective networking to resume and cover letter drafting.

### **Program on Legislative Negotiations**

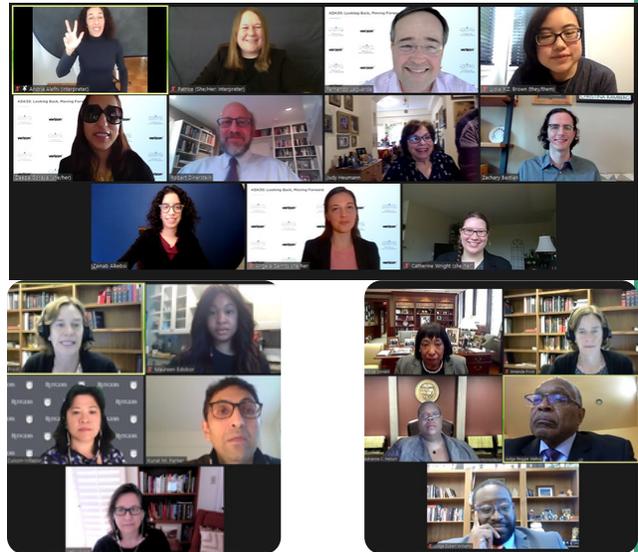
With support from the Madison Initiative of the William and Flora Hewlett Foundation, American University's Program on Legislative Negotiation (PLN) addresses legislative gridlock so that our representatives can better respond to today's challenges. Led by Professor Bettina Poirier, the PLN is a joint endeavor of American University's Washington College of Law and the Center for Congressional and Presidential Studies at the AU School of Public Affairs (SPA).

### **Government Contracts Initiative**

Through the Government Contracts Initiative, the Program on Law and Government seeks to provide students with the academic training, extracurricular programming and career counseling necessary to succeed in the dynamic field of government contracts law. Comprised of leading experts in the field, the Advisory Board provides advice and assistance to the Program to ensure its success. The Government Contracts Initiative was organized by the Program's Professor Steven Shapiro.

## KEY EVENTS:

Informative.  
Collaborative.  
Inclusive.



### SOCIAL JUSTICE & CIVIL RIGHTS

As aspiring lawyers with an interest in public service, we have an obligation to advocate for a society that is more just, equitable, and representative. This year, the Program organized and hosted several discussion on issues ranging from racial justice in the courts to the on-going fight for women's suffrage. These events identified systemic discrimination in the legal system, and gave our students the tools to create change during their careers.

### PHILANTHROPY

As the COVID-19 pandemic impacted communities across the nation, WCL students and the Program mobilized to have a positive impact in our community. During our Capital Area Food Bank Donation Drive, students and faculty worked together to raise over \$2,300 for the food bank. This allowed CAFB to provide over 5,000 meals just before the holiday season. This is just one in many examples of WCL students working together to champion what matters.

### TEACH-INS

Over the course of the year, Program faculty worked to inform students about recent changes in dynamic areas of the law. As legal developments unfolded surrounding events like the federal COVID-19 and the upcoming Supreme Court term, we organized rapid response teach-ins to ensure our students received the most up-to-date information.

### PROFESSIONAL DEVELOPMENT

At the Program, we are intently focused on ensuring students are prepared to accomplish their goals and find a job where they can make a difference. From career workshops, alumni panels, and resume reviews, we assist students in finding their dream job so they can embark on productive and exciting legal careers.

## PROGRAM FACULTY AND STAFF

The People Who Make the  
Program Great.

### **Stephen Wermiel, Professor of Practice in Constitutional Law, Interim Faculty Director of the Program on Law and Government**

Stephen Wermiel is Professor of Practice in Constitutional Law and part of the Program on Law and Government at American University Washington College of Law. He is currently a member of the Board of Governors of the American Bar Association (ABA) and also sits in the ABA House of Delegates. He is past chair of the ABA Section of Civil Rights and Social Justice (CRSJ) (formerly Individual Rights and Responsibilities) and author of a column on SCOTUSblog aimed at explaining the Supreme Court to law students. At the Washington College of Law, he serves as an adviser to and was past associate director of the Marshall-Brennan Constitutional Literacy Project, in which Washington College of Law students teach constitutional law in the public high schools of Washington, D.C. He also is faculty adviser to the Moot Court Honor Society and serves on the advisory boards of the American University Law Review, Administrative Law Review and the Journal of Gender, Social Policy and Law. In the ABA, Wermiel was a member of the Standing Committee on the Silver Gavel Awards, served as chair of the publications committee of CRSJ, and is a member of the editorial advisory boards of Communications Lawyer, the quarterly publication of the Forum on Communications Law, and Human Rights, the quarterly of CRSJ. He co-chairs the Free Speech Free Press Committee of CRSJ. In January 2018, CRSJ honored Wermiel with the Robert F. Drinan Award for dedication and service to the section.

### **Amanda Frost, Ann Loeb Bronfman Distinguished Professor of Law and Government**

Amanda Frost is the Ann Loeb Bronfman Distinguished Professor of Law and Government. Professor Frost writes and teaches in the fields of constitutional law, immigration and citizenship law, federal courts and jurisdiction, and judicial ethics. Her scholarship has been cited by over a dozen federal and state courts, and she has been invited to testify on the topics of her articles before both the House and Senate Judiciary Committees. Her non-academic writing has been published in The Atlantic, Slate, The American Prospect, the Washington Post, the New York Times, and USA Today, and she authors the "Academic round-up" column for SCOTUSblog. Her recent book, *You Are Not American: Citizenship Stripping from Dred Scott to the Dreamers* (Beacon Press), published in January 2021, was named a "New and Noteworthy" Book by the New York Times, and addresses critical questions about the meaning of inclusion and identity in modern American society, just at a time when the nation is grappling with those very issues. Before entering academia, Professor Frost clerked on the U.S. Court of Appeals for the D.C. Circuit and spent five years as a staff attorney at Public Citizen, where she litigated cases at all levels of the federal judicial system. She has also worked for the Senate Judiciary Committee, served as Acting Director of the Immigrant Justice Clinic, and spent a year as a Fulbright Scholar studying transparency reform in the European Union.

## PROGRAM FACULTY AND STAFF

The People Who Make the  
Program Great.

### **Andrew Popper, Professor of Law**

Andrew F. Popper teaches torts, administrative law, government litigation, and advanced administrative law. In 2016 he was elected law faculty member of the year. He is the recipient of American Bar Association awards for excellence in both tort and administrative law and has received American University's highest faculty award, Scholar/Teacher of the Year. He has served as Associate Dean for Academic Affairs and for nearly two decades has chaired the law school admissions committee. He is the director of the law school's Integrated Curriculum Program and faculty advisor to the Administrative Law Review. He has served as chair of the Administrative Law Section of the Federal Bar Association and has been a site visitor for the ABA and AALS, participating in the accreditation review of twelve other law schools, chairing four of those visits. He is the recipient of the Maryland Writer's Association First Place Award for mainstream fiction.

### **Bettina Poirier, Senior Affiliate in Law and Government**

Bettina Poirier is Adjunct Professor of Law and directs the Program on Legislative Negotiation, which addresses the gridlock in Congress and in state legislatures, so that legislative bodies can better respond to today's challenges and improve public trust in these institutions. She served as Staff Director and Chief Counsel for the Senate Environment and Public Works (EPW) Committee for over 10 years. Poirier was the first woman to hold this position in the Committee's history. She worked for Senator Barbara Boxer (D-California) who was the Chair and later the Ranking Member of the Committee. Senator Boxer retired this year after 4 terms in the Senate and 10 years in the House. As Staff Director and Chief Counsel, Ms. Poirier managed the Democratic staff on the EPW Committee, and she worked with Members of Congress, the Executive Branch, State and local governments, NGO's and many other stakeholders on environment, energy, and infrastructure issues. The EPW Committee has jurisdiction over a wide variety of subjects, including transportation and water infrastructure, clean air, clean water, drinking water and wildlife protections, federal buildings, toxic chemical safeguards, as well as chemical and nuclear plant safety. Bettina Poirer teaches courses on Legislative Negotiation and Legislative Drafting.

### **Herman Schwartz, Professor Emeritus**

Herman Schwartz is Professor of Law Emeritus at American University Washington College of Law. Throughout a long career in academia, publishing and community service, he has focused his attention and the world's on issues of civil rights and civil liberties as they have played out in courts and prisons across the globe. He has worked with the United Nations, the human rights advocacy group Helsinki Watch, the U.S./Israel Civil Liberties Law Program (which he founded), the ACLU Prison Project (which he founded), Washington College of Law's Human Rights Center and other organizations. In May 2006 he was awarded the 2006 Champion of Justice Award by the Alliance for Justice.

## PROGRAM FACULTY AND STAFF

The People Who Make the  
Program Great.

### **Jeffrey Lubbers, Professor of Practice in Administrative Law**

Jeffrey Lubbers is Professor of Practice in Administrative Law and is also active as a Fellow in AUWCL's Law and Government Program. He holds expertise in administrative law; government structure and procedures; and regulatory policy and procedures. In addition to teaching Administrative Law, he also teaches the Washington Lawyer Seminar, the keystone course in the LLM in Law and Government Program. He also serves as AUWCL's liaison to Japanese Law Schools, having taught at AUWCL's "sister school," Ritsumeikan University School of Law in Kyoto, for nine summers. From 2012-15 he was Director of AUWCL's Europe Summer Law Program. He has also engaged in numerous administrative law reform projects in China in the last 20 years. From 1982 to 1995, Professor Lubbers was the research director of the Administrative Conference of the United States, where he is now Special Counsel.

### **Louis Caldera, Senior Affiliate in Law and Government**

Louis Caldera is Distinguished Adjunct Professor of Law and a Senior Affiliate in the Program on Law and Government. Prior to joining AUWCL, Caldera taught courses in Legislation and Legislative Process, Election Law/Law of Democracy, State and Local Advocacy, and Corporate Governance at Loyola Law School, The University of New Mexico, and The George Washington University. He is particularly interested in the design and operation of democratic institutions and the participation of groups that have been traditionally underrepresented in the political and policy making process. The former Secretary of the Army, Caldera has served in numerous public service, higher education, and nonprofit leadership roles, including as an Army officer, state legislator, university president and in two presidential administrations. He served in the California State Assembly from 1992 to 1997, representing a downtown Los Angeles based district. He served in two Senate confirmed positions in the Clinton Administration, including as Secretary of the Army, and in the Obama White House as an Assistant to the President and Director of the White House Military Office. His higher education career includes service as a vice chancellor for The California State University and as president of The University of New Mexico where he was also a member of the university's law school faculty.

### **Steven Shapiro, Senior Affiliate in Government Contracts Studies**

Steven Shapiro is Adjunct Professor of Law and serves as director of the Hospitality & Tourism Law Program and leads the advisory board for the Government Contracts Initiative. He teaches Construction Law (LAW 885), Contract Drafting (LAW 849) and Government Contracts Dispute Resolution. An engineer and lawyer, Professor Shapiro has a distinct experience in the interplay of construction and design as well as complex agreements in real estate development.

### **Program Staff**

**Guarina Lopez-Davis, Program Coordinator**

**Michael Joseph, Program Assistant**

**Evan Chiarelli, Dean's Fellow**

**Jackson Garrity, Dean's Fellow**